# City of Phoenix

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

City of Phoenix

## Agenda

**Wednesday, December 4, 2024**

**2:30 PM**

**phoenix.gov**

## City Council Formal Meeting

*****REVISED December 3, 2024*****
**Items Revised: 75 and 77**

**If viewing this packet electronically in PDF, open and use bookmarks to navigate easily from one item to another.**

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=e50ac99fbb3c9ddc85d03ba0427f66c02

- 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 2554 170 4226# (for English) or 2559 674 7097# (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.

- Members of the public may attend this meeting in person. Physical access to the meeting location will be available starting 1 hour prior to the meeting.

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 2559 674 7097#. 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 2559 674 7097#). 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.

- Miembros del público pueden asistir a esta reunión en persona. El acceso físico al lugar de la reunión estará disponible comenzando una hora antes de la reunión.

## CALL TO ORDER AND ROLL CALL

## MINUTES OF MEETINGS

1 **For Approval or Correction, the Minutes of the Formal Meeting on May 15, 2024** Page 14

2 **For Approval or Correction, the Minutes of the Special Meeting on May 15, 2024** Page 15

## BOARDS AND COMMISSIONS

3 **Mayor and Council Appointments to Boards and Commissions** Page 16

*Attachments*

Attachment A - Mayor and Council Appointments.pdf

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5 **Liquor License - Kitsune Brewing Company - District 2** Page 19

*Attachments*

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Attachment - Kitsune Brewing Company - Map.pdf

6 **Liquor License - Residence Inn by Marriott - District 2** Page 24

*Attachments*

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7 **Liquor License - Special Event - Assyrian Church of the East - St. Peter AZ - District 3** Page 29

8 **Liquor License - Wren House Brewing Co - District 3** Page 30

*Attachments*

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9 **Liquor License - Szechwan Kitchen - District 4** Page 36

*Attachments*

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*Attachments*

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Attachment - Mariscos Y Sushi El Kora - Map.pdf

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*Attachments*

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18 **Liquor License - Bravo Taco's - District 8** Page 68

*Attachments*

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*Attachments*

Attachment A - City Council Resolution v5-125673931-v3.pdf

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*Attachments*

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*Attachments*

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*Attachments*

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## PLANNING AND ZONING MATTERS

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*Attachments*

Attachment A - Draft Ordinance - Z-27-24-2.pdf

72 **Amend City Code - Ordinance Adoption - Rezoning Application Z-85-24-3 - Approximately 170 Feet East of the Northeast Corner of 13th Avenue and Peoria Avenue (Ordinance G-7329) - District 3** Page 200

*Attachments*

Attachment A - Draft Ordinance - Z-85-24-3.pdf

73 **Amend City Code - Ordinance Adoption - Rezoning Application Z-94-24-3 - Approximately 280 Feet North of the Northeast Corner of 13th Place and Cinnabar Avenue (Ordinance G-7327) - District 3** Page 208

*Attachments*

Attachment A - Draft Ordinance - Z-94-24-3.pdf

74 **Amend City Code - Ordinance Adoption - Rezoning Application Z-93-24-8 - Northwest Corner of 15th Avenue and South Mountain Avenue (Ordinance G-7328) - District 8** Page 214

*Attachments*

Attachment A - Draft Ordinance - Z-93-24-8.pdf

*75 *****ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing - Amend City Code - Ordinance Adoption - Downtown Code Z-TA-5-22-4-7-8 (Ordinance G-7330) - Districts 4, 7 & 8** Page 220

*Attachments*

Item 75 - Back-Up Memo.pdf
Attachment A - Draft Ordinance - Z-TA-5-22-4-7-8.pdf
Attachment B - Staff Report - Z-TA-5-22-4-7-8.pdf
Attachment C - Staff Report Addendum A - Z-TA-5-22-4-7-8.pdf
Attachment D - VPC Rec Forms - Z-TA-5-22-4-7-8.pdf
Attachment E - PC Summary - Z-TA-5-22-4-7-8.pdf

76 **Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-2-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Resolution 22266) - District 2** Page 996

*Attachments*

Attachment A - Draft Resolution - GPA-DSTV-2-23-2.pdf
Attachment B - Staff Report - GPA-DSTV-2-23-2.pdf
Attachment C - VPC Summaries - GPA-DSTV-2-23-2.pdf
Attachment D - PC Summary - GPA-DSTV-2-23-2.pdf
Attachment E - Correspondence - GPA-DSTV-2-23-2.pdf

*77 *****ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing and Ordinance Adoption - General Plan Amendment GPA-DSTV-3-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Ordinance G-7332) - District 2** Page 1627

*Attachments*

Item 77 - Back-Up Memo.pdf
Attachment A - Draft Ordinance - GPA-DSTV-3-23-2.pdf
Attachment B - Staff Report - GPA-DSTV-3-23-2.pdf
Attachment C - Staff Report Addendum A - GPA-DSTV-3-23-2.pdf
Attachment D - VPC Summaries - GPA-DSTV-3-23-2.pdf
Attachment E - PC Summary - GPA-DSTV-3-23-2.pdf
Attachment F - Correspondence - GPA-DSTV-3-23-2.pdf

78 **Public Hearing and Ordinance Adoption - Rezoning Application Z-39-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Ordinance G-7331) - District 2** Page 2814

*Attachments*

Attachment A - Draft Ordinance - Z-39-23-2.pdf
Attachment B - Staff Report - Z-39-23-2.pdf
Attachment C - Staff Report Addendum A - Z-39-23-2.pdf
Attachment D - VPC Summaries - Z-39-23-2.pdf
Attachment E - PC Summary - Z-39-23-2.pdf
Attachment F - Correspondence - Z-39-23-2.pdf

79 **(CONTINUED FROM NOVEMBER 13, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-58-24-8 - Approximately 710 Feet North and 305 Feet West of the Northwest Corner of 20th Avenue and South Mountain Avenue (Ordinance G-7322) - District 8** Page 4019

*Attachments*

Attachment A - Draft Ordinance - Z-58-24-8.pdf
Attachment B - Staff Report - Z-58-24-8.pdf
Attachment C - VPC Summaries - Z-58-24-8.pdf
Attachment D - PC Memo - Z-58-24-8.pdf
Attachment E - PC Summary - Z-58-24-8.pdf
Attachment F - PC Appeal - Z-58-24-8.pdf
Attachment G - Opposition - Z-58-24-8.pdf
Item 74 - Continuance Memo.pdf
11-13-24 - Item 74 - REVISED Continuance Memo (Z-58-24-8).pdf

## REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

## 000 CITIZEN COMMENTS

## ADJOURN

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 1

## For Approval or Correction, the Minutes of the Formal Meeting on May 15, 2024

### Summary

This item transmits the minutes of the Formal Meeting of May 15, 2024, for review, correction and/or approval by the City Council.

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

### Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 2

## For Approval or Correction, the Minutes of the Special Meeting on May 15, 2024

### Summary

This item transmits the minutes of the Special Meeting of May 15, 2024, for review, correction and/or approval by the City Council.

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

### Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 3

# Mayor and Council Appointments to Boards and Commissions

## Summary

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

## Responsible Department

This item is submitted by the Mayor's Office.

# ATTACHMENT A

City of Phoenix

**To:** City Council **Date:** December 4, 2024

**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:

**Estrella Village Planning Committee**

Councilman Carlos Galindo-Elvira recommends the following for appointment:

Dustin Thrower
Mr. Thrower is the Lead Pastor at Village Hope Church and a resident of District 7. He fills a vacancy for a term to expire November 19, 2026.

**Laveen Village Planning Committee**

I recommend the following for appointment:

Michael Doromal
Mr. Doromal is the CEO of LJSM Corporation and a resident of District 7. He replaces Gary Flunoy for a term to expire November 19, 2025.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 4

## Liquor License - Special Event - MPN Education Foundation LTD - District 2

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

## Summary

Applicant
Josephine Mannino

Location
6161 E. Mayo Boulevard
Council District: 2

Function
Reception

Date(s) - Time(s) / Expected Attendance
February 15, 2025 - 5 p.m. to 9 p.m. / 200 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:** 12/4/2024, **Item No.** 5

## Liquor License - Kitsune Brewing Company - District 2

Request for a liquor license. Arizona State License Application 306978.

## Summary

Applicant
Tyler Smith, Agent

License Type
Series 7 - Beer and Wine Bar

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

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit.

The 60-day limit for processing this application is December 4, 2024.

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.

Kitsune Brewing Company (Series 3)
3321 E. Bell Road, Ste. B-05, Phoenix
Calls for police service: 8
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 currently have a series 3 license with no strikes or penalties against me."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have created a community that enjoys coming to the space as well as we give back to the community in the form of food and school supplies drive."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Kitsune Brewing Company - Data
Attachment - Kitsune Brewing Company - Map

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

# Liquor License Data: KITSUNE BREWING COMPANY

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Microbrewery | 3 | 1 | 1 |
| Bar | 6 | 2 | 2 |
| Liquor Store | 9 | 6 | 4 |
| Beer and Wine Store | 10 | 6 | 2 |
| Restaurant | 12 | 14 | 5 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 85.21 | 103.5 |
| Violent Crimes | 12.31 | 19.58 | 14.86 |

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

## Property Violation Data

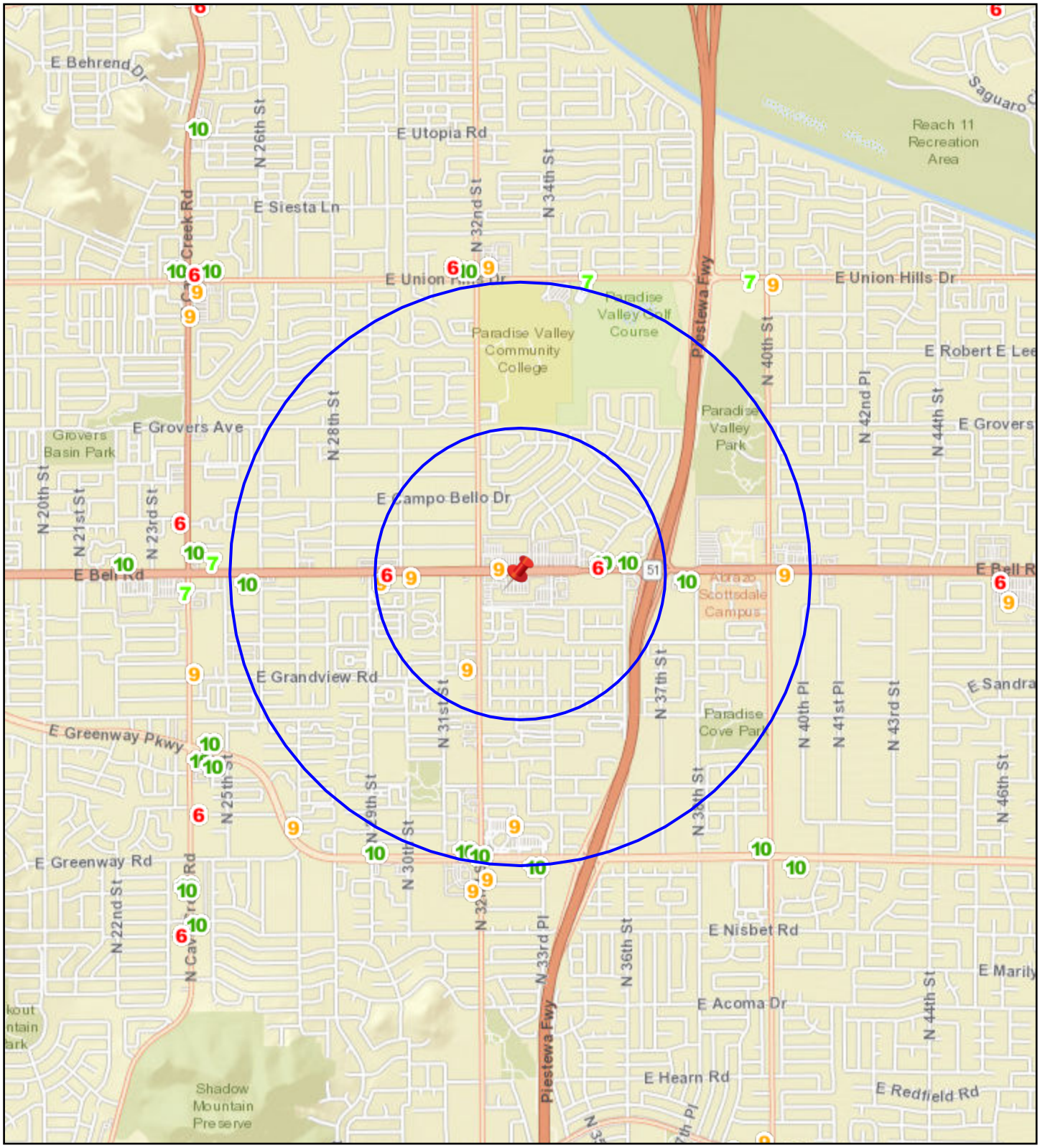
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 85 |
| Total Violations | 74 | 173 |

## Census 2010 Data 1/2 Mile Radius

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

# Liquor License Map: KITSUNE BREWING COMPANY

3321 E BELL RD




N

Date:11/18/2024

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 6

## Liquor License - Residence Inn by Marriott - District 2

Request for a liquor license. Arizona State License Application 309564.

## Summary

Applicant
Briana Naegeli, Agent

License Type
Series 11 - Hotel

Location
5665 E. Mayo Boulevard
Zoning Classification: CP/BP DRSP
Council District: 2

This request is for a new liquor license for a hotel. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license and does not have an interim permit. This location requires a Use Permit to allow outdoor entertainment.

The 60-day limit for processing this application is December 7, 2024.

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 the location, there shall be a rebuttable preseumption 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: information about any 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:

Residence Inn by Marriott (Series 7)
510 S. Forest Avenue, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Residence Inn by Marriott (Series 7)
5665 E. Mayo Boulevard, Phoenix
Calls for police service: 24
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:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain 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:
"Residence Inn by Marriott has been a popular hotel in Phoenix for many years. In addition to the hotel's standard amenities. Applicant would like to offer guests 21 and over the opportunity to enjoy beer, wine an spirits as an incident to their story."

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 Ordinance.

Attachments
Attachment - Residence Inn by Marriott - Data

Attachment - Residence Inn by Marriott - Map

## Responsible Department

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

# Liquor License Data: RESIDENCE INN BY MARRIOTT

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 4 | 0 |
| Beer and Wine Bar | 7 | 4 | 1 |
| Beer and Wine Store | 10 | 1 | 0 |
| Restaurant | 12 | 10 | 0 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 9.15 | 11.88 |
| Violent Crimes | 12.31 | 1.08 | 1.69 |

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

## Property Violation Data

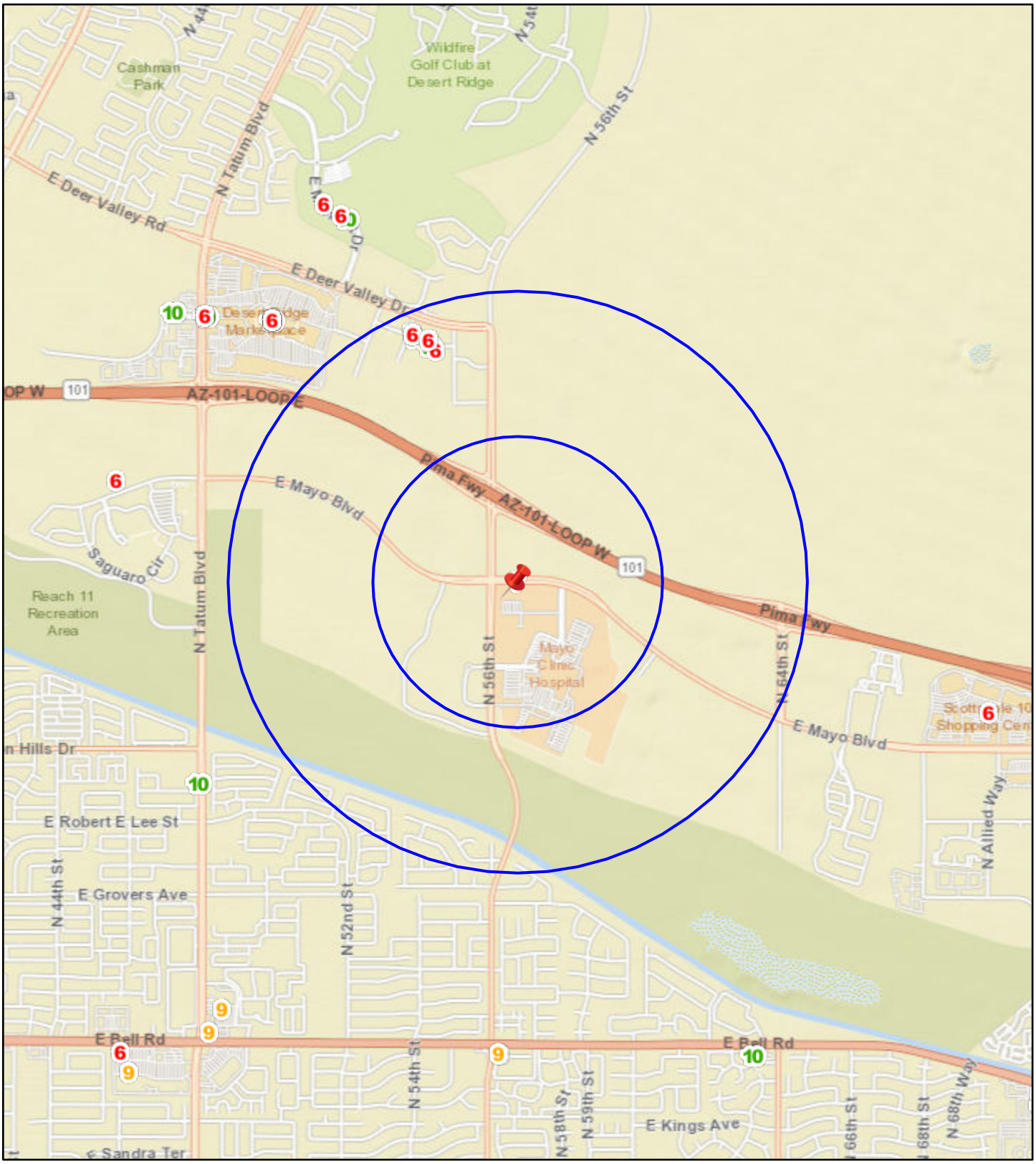
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 0 |
| Total Violations | 74 | 0 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 6152001 | 1993 | 8 | 29 | 12 |
| 6152002 | 2127 | 70 | 10 | 4 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: RESIDENCE INN BY MARRIOTT

5665 E MAYO BLVD




Date: 11/22/2024

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 7

## Liquor License - Special Event - Assyrian Church of the East - St. Peter AZ - District 3

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

## Summary

Applicant
Sargon Yaro

Location
1915 W. Thunderbird Road
Council District: 3

Function
Dinner and Dance

Date(s) - Time(s) / Expected Attendance
December 31, 2024 - 8 p.m. to 2 a.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 8

## Liquor License - Wren House Brewing Co - District 3

Request for a liquor license. Arizona State License Application 310070.

## Summary

Applicant
Drew Pool, Agent

License Type
Series 3 - Microbrewery

Location
12650 N. Tatum Boulevard, Ste. 100
Zoning Classification: C-2 H-R DNS/WVR SP PCD
Council District: 3

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in February 2025.

The 60-day limit for processing this application was November 30, 2024. However, the applicant submitted a written request for more time.

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.

Wren House Brewing Company (Series 3)
2125 N. 24th Street, Phoenix
Calls for police service: 1
Liquor license violations: None

Wren House Brewing Co (Series 3)
6396 Lear Lane, Prescott
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Sudhalle Taphouse (Series 12)
4025 E. Chandler Boulevard, Ste. 1 & 2, Phoenix
Calls for police service: 56
Liquor license violations: In September 2024, a fine for $1,500 was paid for allowing alcohol to be removed from the premises.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have a 10 year brewery that has contributed to our local community with no negative marks on our record."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Continued contribution to local communities, charities, employment opportunities."

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
Attachment - Wren House Brewing Co - Data
Attachment - Wren House Brewing Co - Map

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

# Liquor License Data: WREN HOUSE BREWING CO

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 2 | 1 |
| Beer and Wine Bar | 7 | 1 | 1 |
| Liquor Store | 9 | 4 | 3 |
| Beer and Wine Store | 10 | 7 | 5 |
| Hotel | 11 | 1 | 0 |
| Restaurant | 12 | 23 | 20 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 100.13 | 215.18 |
| Violent Crimes | 12.31 | 7.59 | 14.64 |

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

## Property Violation Data

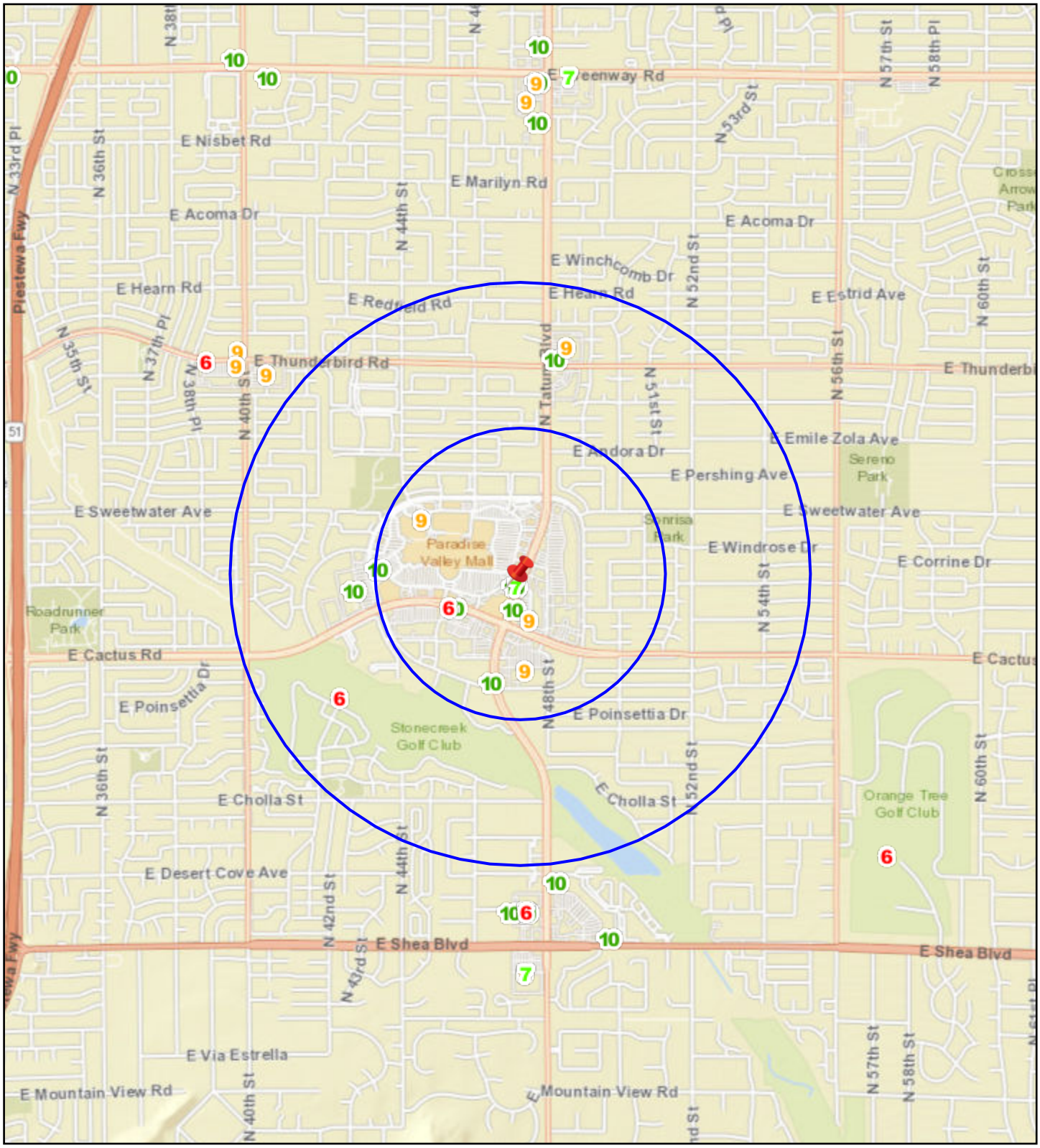
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 36 |
| Total Violations | 74 | 52 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1032051 | 1834 | 100 | 6 | 0 |
| 1032052 | 1192 | 82 | 0 | 16 |
| 1032082 | 1548 | 38 | 36 | 18 |
| 1032091 | 804 | 74 | 0 | 24 |
| 1032101 | 872 | 20 | 20 | 12 |
| 1032102 | 1681 | 32 | 14 | 19 |
| 1032105 | 468 | 0 | 19 | 22 |
| 1032106 | 886 | 23 | 22 | 7 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: WREN HOUSE BREWING CO

12650 N TATUM BLVD




N

Date:11/20/2024

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 9

## Liquor License - Szechwan Kitchen - District 4

Request for a liquor license. Arizona State License Application 310333.

## Summary

Applicant
Xingjiang Zhao, Agent

License Type
Series 12 - Restaurant

Location
4402 N. 7th Avenue
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is December 15, 2024.

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.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been managing restaurants for more than 20 years. I have completed the training coursed required by law. I have had the basic knowledge of the laws and liquor products for serving liquor in a restaurant.."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"providing liquor options will serve our customers better."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Szechwan Kitchen - Data
Attachment - Szechwan Kitchen - Map

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

# Liquor License Data: SZECHWAN KITCHEN

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 12 | 7 |
| Beer and Wine Bar | 7 | 10 | 0 |
| Liquor Store | 9 | 6 | 0 |
| Beer and Wine Store | 10 | 8 | 4 |
| Hotel | 11 | 1 | 0 |
| Restaurant | 12 | 36 | 10 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 231.39 | 192.88 |
| Violent Crimes | 12.31 | 43.68 | 38.53 |

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

## Property Violation Data

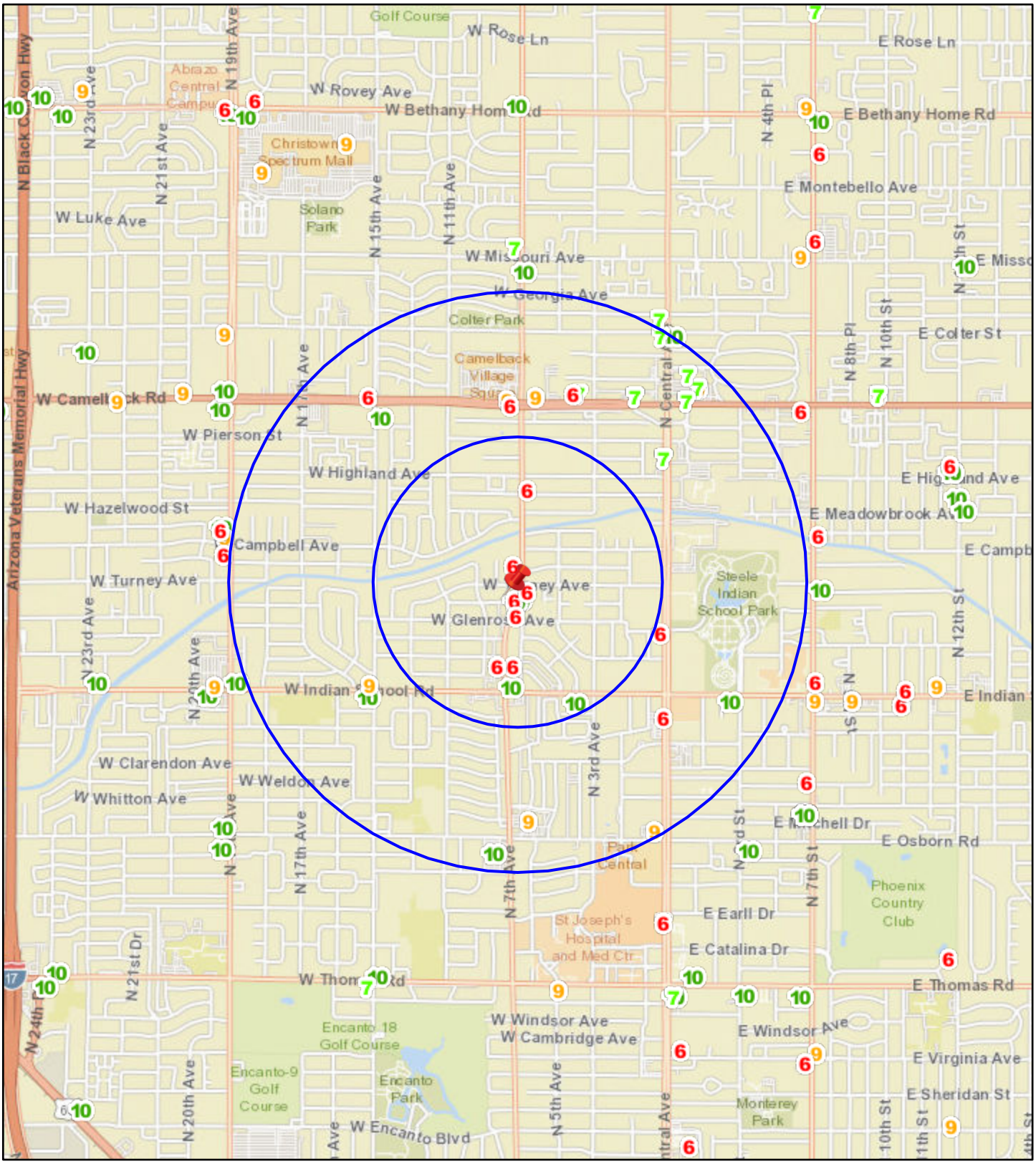
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 95 |
| Total Violations | 74 | 169 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1088021 | 1456 | 23 | 32 | 31 |
| 1089011 | 988 | 36 | 15 | 30 |
| 1089012 | 1297 | 31 | 23 | 54 |
| 1089013 | 956 | 82 | 4 | 8 |
| 1089022 | 1250 | 42 | 26 | 22 |
| 1089023 | 1072 | 28 | 3 | 47 |
| 1089024 | 1278 | 46 | 9 | 21 |
| 1104001 | 1724 | 53 | 6 | 33 |
| 1105011 | 551 | 49 | 20 | 14 |
| 1105012 | 1249 | 13 | 23 | 11 |
| 1171001 | 2126 | 10 | 15 | 10 |
| 1171002 | 703 | 57 | 27 | 12 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: SZECHWAN KITCHEN

4402 N 7TH AVE




Date: 11/22/2024

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 10

## Liquor License - Mariscos Y Sushi El Kora - District 5

Request for a liquor license. Arizona State License Application 310116.

## Summary

Applicant
Jose Diaz, Agent

License Type
Series 12 - Restaurant

Location
2624 W. Bethany Home Road
Zoning Classification: C-2
Council District: 5

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 December 4, 2024.

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 owner of Mariscos y Sushi El Kora has proudly operated another family-owned restaurant in the City of Phoenix serving Kora-style fresh seafood and Japanese style sushi since 2017, which consistently receives primarily "A" ratings from the Health Department. They remain committed to upholding the highest standards for their business and providing a safe and enjoyable experience for all customers at this second establishment."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Mariscos y Sushi El Kora desires to provide Phoenix residents and out-of-town visitors with a unique dining destination, including alcoholic and non-alcoholic beverage options, which most diners require as part of their full restaurant dining experience. The added City tax revenue brought by the sale of alcoholic beverages will further enhance our quality of life in Phoenix."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Mariscos Y Sushi El Kora - Data
Attachment - Mariscos Y Sushi El Kora - Map

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

# Liquor License Data: MARISCOS Y SUSHI EL KORA

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 5 | 2 |
| Liquor Store | 9 | 5 | 3 |
| Beer and Wine Store | 10 | 13 | 7 |
| Hotel | 11 | 1 | 0 |
| Restaurant | 12 | 9 | 1 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 261.67 | 274.84 |
| Violent Crimes | 12.31 | 61.88 | 82.8 |

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

## Property Violation Data

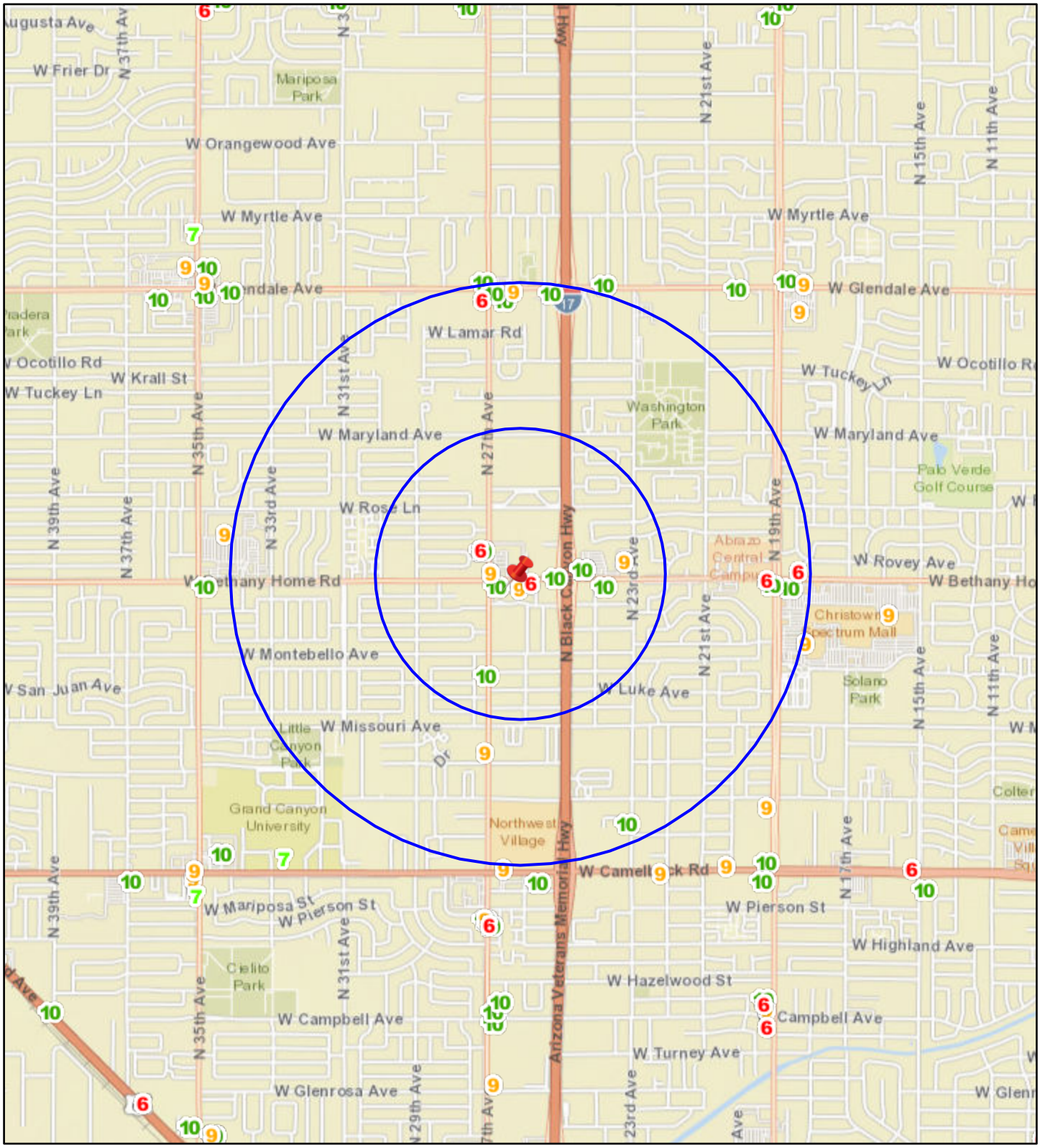
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 157 |
| Total Violations | 74 | 302 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1068012 | 1670 | 5 | 28 | 55 |
| 1068013 | 1083 | 30 | 20 | 33 |
| 1068022 | 1105 | 85 | 21 | 1 |
| 1069001 | 1043 | 81 | 11 | 4 |
| 1069002 | 2629 | 71 | 5 | 22 |
| 1072022 | 2085 | 62 | 5 | 22 |
| 1073001 | 2203 | 79 | 3 | 6 |
| 1073004 | 2614 | 23 | 5 | 31 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: MARISCOS Y SUSHI EL KORA

2624 W BETHANY HOME RD




N

Date: 10/21/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 11

## Liquor License - Special Event - Arizona Hellenic Foundation - District 6

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

## Summary

Applicant
Aristotelis Evripidou

Location
1973 E. Maryland Avenue
Council District: 6

Function
Dinner and Dance

Date(s) - Time(s) / Expected Attendance
March 1, 2025 - 6 p.m. to 11:59 p.m. / 150 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:** 12/4/2024, **Item No.** 12

## Liquor License - Charcuterie Creative - District 6

Request for a liquor license. Arizona State License Application 308062.

## Summary

Applicant
Holly Hutton, Agent

License Type
Series 10 - Beer and Wine Store

Location
1215 E. Missouri Avenue, Ste. 1
Zoning Classification: C-1
Council District: 6

This request is for a new liquor license for a specialty market. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow packaged liquor sales.

The 60-day limit for processing this application is December 9, 2024.

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 run a successful business for the last several years in the Phoenix Metro area and have lived in the community all my life. Reliability is a key factor in my daily living. Community, Health and well being is very important."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Having a small store in the area that does not have this kind of establishment for local residents will improve foot traffic and sales for other businesses in the area."

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

Attachments
Attachment - Charcuterie Creative - Data
Attachment - Charcuterie Creative - Map

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

# Liquor License Data: CHARCUTERIE CREATIVE

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Microbrewery | 3 | 1 | 0 |
| Wholesaler | 4 | 2 | 0 |
| Bar | 6 | 7 | 0 |
| Beer and Wine Bar | 7 | 7 | 0 |
| Liquor Store | 9 | 6 | 0 |
| Beer and Wine Store | 10 | 12 | 1 |
| Restaurant | 12 | 48 | 2 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 182.21 | 106.47 |
| Violent Crimes | 12.31 | 20.99 | 11.99 |

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

## Property Violation Data

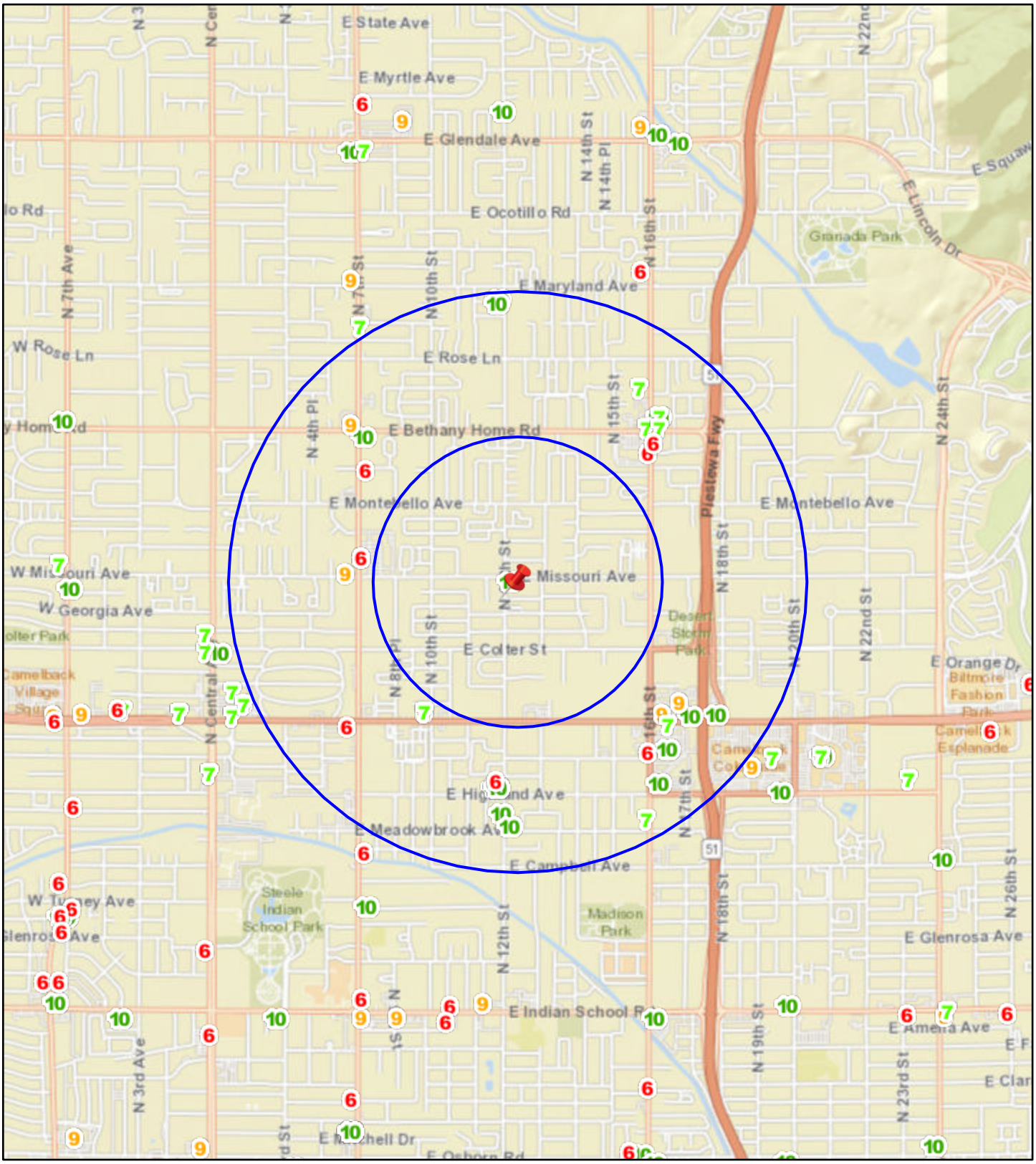
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 35 |
| Total Violations | 74 | 61 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1076011 | 319 | 65 | 16 | 46 |
| 1076012 | 904 | 38 | 24 | 23 |
| 1076013 | 1748 | 38 | 8 | 17 |
| 1076021 | 1311 | 82 | 0 | 6 |
| 1076022 | 1734 | 54 | 18 | 3 |
| 1077003 | 457 | 26 | 26 | 16 |
| 1077004 | 526 | 77 | 27 | 21 |
| 1086021 | 790 | 37 | 38 | 22 |
| 1086024 | 1171 | 24 | 9 | 12 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: CHARCUTERIE CREATIVE

1215 E MISSOURI AVE




Date: 11/21/2024

N

0 0.17 0.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 13

## Liquor License - Cultivate - District 6

Request for a liquor license. Arizona State License Application 307440.

## Summary

Applicant
Mark Tarbell, Agent

License Type
Series 12 - Restaurant

Location
3200 E. Camelback Road, Level 1
Zoning Classification: C-O
Council District: 6

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 location requires a Use Permit to allow the sale of alcoholic beverages.

The 60-day limit for processing this application is December 4, 2024.

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 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.

Tarbell's (Series 12)
3213 E. Camelback Road, Phoenix
Calls for police service: 1
Liquor license violations: None

Tavern & Wine Store (Series 6)
3205 & 3209 E. Camelback Road, Phoenix
Calls for police service: 5
Liquor license violations: None

Wine Store (Series 10S)
3209 E. Camelback Road, Phoenix
Calls for police service: 2
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 have held several liquor licenses in Phoenix for 30 years, without incident, including: Tarbell's - #12071531, Tavern & Wine Store - #06070233, Wine Store - #10076433, Wine Store Sampling - #105076433."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"My businesses present high-end environments with community and social value to patrons of an affluent and educated demographic."

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
Attachment - Cultivate - Data
Attachment - Cultivate - Map

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

# Liquor License Data: CULTIVATE

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 5 | 2 |
| Beer and Wine Bar | 7 | 1 | 0 |
| Liquor Store | 9 | 2 | 1 |
| Beer and Wine Store | 10 | 2 | 1 |
| Hotel | 11 | 2 | 0 |
| Restaurant | 12 | 29 | 7 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 67.27 | 74.84 |
| Violent Crimes | 12.31 | 5.38 | 4.35 |

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

## Property Violation Data

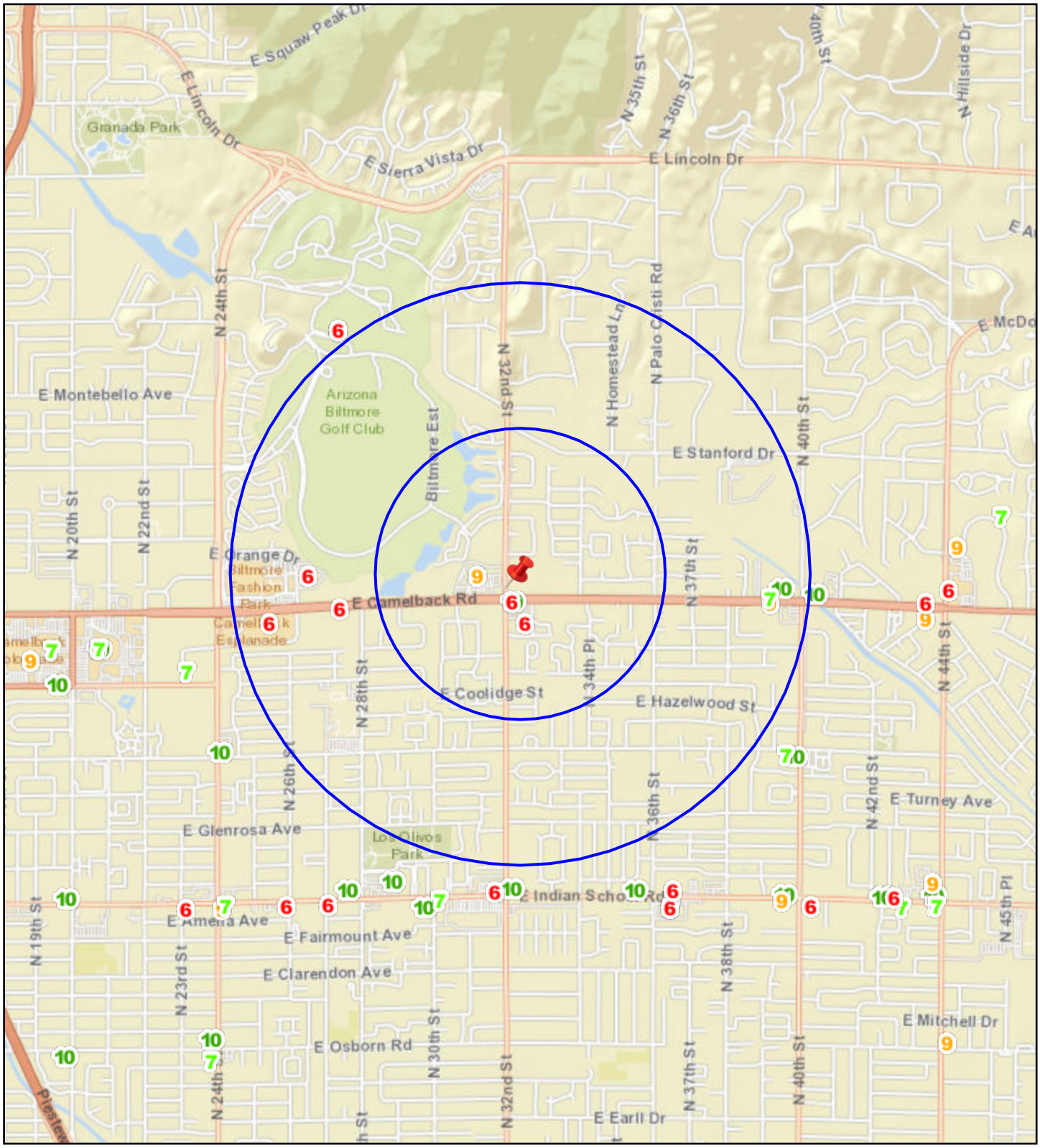
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 18 |
| Total Violations | 74 | 26 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1051033 | 1364 | 100 | 22 | 0 |
| 1078001 | 542 | 96 | 53 | 2 |
| 1078002 | 1477 | 63 | 28 | 5 |
| 1083011 | 1100 | 89 | 14 | 0 |
| 1083012 | 1221 | 72 | 5 | 1 |
| 1083013 | 982 | 75 | 18 | 1 |
| 1084004 | 1641 | 65 | 7 | 19 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: CULTIVATE

3200 E CAMELBACK RD




N

Date:11/19/2024

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 14

## Liquor License - Element Nail Bar - District 6

Request for a liquor license. Arizona State License Application 309654.

## Summary

Applicant
Juanita Esparza, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3180 E. Indian School Road
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a beer and wine bar. 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 December 8, 2024

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 owner of Element Nail Bar-Arcadia, LLC are committed to upholding the highest standards for "it's business practices & employees. Ms. Le has been trained in the techniques of legal & responsibility & has taken the title IV liquor training course along with the manager's. Ms. Le will oversee all employees & will provide a safe experience for all employees and patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Ms. Le of Element Nail Bar-Arcadia, LLC wish to provide the service of beer & wine while in a relaxing environment with the service of an beer or wine beverage at the request of any patron over the age of 21 years. In addition Ms. Le will responsibly adhere to all state and federal tax laws & maintain a strict adherence to the security requirements of the city and state."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Element Nail Bar - Data
Attachment - Element Nail Bar - Map

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

# Liquor License Data: ELEMENT NAIL BAR

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Bar | 6 | 7 | 1 |
| Beer and Wine Bar | 7 | 3 | 1 |
| Liquor Store | 9 | 4 | 0 |
| Beer and Wine Store | 10 | 9 | 4 |
| Restaurant | 12 | 30 | 12 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 123.69 | 148.61 |
| Violent Crimes | 12.31 | 19.26 | 24.41 |

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

## Property Violation Data

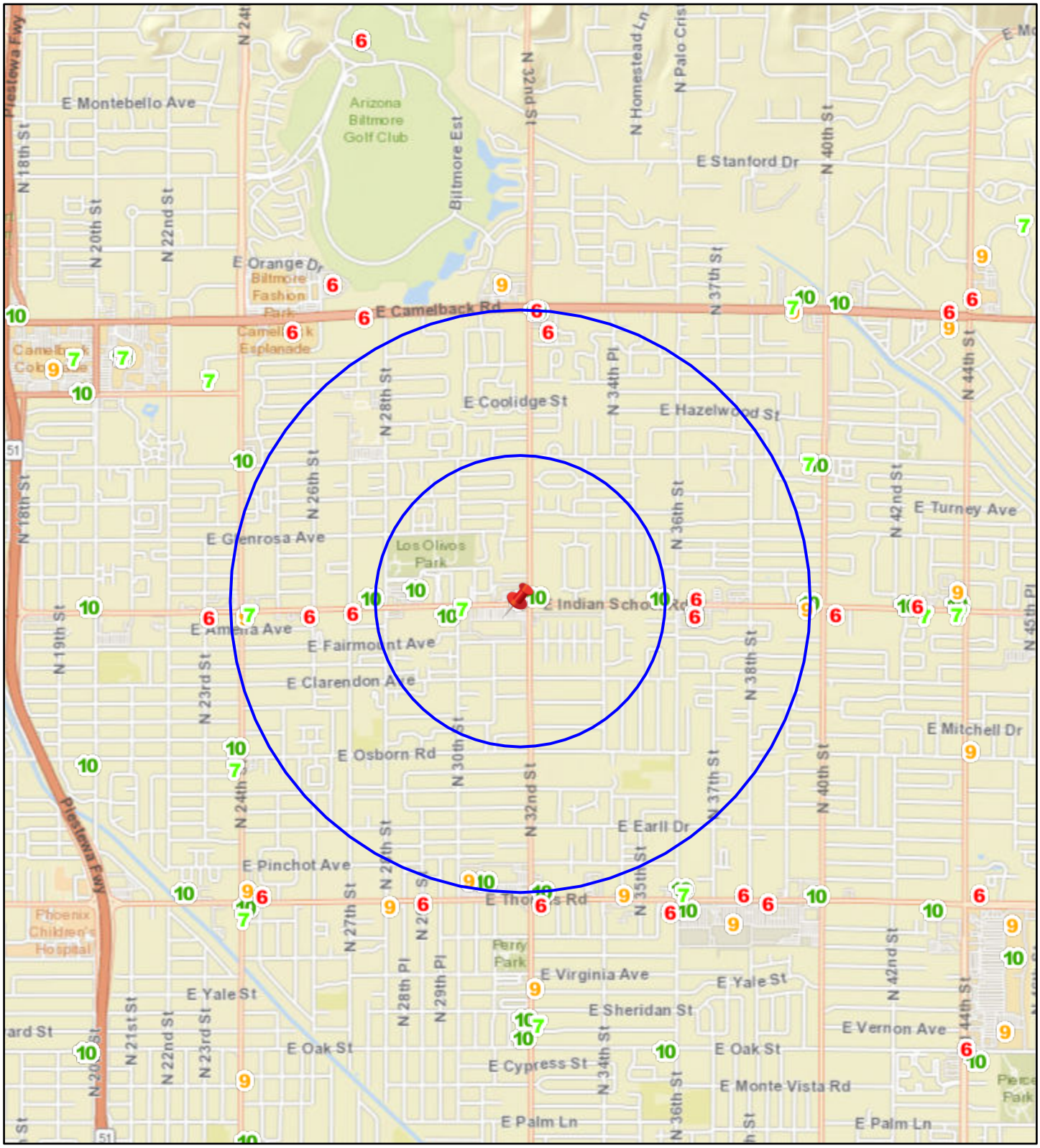
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 24 |
| Total Violations | 73 | 39 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1083012 | 1221 | 72 | 5 | 1 |
| 1083021 | 1229 | 70 | 16 | 3 |
| 1084001 | 718 | 2 | 38 | 46 |
| 1084002 | 673 | 72 | 16 | 3 |
| 1084004 | 1641 | 65 | 7 | 19 |
| 1084005 | 422 | 16 | 37 | 13 |
| 1108011 | 1736 | 56 | 27 | 40 |
| 1108012 | 1115 | 19 | 30 | 33 |
| 1108013 | 1077 | 47 | 26 | 14 |
| 1109011 | 665 | 96 | 10 | 13 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: ELEMENT NAIL BAR

3180 E INDIAN SCHOOL RD




N

Date: 10/11/2024

0 0.17 0.35 0.7 1.05 1.4
Miles

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 15

## Liquor License - Special Event - Phoenix World Arts Collective - District 7

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

## Summary

Applicant
Carlos Montufar

Location
147 E. Adams Street
Council District: 7

Function
Performance

Date(s) - Time(s) / Expected Attendance
December 14, 2024 - 6:30 p.m. to 10 p.m. / 85 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:** 12/4/2024, **Item No.** 16

## Liquor License - Jalisco International Imports - District 7

Request for a liquor license. Arizona State License Application 308276.

## Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 4 - Wholesaler

Location
5302 W. Buckeye Road
Zoning Classification: A-1
Council District: 7

This request is for a new liquor license for a wholesaler. 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 December 6, 2024.

Pursuant to A.R.S. 4-203, consideration may only be given 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: “We have been successfully operating our business at another location for several years. We will continue to abide by Title 4 liquor laws.”

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:** 12/4/2024, **Item No.** 17

## Liquor License - Long Wong's - District 7

Request for a liquor license. Arizona State License Application 309329.

## Summary

Applicant
Victor Flores, Agent

License Type
Series 12 - Restaurant

Location
7415 W. Thomas Road
Zoning Classification: C-2
Council District: 7

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 December 4, 2024.

Pursuant to A.R.S. 4-203, consideration may 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:
“I, Victor G Flores, have been in business since August 2005 to current day. I have never had any violations towards my license and since I took over this business. My son, Victor J Flores, has been helping me run the business together since 2017. He started in the kitchen and gradually started running the register and helping me run the entire business. I decided it was time for him to inherit 50% of the business. That is why we are applying for this liquor license. We will continue to run this business the same way that we have been running since 2005 to current day.”

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:** 12/4/2024, **Item No.** 18

## Liquor License - Bravo Taco's - District 8

Request for a liquor license. Arizona State License Application 310495.

## Summary

Applicant
Amarjit Singh, Agent

License Type
Series 12 - Restaurant

Location
3911 E. Thomas Road, Ste. F5
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.

The 60-day limit for processing this application is December 10, 2024.

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 had opened and ran a restaurant for 11 years. I have been successfully running a gas station for the last 18 years and just purchased 2 other businesses in the last two years. I am well aware of liquor laws for on premises, as well as off premises."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Although there are few Mexican food restaurants around the neighbourhood, there is not any good sit down restaurant where a family can enjoy authentic Mexican food with some alcholic drinks we really believe that our restaurant will bring joy to the community."

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
Attachment - Bravo Taco's - Data
Attachment - Bravo Taco's - Map

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

# Liquor License Data: BRAVO TACO'S

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Microbrewery | 3 | 1 | 1 |
| Bar | 6 | 7 | 3 |
| Beer and Wine Bar | 7 | 2 | 1 |
| Liquor Store | 9 | 6 | 1 |
| Beer and Wine Store | 10 | 11 | 4 |
| Restaurant | 12 | 14 | 6 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 254.14 | 418.47 |
| Violent Crimes | 12.31 | 34.66 | 40.65 |

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

## Property Violation Data

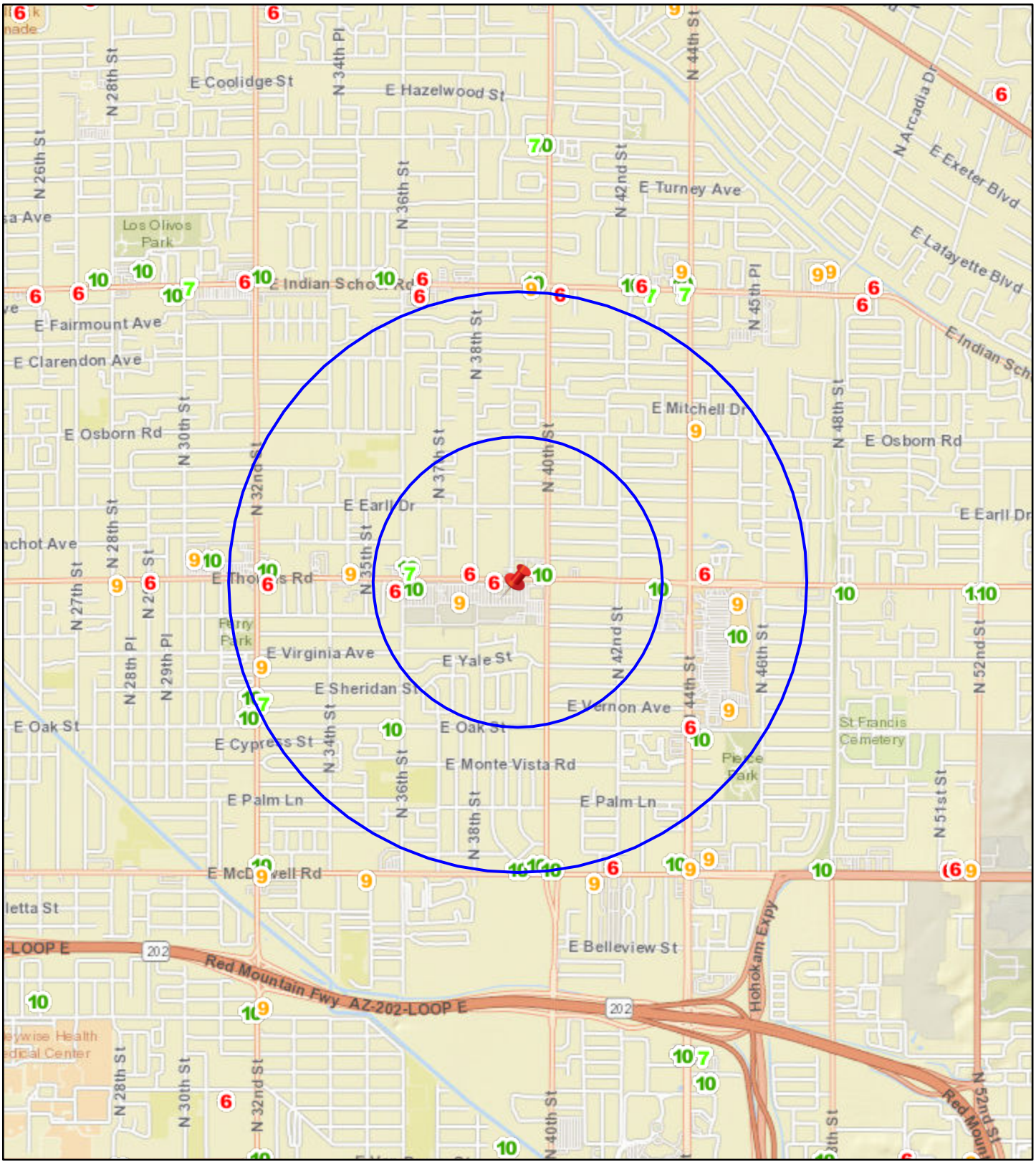
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 54 |
| Total Violations | 74 | 104 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1109012 | 2669 | 23 | 19 | 27 |
| 1109021 | 2609 | 33 | 21 | 40 |
| 1109022 | 2224 | 39 | 7 | 18 |
| 1110003 | 1587 | 64 | 17 | 24 |
| 1113002 | 930 | 52 | 7 | 20 |
| 1114011 | 2444 | 62 | 7 | 27 |
| 1114021 | 1986 | 38 | 14 | 27 |
| 1114022 | 2120 | 45 | 17 | 31 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: BRAVO TACO'S

3911 E THOMAS RD




Date: 11/21/2024

N

0 0.17 0.35 0.7 1.05 1.4 mi

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 19

## Liquor License - Kwik 102 - District 8

Request for a liquor license. Arizona State License Application 311024.

## Summary

Applicant
Akash Thathi, Agent

License Type
Series 10 - Beer and Wine Store

Location
102 S. 24th Street
Zoning Classification: C-3
Council District: 8

This request is for a new liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales and a variance to allow a drive-through.

The 60-day limit for processing this application is December 14, 2024.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am qualified to hold a liquor license due to my extensive experience managing licensed premises responsibly. With 8 other licensed locations and no liquor violations, we have consistently demonstrated our commitment to following regulations and ensuring compliance. Our proven track record reflects our reliability and capability to manage the sale of alcoholic beverages safely and in the best interest of the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The issuance of the liquor license will serve public convenience by allowing our gas station to offer beer and wine, providing customers with an additional service while meeting local demand. It will enhance the convenience for travelers and residents who wish to purchase these beverages without needing to visit multiple or far away locations, thereby serving the best interest of the community."

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
Attachment - Kwik 102 - Data
Attachment - Kwik 102 - Map

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

# Liquor License Data: KWIK 102

## Liquor License

| Description | Series | 1 Mile | 1/2 Mile |
|---|---|---|---|
| Microbrewery | 3 | 1 | 0 |
| Bar | 6 | 2 | 1 |
| Conveyance | 8 | 1 | 0 |
| Liquor Store | 9 | 2 | 1 |
| Beer and Wine Store | 10 | 11 | 3 |
| Restaurant | 12 | 1 | 1 |

## Crime Data

| Description | Average * | 1 Mile Average ** | 1/2 Mile Average*** |
|---|---|---|---|
| Property Crimes | 64.2 | 97.02 | 90.33 |
| Violent Crimes | 12.31 | 46.92 | 59.76 |

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

## Property Violation Data

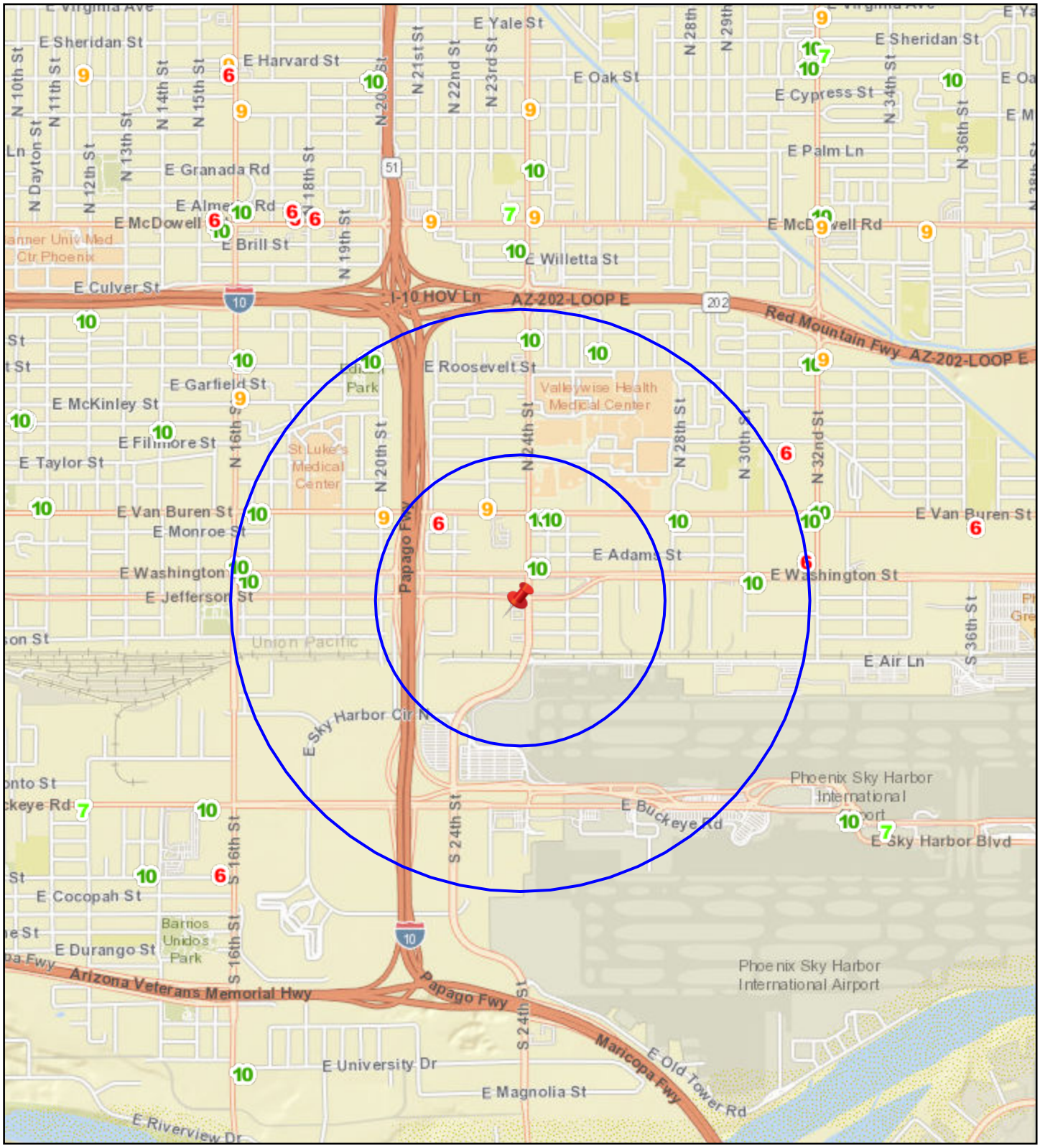
| Description | Average | 1/2 Mile Average |
|---|---|---|
| Parcels w/Violations | 43 | 58 |
| Total Violations | 74 | 126 |

## Census 2010 Data 1/2 Mile Radius

| BlockGroup | 2010 Population | Owner Occupied | Residential Vacancy | Persons in Poverty |
|---|---|---|---|---|
| 1133003 | 901 | 22 | 23 | 72 |
| 1134001 | 589 | 0 | 0 | 100 |
| 1138012 | 834 | 21 | 19 | 47 |
| 1138021 | 0 | 0 | 0 | 0 |
| 1139001 | 1126 | 20 | 18 | 81 |
| Average | 0 | 61 | 13 | 19 |

# Liquor License Map: KWIK 102

102 S 24TH ST




N

Date:11/20/2024

0 0.170.35 0.7 1.05 1.4 mi

City Clerk Department

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 20

## Brian Stevenson dba Hammercraft

For $50,000 in payment authority for a new contract, entered on or about November 20, 2024, for a term of three-years, with two one-year renewal options for scheduled fine artwork dusting and cleaning services for the Aviation Department. The contract will provide scheduled services for four large-scale public artwork pieces located throughout Phoenix Sky Harbor International Airport and the Phoenix Sky Train Station.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 21

## My Binding of Arizona, LLC dba Creative Document Systems and Plotter Doctors, LLC

For $187,000 in payment authority for two new contracts, entered on or about December 16, 2024, for a term of five years for sign fabrication equipment for the Aviation, Phoenix Convention Center, and Street Transportation departments. These contracts will provide inspection, repair and maintenance services on an as-needed basis for the upkeep of sign fabrication equipment that is essential to daily operations in multiple City departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 22

## Homer Farms Inc and Edmund Carl Williams dba Lehr Innovations, LLC

For $210,000 in payment authority for two new contracts, entered on or about December 9, 2024, for a term of three years, with two one-year options for the Backyard Garden Program for the Office of Environmental Programs. These contracts will provide participating residents with a garden system and training that empowers them to grow healthy food in their own backyards. The Backyard Garden Program has been instrumental in expanding residents' access to healthy food, enhancing health, promoting physical activity, and decreasing food insecurity.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 23

## Cybergear, Inc.

For $160,000 in payment authority for a new contract, entered on or about December 31, 2024 for a term of five years for the purchase of Fluke Versiv Kit Analyzers, support plans, and accessories to test the integrity of network communications for the Water Services Department. Fluke Versiv Kit Analyzers are utilized by all water, wastewater, and remote locations to ensure that the departments meet the regulatory performance requirements.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 24

## Settlement of Claim(s) Mariposa Landscape Arizona v. City of Phoenix

To make payment of up to $205,000 in settlement of claim(s) in *Mariposa Landscape Arizona v. City of Phoenix*, CV2023-052523, 22-1127-001, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on April 3, 2023.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 25

## Settlement of Claim(s) Meza-Martinez v. City of Phoenix

To make payment of up to $100,000 in settlement of claim(s) in *Meza-Martinez v. City of Phoenix*, CV2023-008847, 22-0784-002, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Public Works Department that occurred on August 30, 2022.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 26

## Acceptance and Dedication of Deeds for Roadway Purposes (Ordinance S-51469) - Districts 2 & 3

Request for the City Council to accept and dedicate deeds for roadway purposes; further ordering the ordinance recorded. Legal descriptions to be recorded via separate recording instrument.

## 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.

Deed (a)
MCR: 20240564831
Applicant and Grantee: Temple Chai Association; its successor and assigns
Date: October 23, 2024
Purpose: Roadway
Location: 6001 E. Bell Road
APN: 215-39-001C
File: 240060
Council District: 2

Deed (b)
MCR: 20240578955
Applicant and Grantee: Cactus Investments Park, LLC; its successor and assigns
Date: October 29, 2024
Purpose: Roadway
Location: 1920 W. Thunderbird Road
APN: 208-15-003N
File: 240061
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:** 12/4/2024, **Item No.** 27

## Acceptance of an Easement for Drainage Purposes (Ordinance S-51476) - District 8

Request for the City Council to accept an easement for drainage purposes; further ordering the ordinance recorded. Legal descriptions are recorded via separate recording instrument.

## 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)
MCR: 20240578953
Applicant and Grantee: Cesar E. Salas; its successor and assigns
Date: October 29, 2024
Purpose: Drainage
Location: 9822 S. 19th Avenue
APN: 300-16-009V
File: 240085
Council District: 8

## 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:** 12/4/2024, **Item No.** 28

## Software Value-Added Reseller (SVAR) Contract - COOP 24-8411 - Request for Award (Ordinance S-51465) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with CDW Government, LLC and Insight Public Sector, Inc. to provide software, volume licenses and enterprise licenses for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $210,000,000. Further request an exception to the indemnity and assumption of liability provisions of the Phoenix City Code Section 42-18.

### Summary

This contract will provide access to a wide variety of commercial off-the-shelf software (COTS) and software as a service (SaaS) and related services across departments Citywide. In managing its extensive information technology infrastructure, the City relies on software solutions across various departments. To streamline procurement and maximize benefits, the City engages with software value-added resellers (SVAR). These contracts not only provide cost savings through volume discounts, but also offer additional advantages, including access to evaluation copies, product comparisons, and tailored recommendations. By leveraging the SVAR, the City ensures software acquisition while bolstering its technological capabilities for effective public service delivery.

The City intends to adopt multiple SVAR cooperative contracts and will request Council approval once the City receives signed cooperative purchasing agreements from the vendors.

### Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. Central Procurement, with support from the Information Technology Services, researched various local and nationwide cooperative agreements. They have determined that the State of Arizona's cooperative contracts are most aligned with the City's technology requirements and offer the best pricing on essential products.

## Contract Term
The contract term will expire April 23, 2027, with two one-year options to extend.

## Financial Impact
The aggregate contract value will not exceed $210,000,000 for the aggregate term. Funding is available in the various departments' operating budgets.

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 29

## Owner Representative for Energy Performance Contracts with Job Order Contract Vendors - RFP PS 24-0228 - Request for Award (Ordinance S-51468) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with NV5 Consultants, Inc. to provide third-party consulting and act as Owner Representative for Energy Performance Contracts with Job Order Contract Vendors. 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

The City recently selected five Energy Service Companies (ESCOs) under the Job Order Contracting program to install energy efficiency measures on a large number of City facilities. The Owner Representative will act as Project Facilitator, and the services provided will include ESCO reviews, project development, project implementation and construction, post-completion performance, and subsequent Measurement and Verification (M&V) reviews.

### Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Four vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000 including:

- Qualifications, Experience and References (0-400 points)
- Method of Approach (0-400 points)
- Price (0-200 points)

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

NV5 Consultants, Inc.,

## Contract Term
The contract will begin on or about December 4, 2024, for a five-year term with no options to extend.

## Financial Impact
The aggregate contract value will not exceed $400,000. Funding is available in the Office of Sustainability's operating budget.

## Responsible Department
This item is submitted by Deputy City Manager Mario Paniagua and the Office of Sustainability.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 30

## Risk Management Information System and Ancillary Services - RFA 14-035 - Amendment (Ordinance S-51483) - Citywide

Request to authorize the City Manager, or his designee, to execute amendment to Contract 138020 with Riskonnect Clearsight, LLC 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 Ordinances S-40639, S-43822, S-48345, and S-49509.

### Summary

This contract provides the Risk Management division of the Finance Department, a web-based risk management information system with secure data storage, client service and system maintenance and includes a key bill-payment interface that is linked to the Law Department's information system and a jointly developed transaction interface with SAP.

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

### Contract Term

Upon approval the contract will be extended through March 31, 2026.

### Financial Impact

The aggregate value of the contract will not exceed $1,715,000 and no additional funds are needed.

### Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Risk Management Information System and Ancillary Services Contract 138020 (Ordinance S-40639) on March 19, 2014;
- Risk Management Information System and Ancillary Services Contract 138020 (Ordinance S-43822) on Aug. 30, 2017;
- Risk Management Information System and Ancillary Services Contract 138020 (Ordinance S-48345) on Feb. 16, 2022;
- Risk Management Information System and Ancillary Services Contract 138020

(Ordinance S-49509) on March 22, 2023.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 31

## Vehicle Wash Services - IFB 19-141 - Letter of Agreement to Extend Contract for Vehicle Wash Services (Ordinance S-51492) - Citywide

Request to authorize the City Manager or his designee to enter into a Letter of Agreement with Circle K Stores Inc., the successor in interest to True Blue Car Wash LLC dba Clean Freak Car Wash in relation to Contract 150872, to continue to provide vehicle wash services for citywide use. Further request to continue using funds available from prior Council approval in relation to Contract 150872. Further request additional expenditures not to exceed $101,000. And further request to authorize the City Controller to disburse all funds related to this item.

### Summary

The purpose of this Letter of Agreement is to continue to provide vehicle wash services to City departments. Vehicle wash services are necessary to clean City cars, trucks, SUV's, cargo and passenger vans, Police mobile command and specialty vehicles. Services include both automated and hand wash services. The City provided consent for the original contract to be assigned from True Blue Car Wash LLC dba Clean Freak Car Wash to Circle K Stores Inc.

### Contract Term

The term of the Letter of Agreement will begin on or about December 4, 2024 and expire on December 4, 2025.

### Financial Impact

Upon approval of $101,000 in additional funds, the revised aggregate value of the contract will not exceed $1,131,000. Funds are available in the various departments' budgets.

### Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-45954) on August 28, 2019.
- Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-47257) on Jan. 20, 2021.
- Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-50551)

on Feb. 7, 2024.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 32

## Publication of the City Charter, Code and Zoning Ordinance - Requirements Contract - RFP 19-003 - Amendment (Ordinance S-51477) - Citywide

Request to authorize the City Manager, or his designee, to execute amendment to Contract 150305 with Code Publishing Company, LLC for an assignment from Code Publishing Company, LLC to ICC Codification, Inc dba General Code, LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinances S-45819 and S-51049-0013.

### Summary
This contract will provide continual updates of the existing City Charter, City Code, and Zoning Ordinance in web and print/paper formats. This contract also provides a web version of the City Charter, City Code, and Zoning Ordinance in a public-facing website, that is free of charge to the public and City staff.

### Contract Term
The contract term remains unchanged, ending on June 30, 2025.

### Financial Impact
The aggregate value of the contract will not exceed $140,000 and no additional funds are needed.

### Concurrence/Previous Council Action
The City Council previously reviewed this request:
- Publication of the City Charter, Code and Zoning Ordinance - Requirements Contract 150305 (Ordinance S-45819) on June 19, 2019;
- Publication of the City Charter, Code and Zoning Ordinance - Requirements Contract 150305 (Ordinance S-51049-0013) on June 26, 2024.

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 33

## Authorization to Apply for Local Judicial Collection Enhancement Fund Grant Funding to Purchase Computer Hardware (Ordinance S-51484) - Citywide

Request authorization for the Phoenix Municipal Court to apply for grant funding in an amount not to exceed $145,000 from the Arizona Supreme Court administered Judicial Collection Enhancement Fund (JCEF) to purchase computers and related hardware. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

### Summary

Phoenix Municipal Court will use these funds to replace aging desktop computers, laptops, and related hardware, and replenish its stock of spare computers and hardware. The purchase of additional hardware, and replacement of existing hardware, will help the Court support expanded business needs, ensure the reliability of the Court's business systems, minimize potential hardware failure, and support Windows 11 hardware requirements.

### Financial Impact

Funds will be made available in the Phoenix Municipal Court local JCEF account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for utilization of JCEF funds pursuant to Arizona Revised Statutes Section 12-113. No General Fund dollars will be used.

### Responsible Department

The item is recommended by Chief Presiding Judge B. Don Taylor III and Deputy City Manager Gina Montes.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 34

## Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-51481) - Citywide

Request to authorize the City Manager, or his designee, to transfer retirement funds for Lucas Coleman in the amount of $37,345.98 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

## Summary

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-322, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of her credited service:

Coleman, Lucas: $37,345.98

## Concurrence/Previous Council Action

This item was approved by the COPERS Board at the November 7, 2024 meeting.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 35

## Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-51482) - Citywide

Request to authorize the City Manager, or his designee, to transfer retirement funds for Tara Zuckerbrow in the amount of $144,191.13 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

## Summary

Pursuant to Arizona Revised Statutes, Sections 38-730 and 38-322, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of her credited service:

Zuckerbrow, Tara: $144,191.13

## Concurrence/Previous Council Action

This item was approved by the COPERS Board at the November 7, 2024 meeting.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 36

## Loan Federal HOME-ARP Funds for Senior Bridge Affordable Housing Development Project (Ordinance S-51498) - District 8

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $3,015,746 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Senior Bridge, LLC, or a City-approved nominee, for the Senior Bridge affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

### Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

### Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

- St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points
- Tanner Thomas Village (Tanner Community Development) - 803 points
- Senior Bridge (Steel+Spark) - 790 points

Senior Bridge, located at 2853 E. Van Buren Street (District 8), consists of 65 permanent supportive housing units for previously homeless seniors entering from Senior Bridge’s on-site transitional housing units. The 65 permanent supportive housing units will serve seniors with Area Median Income (AMI) levels at or below 30

percent. Residents will receive supportive services from Mercy House and will include support from a Housing Navigator to formulate an Individualized Housing Stabilization Plan addressing areas such as financial management, employment, life skills, sobriety, physical and mental health, etc. Additional project funding in the following amounts have been secured by the developer:

- Arizona Department of Housing - $7,100,000
- BloomSpot, LLC - $1,950,000
- City of Phoenix - $750,000

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

**Financial Impact**
There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

**Public Outreach**
As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

## Location
2853 E. Van Buren Street
Council District: 8

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 37

## Loan Federal HOME-ARP Funds for St. Catherine Manor Affordable Housing Development Project (Ordinance S-51499) - District 8

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $3,038,203 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Housing for Hope, LLC, or a City-approved nominee, for the St. Catherine Manor affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

### Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

### Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

- St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points
- Tanner Thomas Village (Tanner Community Development) - 803 points
- Senior Bridge (Steel+Spark) - 790 points

St. Catherine Manor, located at 1431 E. Southern Avenue (District 8), consists of 11 permanent supportive housing units for previously homeless seniors. Eight of the 11 units will be targeted for seniors with Area Median Income (AMI) levels of less than 30 percent, and three of the 11 units will be targeted for seniors with AMI levels of less

than 60 percent. Residents will receive supportive services from the Rio Vista Center, a partnership formed with Catholic Charities, where food, clothing, furnishings, health care, and other community program referrals will be provided, as well as opportunities to participate in social activities at the community center. Housing for Hope, LLC will cover additional construction and project costs not provided by HOME-ARP funding.

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

**Financial Impact**
There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

**Public Outreach**
As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

**Location**
1431 E. Southern Avenue
Council District: 8

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 38

## Loan Federal HOME-ARP Funds for Tanner Thomas Village Affordable Housing Development Project (Ordinance S-51500) - District 8

Request to authorize the City Manager, or his designee, to enter into an Affordable Housing Loan Program agreement for up to $2,365,349 in federal U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships American Rescue Plan (HOME-ARP) program funds with Tanner Community Development, or a City-approved nominee, for the Tanner Thomas Village affordable housing development project, and to take all actions and execute all documents to complete the loan. Authorization is also requested for the City Controller to disburse the funds for the life of the contract. There is no impact to the General Fund.

### Summary

On June 6, 2024, the Housing Department issued a HOME-ARP Notice of Funding Opportunity (NOFO) for Non-Congregate Shelter and Rental Housing acquisition, rehabilitation and/or new construction projects to reduce homelessness and increase housing stability. A NOFO Pre-Submittal Workshop was held on July 11, 2024. Applications were due on August 30, 2024.

### Procurement Information

Three proposals for Rental Housing acquisition were received and reviewed by an evaluation committee comprised of City staff members representing various departments. The proposals were evaluated on a 1,000-point scale based on the following criteria: Operations; How Well the Project Addressed the Strategies to Address Homelessness Plan; Organization Capacity; and Project Readiness. The following were recommended for funding:

- St. Catherine Manor (Housing for Hope, LLC/Catholic Charities) - 870 points
- Tanner Thomas Village (Tanner Community Development) - 803 points
- Senior Bridge (Steel+Spark) - 790 points

Tanner Thomas Village, located at 1803 E. Broadway Road (District 8), consists of 37 permanent supportive housing units for previously homeless veterans. The 37 permanent supportive housing units will serve veterans with Area Median Income (AMI) levels at or below 30 percent. Residents will receive supportive services through

Tanner Community Development's on-site Community Resource Center where health care navigation and equity, supplemental nutrition support, human and social services, economic self-sufficiency, and workforce development services will be provided. Additional project funding in the following amounts have been secured by the developer:

- HUD Economic Development Initiative - $2,883,950
- State of Arizona Governor's Office - $271,851

Project awards are contingent on full underwriting, environmental release of funds, commitments of other financing, and availability of federal funds. The overall loan structure will be consistent with the terms listed in the NOFO and HOME-ARP Program requirements.

**Financial Impact**

There is no impact to the General Fund. HOME-ARP is a federally funded program. Funding for this NOFO is made available from HOME-ARP funds. Funding is budgeted in the Housing Department's Capital Improvement Program (CIP) budget. Loan execution is anticipated for Fiscal Year 2024-25, and the loan will be paid to the developer during the construction period.

**Public Outreach**

As part of the HOME-ARP Allocation Plan process, HUD required extensive public outreach to formulate the plan. Housing staff conducted six virtual listening sessions for community stakeholders and interviewed numerous service agencies and housing providers directly. More than 66 agencies participated in interviews and listening sessions during this process. This public input was used to draft the HOME-ARP Allocation Plan and inform the design of the NOFO to address the most critical needs of the community.

As part of the formal adoption process, the HOME-ARP Allocation Plan was made public and provided for a 15-day public comment period. The City of Phoenix published a 15-day comment period and public hearing notice in the Arizona Republic on August 29, 2022. A virtual public hearing was held to provide an opportunity for public comment on September 12, 2022. The public comment period was open from September 13 to September 27, 2022. City Council approved the HOME-ARP Allocation Plan on November 16, 2022. The HOME-ARP Allocation Plan was approved by HUD on February 6, 2023.

## Location
1803 E. Broadway Road
Council District: 8

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 39

## Financial Community Assistance Services - EXC 22-082 - Amendment (Ordinance S-51464) - Citywide

Request to authorize the City Manager, or his designee, to execute amendment to extend Contract 155846 with Partnership for Economic Innovation (PEI) and add additional funds. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $600,000. There is no impact to the General Fund. Funding is available through the City's allocation of American Rescue Plan Act (ARPA) funding received from the federal government.

### Summary

The Business and Workforce Development Division of the City's Human Services Department requires funding to cover additional costs for Contract 155846. This contract provides administrative and customer support services to City programs. This funding will be used to support individuals enrolled in the ARPA programs at one of 10 Maricopa Community Colleges.

The additional costs cover two main components:

- Stipends for eligible individuals enrolled in ARPA programs at Maricopa Community Colleges.
- Administrative costs associated with disbursing these stipends.

Additionally, the City is requesting to exercise the second of the two optional one-year renewals.

### Contract Term

Upon approval, the contract will be extended through February 6, 2026.

### Financial Impact

Upon approval of $600,000 in additional funds, the revised total value of the contract will not exceed $18,000,000. There is no impact to the General Fund as funding is available through the City's allocation of the ARPA funding received from the federal government.

### Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Financial Community Assistance Services Contract 155846 Ordinance S-48212 on December 15, 2021.
- Financial Community Assistance Services amendment to Contract 155846 Ordinance S-50524 on January 24, 2024.

**Responsible Department**

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 40

## Amend Ordinance S-50092 to Add Funds to Bobby Yang, DDS, LLC (Ordinance S -51478) - Districts 1, 3, 4, 5, 7 & 8

Request authorization for the City Manager, or his designee, to amend Ordinance S-50092 to increase funding for Contract 159170, Bobby Yang, DDS, LLC, up to $130,000, for a new total not to exceed amount of $380,000. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund as funding is provided by the Department of Health and Human Services, Head Start Birth to Five grant.

### Summary
On August 8, 2023, City Council approved Ordinance S-50092 to enter into an agreement with Bobby Yang, DDS, LLC, in an amount not to exceed $250,000 to provide dental services to the Head Start Birth to Five Program participants. The agreement began on or about September 1, 2023, and ends on August 30, 2028.

The Human Services Department is seeking approval for additional funding to cover the increased costs of dental services.

### Contract Term
The contract term remains unchanged, ending on August 30, 2028.

### Financial Impact
The new total contract value will not exceed $380,000. There is no impact to the General Fund.

### Concurrence/Previous Council Action
- City Council approved Ordinance S-50092 on August 8, 2023.
- This item was reviewed by the Head Start Policy Council on November 18, 2024.

### Location
- Bobby Yang, DDS, LLC: 1515 E. Bethany Home Road, Suite 140
- Bobby Yang, DDS, LLC: 19636 N. 27th Avenue, Suite 403
- Bobby Yang, DDS, LLC: 9305 W. Thomas Road, Suite 580

Council Districts: 1, 3, 4, 5, 7 and 8

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 41

## City of Phoenix Eviction Legal Services Qualified Vendor List (Ordinance S-51486) - Citywide

Request authorization for the City Manager, or his designee, to approve an Eviction Legal Services Qualified Vendor List (QVL) and to enter into contracts with eligible contractors to provide legal assistance, advocacy, mediation, representation, and other legal services to Phoenix residents facing an eviction crisis and to take any other action necessary or appropriate to accomplish the purposes of this item. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value of the contracts will not exceed $1,263,032 over the life of the QVL.

### Summary

The City of Phoenix continues to see increasing numbers of individuals and families being evicted from their homes due to inability to pay rent and utilities, loss of income and employment, and other imminent crisis impacting their housing stability. The City of Phoenix Human Services Department (HSD) aims to provide access to no cost eviction legal services to include assistance with resolving evictions both in and outside the courtroom. The QVL is meant to identify providers that will assist individuals or families facing eviction, who otherwise cannot afford or arrange for these legal services.

### Procurement Information

A Request for Qualifications (RFQu) solicitation was conducted in accordance with City of Phoenix Administrative Regulation 3.10 on September 19, 2024. A second solicitation will be released at a future date to identify additional contractors for the QVL.

One proposal was received on November 4, 2024, and was deemed responsive and responsible to the solicitation requirements. HSD program staff evaluated the offer using a pass/fail evaluation matrix and the following criteria:

- Project Overview.
- Approach and Methodology.
- Experience and Expertise.

- Marketing and Outreach.
- Operating Budget.

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

- Community Legal Services (CLS)

**Contract Term**
Contracts will begin effective January 1, 2025, for a six-month term with four one-year options to extend.

**Financial Impact**
The aggregate value of all contracts will not exceed $1,263,032. Funding is available through the American Rescue Plan Act.

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 42

## Authorization to Amend Contract 157666 with Community Bridges, Inc. for Rio Fresco Emergency Shelter Operations (Ordinance S-51489) - District 8 & Citywide

Request to authorize the City Manager, or his designee, to amend Contract 157666 with Community Bridges, Inc. (CBI) and add up to $2.8 million in funding for a new total not to exceed amount of $15.9 million and to extend the term of the contract through June 30, 2025. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available through the City's allocation of American Rescue Plan Act (ARPA) funding received from the federal government.

### Summary

CBI provides bridge housing and supportive services to individuals experiencing homelessness at 2425 S. 24th Street where it operates 117 units of non-congregate emergency shelter for adults experiencing homelessness. Shelter services are provided at this site to individuals experiencing homelessness as CBI moves individuals to either housing or appropriate services with the goal of ending their homelessness. Supportive services are also provided to support long-term success in retaining housing. CBI provides, or connects participants to the following supportive services, among others as needed:

- Education Services.
- Employment Assistance.
- Housing/Counseling Services.
- Mental Health Services.
- Substance Use Treatment.
- Laundry, clothing and hygiene supplies.
- Support case conferencing and coordination with providers to connect individuals to services and housing.

Approval of this item will allow continued operations at the Rio Fresco emergency shelter through June 30, 2025.

### Contract Term

Upon approval, the new term of the agreement will be extended through June 30, 2025. The current contract term expires December 30, 2024.

## Financial Impact

The value of the contract will increase by a maximum of $2.8 million and expenditures will not exceed $15.9 million. There is no impact to the General Fund. Funding is available from ARPA.

## Concurrence/Previous Council Action

- On August 2, 2022, City Council approved Contract 157666 with Ordinance S-48895.
- On December 6, 2023, City Council approved additional funding to Contract 157666 with Ordinance S-50360.
- On March 20, 2024, City Council approved a change in funding source to Contract 157666 with Ordinance S-50692.

## Location

2425 S. 24th Street
Council District: 8 and Citywide

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 43

## Integrated Library System Software and Maintenance Contract - RFA-24-0005 - Request for Award (Ordinance S-51473) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Innovative Interfaces, Inc. to provide integrated library system software and maintenance for the Phoenix Public Library Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $4,012,000.

### Summary

This contract will provide an Integrated Library System, and associated maintenance, which is required to manage the many business processes necessary for a large urban public library so that it can provide effective services to its customers. The Polaris Integrated Library System (Polaris) is the Phoenix Public Library Department's primary business application and enterprise resource planning system, it is used to track items owned, ordering, billing, and customers who have borrowed materials. It consists of several modules, including acquisitions (ordering and receiving books and other materials), cataloging (classifying and indexing materials), circulation (lending materials to customers and receiving them back), serials (tracking magazine, journal, and newspaper holdings), financial system (tracking customer fees owed, generating reminders, and billing notices), statistical reports, and a public access catalog that customers can use to search for materials.

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

### Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Without Competition. The Phoenix Public Library has utilized the Polaris Integrated Library System, provided by Innovative Interfaces, Inc., since 2009. Polaris has proven itself capable of meeting the demands placed upon it. Library staff are well trained in its use. The continuing use of Polaris avoids the need for a costly and needless migration to an alternative Integrated Library System in favor of

retaining a system that Library staff and the public are familiar, and satisfied with.

**Contract Term**
The contract will begin on or about January 1, 2025, for a five-year term with no options to extend.

**Financial Impact**
The aggregate contract value for will not exceed $4,012,000 for the five-year aggregate term.

Funding is available in the Phoenix Public Library Department's budget.

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 44

## Online Access Electronic Books - RFA 17-072 - Letter of Agreement to Extend Contract for Online Access Electronic Books with Skillsoft (US), LLC (Ordinance S-51488) - Citywide

Request to authorize the City Manager, or his designee, to enter into Letter of Agreement with Skillsoft (US), LLC and allow additional expenditures of $15,250 to continue to provide Online Access Electronic Books to the Library Department. Further request to continue using Ordinance S-43087 and to authorize the City Controller to disburse all funds related to this item. The revised total value will not exceed $408,911.

### Summary

The purpose of this Letter of Agreement is to continue to provide Online Access Electronic Books to the Library Department. The Phoenix Public Library provides library cardholders with unlimited, simultaneous access to thousands of electronic books focusing on topics related to business, professional development, human resources, information technology, as well as thousands of "best in class" books, research reports, book summaries and best practices. These books have historically been a popular resource for the customers of Phoenix Public Library to develop skills in a variety of topics including but not limited to computer programming, forming a new business, customer service, using social media to market oneself, project management, and software and web design. The Letter of Agreement is necessary to maintain access to this valuable community resource through August 30, 2025.

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

### Contract Term

The term of the Letter of Agreement will begin on or about December 4, 2024, and expire on August 30, 2025.

### Financial Impact

Upon approval of $15,250 in additional funds, the revised aggregate value of the contract will not exceed $408,911. Funds are available in the Library Department’s budget.

## Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Online Access Electronic Books Contract 144194 (Ordinance S-43087) on December 14, 2016;
- Online Access Electronic Books Contract 144194 (Ordinance S-47792) on July 1, 2021;
- Online Access Electronic Books Contract 144194 (Ordinance S-48830) on July 1, 2022;
- Online Access Electronic Books Contract 144194 (Ordinance S-50340) on November 15, 2023.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 45

## NSD-RFP-25-001 Request for Award - Consulting Services for HUD Consolidated Plan 2025-29, Annual Action Plan 2025-26, Citizen Participation Plan Update, and Analysis of Impediments to Fair Housing Choice Study (Ordinance S-51494) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Civitas, LLC to provide consulting services for the development of the 2025-29 Consolidated Plan, the 2025-26 Annual Action Plan, Citizen Participation Plan Update, and Analysis of Impediments to Fair Housing Choice Study. Further request authorization for the City Controller to disburse all funds related to this item.

### Summary

The 2025-29 Consolidated Plan will contain the requirements for the U.S. Department of Housing and Urban Development (HUD) programs that provide critical funds to address housing and community development needs to entitlement cities like Phoenix each year. The four programs highlighted in the Consolidated Plan are: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) Program, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The hired consultant will ensure crucial housing and community development needs are identified through comprehensive research, planning and public input. During the development of the Consolidated Plan, residents and community leaders will have the opportunity to offer input on housing, homelessness, social services, and community development needs for the five-year planning period. This information, along with other assessments, will form the basis of the five-year Consolidated Plan.

The 2025-26 Annual Action plan will describe how funds will be used to address the priorities and achieve the goals outlined in the first year of the five-year Consolidated Plan, while the Analysis of Impediments to Fair Housing Choice Study will help identify obstacles to fair housing.

Draft versions of the Consolidated Plan, the Annual Action Plan, Citizen Participation Plan updates, and Analysis of Impediments to Fair Housing Choice Study will be shared for a 30-day public comment period to solicit input on the draft document.

Council will be asked to review and approve the draft Consolidated Plan, Annual Action Plan, Citizen Participation Plan updates, and Analysis of Impediments to Fair Housing Choice Study to submit to HUD by May 15, 2025.

**Procurement Information**
A Request for Proposals was issued on October 17 for a consultant to perform the Consolidated Plan activities. The solicitation closed on November 4 with two proposals received by the deadline. One proposal was deemed non-responsive by the Procurement Officer. The remaining proposal, submitted by Civitas, LLC, meets the solicitation requirements and is recommended for contract award.

**Contract Term**
The contract term will be one year, with two, one-year options to renew, and will be effective on or about January 1, 2025.

**Financial Impact**
The aggregate value of the contract will not exceed $250,000. HUD CDBG funds will be utilized, and there is no impact to the General Fund.

**Public Outreach**
Federally required citizen participation requirements will be met and will be posted to www.phoenix.gov/yourvoice as the central source of information for the public. Postings may include surveys, plans, videos, fact sheets, FAQs, and a calendar of events. Additionally, the following outreach requirements will also be incorporated into the citizen participation process:

- Special effort to include members of minority, immigrant, disabled communities, residents of public and assisted housing, and non-profits.
- Communication in multiple languages and formats.
- Public Engagement Sessions; Individual/group stakeholder interviews.
- Social media, City newsletters, press releases, and neighborhood events.

**Responsible Department**
This item is submitted by Deputy City Managers Alan Stephenson and Gina Montes, the Neighborhood Services and Housing departments, and the Office of Homeless Solutions.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 46

## Request to Amend Contract 153515 with HUUB LLC for Economic Development Technical Assistance (Ordinance S-51485) - Citywide

Request to authorize the City Manager, or his designee, to extend Contract 153515 with HUUB LLC to continue economic development technical assistance services through PHXbizConnect and utilize $302,900 in Community Development Block Grant (CDBG) funding to provide those services to microenterprise owners and entrepreneurs with low-and-moderate incomes located in the City of Phoenix. Further request to authorize the City Controller to disburse all funds related to this item. Funding will not exceed $302,900 and is available from the Neighborhood Services Department's (NSD) CDBG entitlement funds. There is no impact to the General Fund.

### Summary

Since May 2020, City Council has utilized federal Coronavirus Relief Funds and Coronavirus State and Local Fiscal Recovery Funds to assist Phoenix small businesses with pandemic recovery efforts. As part of those efforts, the City partnered with HUUB LLC to provide economic development technical assistance services through the PHXbizConnect software platform. The technical assistance program included free, one-on-one consulting from business advisors. Since 2021, HUUB LLC's technical assistance program has helped over 200 businesses with over 1,300 hours of consulting services.

Historically, NSD operated a similar Management Technical Assistance (MTA) program for microenterprises, small business owners and entrepreneurs, which also provided free consulting services with business advisors. NSD's MTA program was funded with CDBG from the U.S. Department of Housing and Urban Development. During the same time period, NSD's MTA program has helped 40 businesses with over 980 hours of consulting services. Over the last several years, NSD's MTA program has underperformed compared to HUUB LLC's technical assistance program.

Utilizing HUUB LLC's PHXbizConnect software platform for management technical assistance has significant advantages over NSD's internally-operated, manual program. The software platform reduces intimidating paperwork, provides a streamlined process with greater self determination to businesses, collects a greater amount of data for economic development program administrators, and produces more

results.

The Coronavirus recovery funds dedicated to support HUUB LLC's technical assistance program are expiring at the end of the 2024 calendar year. NSD is willing to extend the contract with HUUB LLC and fund a management technical assistance program through the PHXbizConnect platform. The extension will ensure effective management technical assistance continues to be available to microenterprises and entrepreneurs with low-and-moderate incomes located in the City of Phoenix. Additionally, HUUB LLC is willing to provide the services as a subrecipient of federal funds and ensure the program meets all CDBG requirements.

**Contract Term**
If approved, the proposed extension would begin on January 1, 2025, with a term of one year.

**Financial Impact**
Funding to extend the contract for twelve months will not exceed $302,900. If this extension is approved, the aggregate value of this contract will not exceed $1,353,400. There is no impact to the General Fund. Funding is available from the Neighborhood Services Department's CDBG entitlement funds.

**Concurrence/Previous Council Action**
At the May 5, 2020, City Council Policy meeting, City Council allocated funding to create a tool that would connect small businesses to resources during the COVID pandemic. On November 4, 2020, City Council authorized Contract 153515. City Council authorized subsequent contract extensions on July 1, 2021, May 25, 2022, April 5, 2023, and June 12, 2024.

**Responsible Department**
This item is submitted by Deputy City Managers John Chan and Alan Stephenson and the Community and Economic Development and Neighborhood Services departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 47

## Request for Appropriation of Neighborhood Block Watch Funds (Ordinance S-51497) - Citywide

Request City Council authorization to appropriate up to $3 million from the Neighborhood Block Watch Fund. Further request the appropriation of up to $3 million from the Block Watch Fund to be allocated to provide additional funding in support of the Gated Alley Program.

## Summary

Funding for the Neighborhood Block Watch Grant Program (NBWGP) primarily comes from an increase in sales tax revenues that was adopted by the special election held on October 5, 1993. The NBWGP Fund is a portion of the Neighborhood Protection Fund, also referred to as Proposition 301, which is used to account for funds generated by the 0.1 percent increase in the sales tax approved by voters. The funds are to be used for the expansion of Police, Fire, and Block Watch programs. The breakdown of funding is as follows: Police 70 percent, Fire 25 percent and Block Watch 5 percent. Guidelines for projects supported by the Phoenix Block Watch Fund include programs to:

- Detect, deter and delay crime.
- Improve the quality-of-life within neighborhoods by educating individuals to work together to solve crime problems.
- Encourage citizens to have pride in their neighborhoods and prevent crime.
- Motivate citizens toward common neighborhood crime prevention goals.
- Coordinate pertinent crime prevention neighborhood/community meetings.
- Teach crime prevention techniques.

At the end of Fiscal Year 2023-24, the fund had an available balance of $10.8 million. The sales tax revenue is estimated to be approximately $2.8 million in Fiscal Year (FY) 2024-25. The current approved ongoing grant award is $2 million per year. The fund balance is able to support the annual award total as well as other public safety needs, such as the proposed support of the gated alley program.

Gated Alley Program

The Gated Alley Program was initially piloted in 2017 to provide a new approach to

deterring illegal dumping, graffiti and criminal activity in residential alleys. Since 2017, the popularity and resident demand for gated alleys has grown significantly. One reason for the demand is the increase in the perceived safety and reduction in illegal activities experienced by residents. This perceived reduction in crime enabled the Gated Alley Program to be considered an eligible use of Block Watch Funds. On March 18, 2020, the Phoenix City Council approved using $400,000 in Block Watch Funds to support the Gated Alley Program. The funds were used to obtain necessary permitting and for the construction and installation of gates at the end of alleys for up to 10 alley segments in each Council District. Since the initial pilot, the program has continued to grow in popularity and the community's demand to install additional gates continues to increase.

Through a coordinated, multi-departmental effort, staff were able to prioritize potential alley segments in each Police Precinct, with Neighborhood Services (NSD) and Public Works staff providing further review of the identified alley segments for eligibility based on alley layout and access requirements. The $750,000 of NBWGP funds allowed for an additional 65 alley segments (157 gates) to be gated through the GAP. In total, NSD installed 368 gates in 156 alley segments with funding from the General Fund, City Council Offices, and NBWGP funds in FY 2023-24.

Current funding, $852,000 from the General Fund, would allow for an estimated 77 segments (154 gates) for FY 2024-25. As of October 22, 2024, GAP has already received 130 requests. On average, the program receives 15 new requests each month. Should that pace continue, an estimated 120 additional requests are expected by June 30, 2025. Additionally, NSD is partnering with Public Works to offer to relocate solid waste services from alley to curbside, as requested by residents. As part of Public Works’ process, a survey is conducted to evaluate residents’ interest in solid waste services relocation. New survey language is being piloted to also gauge residents’ interest in gating their alleys after their solid waste services are relocated. Public Works may complete up to 100 surveys in a year, with the anticipation that most residents will be in favor of gating their alleys as well. Based on these projections, NSD estimates the total number of requests could exceed 300 for the year.

The additional $3 million in Neighborhood Block Watch Program funds would allow NSD to gate approximately 240 additional alley segments over two years. In addition, a portion of the funds would be used to purchase the unanticipated 90-gallon solid waste containers necessary to relocate services curbside as part of the GAP process, as well as signage to deter illegal activity in alleys and surrounding neighborhoods.

Gated Culvert (Wash) Program

As of September 30, 2024, Street Transportation staff have successfully installed

gates at 11 locations. These locations were identified by members of the PSJ subcommittee and from CARES cases. The completed locations include:

- 16th Street and Greenway Parkway
- 20th Street and Greenway Parkway
- 31st Avenue and Deer Valley Road
- 41st Place and Thunderbird Road
- 35th Avenue and Mohawk Lane
- 3rd Avenue and Greenway Parkway
- Greenway Parkway and Beck Lane
- 901 West Phelps Road
- 10th Avenue and Moonlight Park
- 11th Avenue and Sandra Terrace
- 19th Avenue and Greenway Road

Staff has identified nine more sites for culvert gate installation within the Laveen Area Conveyance Channel (LACC) and one location at 7th Street and Greenway Parkway. Staff will coordinate with the selected vendor to complete gate installations as soon as possible, targeting a completion date of January 31, 2025. Even with the additional nine locations, there will be approximately $750,000 in savings from the previous block watch allocation.

Recommendations

Staff requests the City Council authorize an appropriation of $3 million from the Block Watch Fund. The $3 million in Neighborhood Block Watch Program funds would be allocated to the Gated Alley Program (GAP) over two years to address safety issues in alleys and meet the requests for gated alleys from residents, city staff and public safety personnel. These funds will also help offset the initial cost to Public Works for new solid waste containers for curbside service, and to provide signage to deter illegal activity in neighborhoods. With City Council approval, staff anticipates using the funding to install additional gates over the next 24 months with projected completion by December 2026.

Staff further requests the City Council reallocate savings of approximately $750,000 from the Gated Culvert (Wash) Program to the maintenance of the washes and adjacent areas. The additional resources for enhanced maintenance and cleaning will assist in addressing illegal dumping and criminal activities occurring in or around the washes. Maintenance is necessary to ensure that debris does not obstruct water flow during storm events and to prevent overgrown vegetation and trash that may pose fire hazards.

## Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Managers Alan Stephenson and Inger Erickson, the Police, Neighborhood Services and Street Transportation departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 48

## Lone Mountain Park Public Art Contract Amendment - District 2

Request the City Manager, or his designee, to amend the artist contract with WOWHAUS in an amount not exceeding $75,000 for the design, fabrication, and installation of artwork for the Lone Mountain Park Public Art Project.

### Summary

The Fiscal Year 2024-29 Public Art Plan includes funding for artwork located at Lone Mountain Park, a 39.5-acre undeveloped land located at 56th Street and Montgomery Road (56th Street south of Lone Mountain Road).

The original artist contract for the Lone Mountain Park Public Art Project was approved in the amount of $450,000 by the Phoenix Arts and Culture Commission on January 9, 2024, and by the City Council on March 6, 2024 (Ordinance S-50641).

The team of Ene Osteraas-Constable and Scott Constable (WOWHAUS) has completed the design of the integrated, functional artwork for the park; however, increased material and construction costs have impacted the overall park construction budget and the artwork fabrication and installation costs.

### Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on October 8, 2024, by a vote of 10-0.

### Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 49

## Institute of Museum and Library Services Museums for America Grant Program (Ordinance S-51463) - District 8

Request to authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into an agreement for up to $250,000 for the Institute of Museum and Library Services (IMLS) Museums for America Grant Program. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance. The grant funds would be used by the Office of Arts and Culture to support the S'edav Va'aki Museum.

### Summary

The Museums for America Grant Program supports museums of all sizes and disciplines in strategic, project-based efforts to serve the public through exhibitions, educational/interpretive programs, digital learning resources, professional development, community debate and dialogue, audience-focused studies, and/or collections management, curation, care, and conservation.

If awarded, the grant funds will be used to install elements of a new long-term exhibit in the Museum's main gallery. Funding has already been secured for Fiscal Year 2024-25 from the Gila River Indian Community ($149,000) and the Salt River Pima Maricopa Indian Community ($164,000) 12 percent Gaming Grants for content development and renovation needs, respectively. The IMLS funds will enable Museum staff to purchase a new gallery lighting system, new object cases, and exhibit text panels for this project.

### Financial Impact

The Institute of Museum and Library Services requires a cost share of non-Federal funds and/or in-kind contributions (such as staff time) in an amount that is equal to or greater than the amount of the Federal award. With the grants already secured, and staff time for this implementation, there will be no impact to the General Fund.

### Location

4619 E. Washington Street
Council District: 8

## Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 50

## Tree Inventory System, Tree Pruning, Tree Removal and Related Services Contract COOP 24-0382 - Request for Award (Ordinance S-51461) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with West Coast Arborists, Inc., to provide a tree inventory system, tree pruning, tree removal, and related services throughout the City for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this contract will not exceed $600,000.

### Summary

This contract, funded by the Parks and Recreation and Street Transportation departments, will create an inventory and assessment of the City's approximately 106,000 trees. This assessment will include the location, species, health and size of trees maintained by the City, covering areas such as rights-of-way, street medians, and all City-maintained parks and facilities. The current inventory system is outdated and needs to be updated. The new tree inventory system will allow the department and the Office of Heat Response and Mitigation to track all the trees on City property and will support the City of Phoenix proposed Shade Phoenix Plan. The new tree inventory system will provide an up-to-date view of the health of the urban forest on City properties, which will enable more accurate monitoring, management of tree conditions, and support proactive maintenance efforts.

The contract will also allow staff to request a wide variety of services, including tree pruning, planting, and other related services as needed at the City-maintained golf courses.

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

### Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The City of Mesa cooperative contract was the most favorable, as it provided the most comprehensive list of services.

## Contract Term
The contract will begin on or about December 4, 2024, and expire on January 31, 2027, with a one-year option to extend.

## Financial Impact
The aggregate contract value will not exceed $600,000. Funding is available in the Parks and Recreation and Street Transportation departments' budgets.

## Responsible Department
This item is submitted by Deputy City Managers John Chan and Inger Erickson, and the Parks and Recreation and Street Transportation departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 51

## Fabrication and Installation of Park Signs COOP 22-011 - Amendment (Ordinance S-51466) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 155258 with Sierra Signs and Services, Inc. for the purchase of fabrication and installation of park signs 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 $250,000.

### Summary
This contract provides the Parks and Recreation Department with fabrication and installation of park signs for a variety of projects such as the display of park rules, building signage and other visual aids for the public. This signage displays information to City park and facility guests to allow a safe and welcoming environment.

### Contract Term
The contract term remains unchanged, ending on September 30, 2026.

### Financial Impact
Upon approval of $250,000 in additional funds, the revised aggregate value of the contract will not exceed $850,000. Funds are available in the Parks and Recreation Department’s budget.

### Concurrence/Previous Council Action
The City Council previously reviewed this request:
- Fabrication and Installation of Park Signs Contract 155258 (Ordinance S-47951) on September 15, 2021.

### Responsible Department
This item is submitted by Deputy City Manager John Chan and the Parks and Recreation Department.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 52

## Community Centers Custodial Services Request for Proposals PKS-RFP24-CC03 - Award Recommendation (Ordinance S-51480) - Citywide

Request to authorize the City Manager, or his designee, to enter into three contracts with Velociti Services, CCS Facility Services - Arizona, Inc. and Verde Clean, LLC to provide custodial services to the Parks and Recreation, Human Services and Phoenix Arts and Culture departments. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount of the contracts will not exceed $7,000,000.

### Summary

These contracts will provide custodial services, including labor, cleaning supplies, materials, equipment, tools, vehicles and supervision necessary to clean various Parks and Recreation Department facilities including, but not limited to: select community centers, Steele Indian School Memorial Hall, and Encanto Park Clubhouse. In addition, the contracts will support adjacent or connecting Human Services Department Senior Centers and the S'edav Va'aki Museum for Phoenix Arts and Culture.

### Procurement Information

A Request for Proposals was completed in accordance with City of Phoenix Administrative Regulation 3.10. Ten offers were received as responsive and responsible based on the minimum qualifications of the solicitation requirements.

The proposals were evaluated and scored by a five-member panel evaluation committee. The proposals were evaluated based on the following criteria (1,000 points possible):

- Method of Approach: 300 points
- Qualifications and Experience: 200 points
- Approach to Safety and Staff Training: 150 points
- Financial Capacity and Longevity: 150 points
- Price: 200 points

The award recommendation for Velociti Services, CCS Facility Services - Arizona, Inc. and Verde Clean, LLC was based on the following consensus scoring:

- Velociti Services: 955
- CCS Facility Services - Arizona, Inc.: 955
- Verde Clean, LLC: 930
- Kleen Tech Services, LLC: 830
- Universal Building Maintenance, LLC DBA Allied Universal Janitorial Service: 820
- BIO-Janitorial Service, Inc.: 785
- UBM Enterprise, Inc.: 780
- United Maintenance Company, Inc.: 700
- EcoBrite Services, LLC: 675
- Pegasus Building Services Company, Inc.: 545

**Contract Term**
The contracts will begin on or about December 1, 2024, for a total five-year term with no options to extend.

**Financial Impact**
The total combined aggregate value of the contracts will not exceed $7,000,000 for the five-year contract term.

Funding is available in the Parks and Recreation, Human Services, and Phoenix Arts and Culture departments' budgets.

**Responsible Department**
This item is submitted by Deputy City Managers John Chan, Gina Montes and Inger Erickson, the Parks and Recreation and Human Services departments, and Office of Arts and Culture.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 53

## Issuance of Lease Revenue Bonds (Mayo/Brooks Rehabilitation Facility Project), Series 2024 (Resolution 22267) - District 2

Requests City Council approval for the issuance of Lease Revenue Bonds (Mayo/Brooks Rehabilitation Facility Project), Series 2024, to be issued in one or more tax-exempt and/or taxable series, in an aggregate principal amount not to exceed $125,000,000.

### Summary

Request City Council adoption of a Resolution (**Attachment A**) granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the “Phoenix IDA”) has previously resolved to issue up to $125,000,000 of Lease Revenue Bonds (the “Revenue Bonds”), Series 2024 for use by PAFAF I Phoenix LLC (the “Borrower”), a Delaware limited liability company, to:

a. Finance, refinance and/or reimburse a portion of the cost of the development, acquisition, construction and equipping of a 60-bed healthcare facility (the “Facility”);
b. Fund reserves for capitalized interest, working capital and debt service, as required; and
c. Pay costs of issuance and other related transaction costs in connection with the issuance of the Bonds.

### Concurrence/Previous Council Action

The Phoenix City Council previously approved on September 4, 2024.
The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on November 14, 2024.

### Location

The Facility is to be located adjacent to the Discovery Oasis Campus on the west side of 64th Street, approximately one quarter mile south of the Mayo Boulevard and 64th Street intersection in Phoenix, AZ.
Council District: 2

## Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.

**Attachment A**

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

RESOLUTION _____

A RESOLUTION GRANTING FINAL APPROVAL OF THE ISSUANCE OF AN AMOUNT NOT TO EXCEED $125,000,000 PRINCIPAL AMOUNT OF LEASE REVENUE BONDS (MAYO/BROOKS REHABILITATION FACILITY PROJECT), SERIES 2024, OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF PHOENIX, ARIZONA

_____

WHEREAS, The Industrial Development Authority of the City of Phoenix, Arizona (the "Issuer"), is a nonprofit corporation designated a political subdivision of the State of Arizona (the "State") incorporated with the approval of the City of Phoenix, Arizona (the "City"); and

WHEREAS, Title 35, Chapter 5, of the Arizona Revised Statutes, Section 35-701 *et seq.*, as amended (the "Act"), authorizes the Issuer to issue revenue bonds for the purposes set forth in the Act, including the making of secured and unsecured loans to finance or refinance the acquisition, construction, improvement, equipping or operation of a "project" (as defined in the Act) whenever the Board of Directors of the Issuer finds such loans to further advance the interests of the Issuer or the public interest, and to refund outstanding obligations incurred by an enterprise to finance the costs of a "project" when the Board of Directors of the Issuer finds such loans to be in furtherance of the purposes of the Authority or in the public interest; and

WHEREAS, PAFAF I Phoenix LLC, a Delaware limited liability company (the "Borrower"), whose sole member is Pan-American Financial Assistance Foundation, Inc., a Delaware nonprofit corporation and an exempt organization described under

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Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Issuer issue its Lease Revenue Bonds (Mayo/Brooks Rehabilitation Facility Project), Series 2024 (the "Bonds"), in one or more series on a tax-exempt or taxable basis, pursuant to a Financing Agreement (the "Financing Agreement"), between the Issuer and the Borrower, pursuant to which the Issuer will loan the proceeds of the Bonds to the Borrower (the "Loan"), for purposes of: (a) financing, refinancing and/or reimbursing a portion of the cost of the development, acquisition, construction and equipping of a 60-bed healthcare facility to be located adjacent to the Discovery Oasis Campus on the west side of 64th Street, approximately one quarter mile south of the Mayo Boulevard and 64th Street intersection in Phoenix, Arizona (the "Facility"); (b) funding reserves for capitalized interest, working capital and debt service, as required; and (c) paying costs of issuance and other related transaction costs in connection with the issuance of the Bonds (collectively, the "Project"), all in accordance with the Act; and

WHEREAS, the Facility will be leased to and operated by Brooks West Rehab Services, Inc., an Arizona nonprofit corporation and an exempt organization described under the Code, or one or more of its affiliates (the "Lessee"), pursuant to a Residual Ownership Sublease[SM] Agreement to be entered into between the Borrower and the Lessee; and

WHEREAS, the Issuer, by Resolution 2024-__, duly adopted by the Board of Directors of the Issuer at a lawful meeting called and held on November 14, 2024, granted approval of the issuance and sale of the Bonds in an aggregate principal amount not to exceed $125,000,000; and

WHEREAS, Section 35-721(B) of the Act provides that the proceedings of the Issuer under which the Bonds are to be issued require the approval of the Council of

the City; and

WHEREAS, Section 147(f) of the Code requires that an "applicable elected representative" (as that term is defined in the Code) approve the issuance of the Bonds and the plan of finance for the Project following a public hearing, which public hearing was held by the Issuer on August 16, 2024 at 10:00 a.m. at the offices of the Issuer; and

WHEREAS, information regarding the Project to be financed with the proceeds of the Bonds has been presented to the Council of the City; and

WHEREAS, it is intended that this Resolution shall constitute approval by the Council of the City pursuant to Section 35-721(B) of the Act and of the "applicable elected representative" as defined in Section 147(f) of the Code with respect to the Bonds.

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

SECTION 1. The proceedings of the Issuer under which the Bonds are to be issued are hereby approved.

SECTION 2. The issuance of the Bonds and the plan of finance for the Project are hereby approved for purposes of Section 147(f) of the Code.

SECTION 3. Resolution 22242 adopted by the Council of the City of Phoenix, Arizona on September 4, 2024, is hereby repealed in its entirety.

SECTION 4. Notice of Arizona Revised Statutes Section 38-511 is hereby given. The provisions of that statute are by this reference incorporated herein to the extent of their applicability to matters contained herein.

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PASSED BY THE COUNCIL OF THE CITY OF PHOENIX, ARIZONA this ___ day of December, 2024.

_____
MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

DRAFT

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 54

## Seal Coat Program Parts and Supplies Requirements Contract IFB 63-2204 - Amendment (Ordinance S-51471) - District 8

Request to authorize the City Manager, or his designee, to execute an amendment to Contract No. 156328 with Musgrove Enterprises, LLC to modify the scope of work to allow the Aviation Department to utilize this Street Transportation Department contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will be up to $30,000.

### Summary
Use of the Contract will provide the Aviation Department with the necessary supplies for staff to operate tank sprayers and applicators that are used for applying sealant material on airport roadways, taxiways, and airfields. The seal coat material is a protective layer to asphalt surfaces that extends the lifespan of the asphalt by keeping out water, chemicals, and other harmful materials that can damage the surface over time.

### Contract Term
The Contract term remains unchanged and will expire on May 31, 2027.

### Financial Impact
Upon approval of $30,000 in additional funds, the revised aggregate value of the Contract will be up to $93,000. Funds are available in the Aviation Department's budget.

### Concurrence/Previous Council Action
The City Council previously reviewed this request:
- Seal Coat Program Parts and Supplies Requirement Contract No. 156328 (Ordinance S-48613) on May 11, 2022.

### 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:** 12/4/2024, **Item No.** 55

## Photography Services Contract RFP 24-0330 - Request for Award (Ordinance S-51472) - Districts 1, 8 & Out of City

Request to authorize the City Manager, or his designee, to enter into a contract with Visual Nature Images, Inc. dba Mark Skalny Photography to provide photography services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item.

### Summary
This contract will provide photography services for the Aviation Department. The services will ensure that the Aviation Department has the ability to meet multiple requests from magazines and other professional publications to capture high-quality photos for press releases, public relation campaigns, airport websites, and other public relations initiatives at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport.

### Procurement Information
A Request for Proposals was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Four vendors submitted proposals that were deemed responsive and responsible. An evaluation committee evaluated the proposals based on criteria that included work samples, qualifications, experience, and proposed fees.

The evaluation committee recommends contract award to Visual Nature Images, Inc. dba Mark Skalny Photography

### Contract Term
The term of the contract will begin on or about Jan. 15, 2025, for an initial three-year term with two one-year options to extend the term for a total five-year term of the contract.

### Financial Impact
The aggregate contract value will be up to $250,000 over the five-year term of the contract.

Funding is available in the Aviation Department's operating budget.

## Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended this item for approval on Oct. 17, 2024, by a vote of 5-0.

## Location
- Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
- Phoenix Deer Valley Airport, 702 W. Deer Valley Road
- Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, AZ.

Council Districts: 1, 8, and Out of City

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 56

## Baggage Handling System Operation, Maintenance and Repair Services RFP 19-008 - Amendment (Ordinance S-51490) - District 8

Request to authorize the City Manager, or his designee, to execute an amendment to Contract No. 149845 (Contract) with Daifuku Services America Corporation to extend the term of the Contract and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will be up to $2,838,878.

### Summary

The Contract provides operation, maintenance, and repair services for the baggage handling system at Phoenix Sky Harbor International Airport (PHX), which is critical to PHX operations to ensure all checked baggage are efficiently and securely processed and arrive at the airline's designated bag makeup location.

On Feb. 26, 2024, a Request for Proposal (RFP 24-0156) was issued for Baggage Handling Systems - Operations, Maintenance, Repair, and Controls System Design, Programming and Integration Services. Two proposals were received and evaluated by the evaluation panel. The Public Notice of Award Recommendation was posted on Aug. 15, 2024. In response to the notice, the Aviation Department has received several public records requests and communications from the proposers that have required responses, research, and other actions, which resulted in delays in the procurement process. A protest to the Award Recommendation was received on Nov. 7, 2024. An extension is essential to allow sufficient time to address the protest and to facilitate a seamless transition for award of the new contract while continuing to maintain these critical services.

### Contract Term

The term of the Contract will be extended through Oct. 31, 2025.

### Financial Impact

A total of $2,838,878 in additional funds for a total Contract value up to $19,338,878 through Oct. 31, 2025. Funds are available in the Aviation Department’s budget.

## Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Baggage Handling System Operation, Maintenance and Repair Services - RFP 19-008 (Ordinance S-45631) on May 15, 2019;
- Baggage Handling System Operation, Maintenance and Repair Services - RFP 19-008 - Amendment (Ordinance S-50390) on Dec. 6, 2023;
- Baggage Handling System Operation, Maintenance and Repair Services - RFP 19-008 - Amendment (Ordinance S-50997) on June 12, 2024.

## 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:** 12/4/2024, **Item No.** 57

## Amendment 1 to the Intergovernmental Agreement Between the Cities of Phoenix and Tempe Regarding Noise Mitigation Flight Procedures (Ordinance S-51493) - District 8

Request authorization to settle the litigation between the City of Phoenix and the City of Tempe over the obligations in the 1994 Intergovernmental Agreement (IGA) between the City of Phoenix and the City of Tempe, and further request authorization to execute an amendment to the IGA to clarify certain obligations under the IGA.

## Summary

The City of Tempe and the City of Phoenix recognize that Phoenix Sky Harbor International Airport and accompanying commercial passenger traffic are a key part of the local economies of the respective cities as well as the region.

Therefore, the parties chose to work in the spirit of cooperation to resolve the litigation and protect the airport while preserving the economic vitality of both cities. To that end, this amendment will allow the City of Tempe and the City of Phoenix to work collaboratively to address noise concerns and ensure transparent communication with residents. Both cities strive to uphold a balanced approach to community well-being and airport operations.

The amendment will include the following terms and conditions:

For all Tempe land in the 65 DNL contour (the high noise area)

- No single-family residential;
- Avigation easements / release of liability;
- Noise disclosures to warn residents of their exposure to high noise;
- No obstructions (FAA 7460 Approval);
- Support to address identified hazards to navigation;
- Tempe will not oppose, in any proceeding, Phoenix’s Comprehensive Asset Management Plan projects;
- Tempe understands Phoenix will continue to formally object to any incompatible use proposed in Tempe.

On Tempe-owned land in the 65 DNL contour, if Tempe allows residential, then Tempe will:

- Restrict all multi-family residential to lease only;
- Indemnify and defend Phoenix for any complaints about noise, vibrations, emissions or other disturbances;
- Require noise insulation;
- Ensure all stipulations and restrictions to run with the land;
- Agrees restrictions will apply to any land acquired by Tempe, except to the extent the land is already developed, or the land is one of the already entitled properties identified in the amendment and purchased through a GPLET deal.

For Privately-Held Parcels in the 65 DNL contour, Tempe agrees:

- No new residential except for parcels identified in the amendment;
- To notify the Aviation Department of applications to pursue new or intensified residential;
- Submit a staff recommendation of disapproval on any such application;
- If the Tempe City Council still approves residential on any of the identified parcels, Tempe will stipulate landowner to noise insulate (NLR 25db) and equally share in legal defense fees should Phoenix receive a claim related to noise, vibrations, or emissions.

Phoenix agrees:

- That both parties will dismiss their claims with each party bearing its own legal fees;
- To waive claims under the IGA for any past actions related to the IGA;
- To conduct periodic 65 DNL contour updates and enhance collaboration on noise issues;
- That it will not treat itself differently than Tempe regarding land uses in the 65 DNL contour;
- That it understands Tempe reserves its right to object to any proposed 4th runway.

**Contract Term**
The term of the IGA is 50 years, anticipated to end in 2044.

**Financial Impact**
There is no financial impact.

**Concurrence/Previous Council Action**
The Phoenix City Council adopted the IGA on August 31, 1994, and the agreement was fully executed on September 2, 1994.

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

## Responsible Department
This item is submitted by City Attorney Julie Kriegh and Deputy City Manager Mario Paniagua and the Law and Aviation departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 58

## Route 27 Service Modification to Provide Bus Service on Durango Street (Ordinance S-51491) - District 7

Request to authorize the City Manager, or his designee, to implement the Durango Street route modification on Route 27 (27th Avenue). If approved, the modification will begin in January 2025 for a duration of one year.

### Summary

The Public Transit Department received community input to evaluate adding bus service on Durango Street between 27th and 35th avenues to service the juvenile court and surrounding Maricopa County buildings and resources.

The deviation of Route 27 to Durango Street will be for a period of one year, during which time staff will evaluate ridership and service efficiency to determine the potential of making the routing permanent.

Route 27 service operates seven days a week with a base frequency of every 30 minutes and peak-hour frequency on weekdays at every 15 minutes. An illustration of the existing and proposed routing is in **Attachment A**.

### Financial Impact

The inclusion of Durango Street between 27th and 35th avenues is estimated to cost $729,000 annually. American Rescue Plan Act funding of $500,000 will support the route modification for one year, during which time Phoenix will work with Maricopa County on a longer-term funding strategy, if the service proves successful. Public Transit Department funds will also be utilized to fund $229,000 of the cost.

### Concurrence/Previous Council Action

This item was recommended for approval at the Transportation, Infrastructure and Planning Subcommittee on November 20, 2024, by a vote of 3-0.

### Location

Durango Street between 27th and 35th avenues
Council District: 7

## Responsible Department

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

# ATTACHMENT A

Route 27 map of current and proposed route.



City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 59

## Compost Facility Operations and Products Marketing Contract RFP 25-SW-015 - Request for Award (Ordinance S-51459) - District 7

Request to authorize the City Manager, or his designee, to enter into a contract with WeCare Denali, LLC to provide operation of the 27th Avenue Compost Facility and marketing of the finished compost for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $28,600,000.

### Summary

The Contractor's obligation will be to operate the City's 27th Avenue Compost Facility. This includes processing the organics to meet composting market specifications and creating economic value by marketing, selling, and transporting the finished compost regionally. The facility can process up to 55,000 tons of organics per year that includes the yard trimmings delivered to the City's transfer stations from Phoenix residents and landscapers. The facility also processes food scraps delivered from other city departments, WeCare Denali, and City-sponsored mega zero waste events, including the Super Bowl and Men's College Basketball Final Four. Over the term of the agreement, the contractor will invest $8,000,000 in equipment upgrades and will partner with the city on other site upgrades as needed. The Contractor will also maintain the compost facility, including all mobile and stationary equipment, provide staffing, materials, supplies, and equipment required for composting operations and to maintain compliance with environmental regulations.

### Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10. One vendor submitted proposals deemed responsive and responsible. An evaluation committee consisting of representatives from the Public Works Department, Fire Department and City of Mesa evaluated the offer based on the criteria established in the RFP.

After reaching consensus, the evaluation committee recommends award to the following vendor: WeCare Denali, LLC.

**Contract Term**
The contract will begin on or about March 1, 2025 for an initial seven-year term with three one-year options to extend.

**Financial Impact**
The estimated operating cost over the 10-year contract is approximately $28,600,000 based on a forecasted processing rate, which includes consumer price index adjustments. The estimated operating cost also includes funding for potential cost-sharing projects for facility upgrades over the term of the contract.

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

**Location**
27th Avenue Compost Facility
3060 S 27th Avenue
Council District: 7

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 60

## Maintenance and Repair of Truck, Cylinder and Other Industrial Scales Contract - 25-SWDD-025 - Request for Award (Ordinance S-51495) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Southwestern Scale Company, Inc to provide maintenance, replacement and repair of truck, cylinder and other industrial scales used by the Public Works and Water Services departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $829,825.

### Summary

The Public Works and Water Services departments use this contract to maintain, repair, calibrate and replace the scales for the City's North Gateway Transfer Station, 27th Avenue Transfer Station, State Route 85 Landfill, wastewater treatment plants, wastewater collection and water treatment plants. Calibrated and functional scales are imperative to operations as all transactions must be weighed to ensure proper billing is conducted. Accurate and operational scales are also necessary for regulatory compliance.

### Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. One vendor submitted a bid deemed to be responsive to posted specifications 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
Southwestern Scale Company, Inc.

### Contract Term

The contract will begin on or about December 4, 2024, for a three-year term with two one-year options to extend.

### Financial Impact

The aggregate contract value will not exceed $829,825.

Funding is available in the Water Services and Public Works departments' budgets.

## Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Water Services and Public Works departments.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 61

## Agreement with Allied Waste Transportation, Inc. dba Republic Services of Phoenix to Accept and Process Recyclable Materials (Ordinance S-51496) - Districts 2 & 7

Request to authorize the City Manager, or his designee, to enter into an agreement with Allied Waste Transportation, Inc. dba Republic Services of Phoenix (Republic Services) to accept and process recyclable materials collected by Republic Services and delivered to the City of Phoenix's Material Recovery Facilities (MRFs). Additionally, request the City Council to grant an exception pursuant to Phoenix City Code Section 42-20(B) to authorize inclusion of mutual indemnification language that otherwise would be prohibited by Phoenix City Code Section 42-18(A) and (B). Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

### Summary

Republic Services has requested to enter into an agreement with the City of Phoenix to accept and process its recyclable material. The City of Phoenix can accept these materials with terms to address changing market conditions, resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This agreement will authorize the City of Phoenix to charge a processing fee to Republic Services for recycling tonnage processed at the City MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this Agreement include:

- In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to Republic Services, and no revenue share to Republic Services will be available.
- In a market with high recycling commodity prices, Republic Services will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, Republic Services will deliver up to 10,000 tons of recyclable materials to City of Phoenix facilities.

### Contract Term

The one-year term of this agreement will begin on or about December 4, 2024, and conclude on or about December 3, 2025. Provisions of the agreement include four, one-year options to extend the agreement.

**Financial Impact**
Republic Services will be paying Phoenix to accept recyclables to cover all expenses associated with proper handling of the materials. If recycle market prices increase during the term of the agreement, Phoenix and Republic Services would share the additional revenue at a 50/50 split.

Funding for the revenue share payments to Republic Services are available in the Public Works Department's budget.

**Location**
North Gateway Material Recovery Facility, 30205 N. Black Canyon Highway
27th Avenue Material Recovery Facility, 3060 S. 27th Avenue
Council Districts: 2 and 7

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 62

## Hazardous/Non-Hazardous Fluid Spill Cleanup Contract IFB 25-SWFS-024 - Request for Award (Ordinance S-51475) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with GrayMar Environmental Services, Inc., Pacific West, LLC and Patriot Environmental Services, Incorporated, to provide cleanup, removal, transport and disposal of hazardous and non-hazardous liquids and solids in both emergency and non emergency situations for the Public Works 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 $1,265,369.56.

### Summary

This contract will provide services necessary to preserve the health and safety of the public. The vendors will assume the responsibility of legal, safe handling, removal and transportation services in accordance with local, state and federal regulations. Due to the specialized training and equipment necessary to provide these services, Public Works Department has consistently utilized outside vendors.

### Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10. Six vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidders
Pacific West, LLC - $2,049.62
GrayMar Environmental Services, Inc., - $2,070.00
Patriot Environmental Services, Incorporated - $2,763.22

### Contract Term

The contracts will begin on or about January 1, 2025, for a three-year term with two one-year options to extend.

## Financial Impact
The aggregate contracts value will not exceed $1,265,369.56. Funding is available in the Public Works Department's budget.

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 63

## Intelligent Transportation System Devices and Communication Equipment - Maricopa County Department of Transportation Cooperative Contracts - 230200 - Amendment to Ordinance S-50540 (Ordinance S-51474) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Ordinance S-50540 to revise the terms of the contracts to expire on October 31, 2029, with a one-year option to extend, for the purchase of Intelligent Transportation System (ITS) Devices and Communication equipment for the Street Transportation Department. There are no additional expenditures included in this amendment.

### Summary

The purpose of this amendment is to revise the terms of the 13 contracts from the original award that was authorized by Council, which listed contract terms to begin on or about February 15, 2024 for one-year terms with five one-year options to extend, rather than five-year contract terms with one-year options to extend for the Cooperative Contract the City adopted in connection with the Maricopa County Department of Transportation.

These contracts provide ITS equipment, supplies, and training necessary for the Street Transportation Department's Traffic Signal Shop to perform core functions such as maintaining the Citywide infrastructure of over 1,138 signalized intersections and continually adapt to the changing technology of the traveling public as it pertains to the traffic signal systems.

### Contract Term

The amended terms of the contracts will be five years, expiring on October 31, 2029, with a one-year option to extend.

### Financial Impact

The aggregate value of the contracts will not change from the original value, which does not exceed $12 million, and no additional funds are needed for this amendment.

### Concurrence/Previous Council Action

The City Council previously approved 13 contracts, as listed in **Attachment A**, (Ordinance S-50540) on February 7, 2024.

## Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Street Transportation Department.

# ATTACHMENT A

Contractors Listed Alphabetically

AM Signal, LLC

Applied Information, Inc.

Clark Electric Sales, Inc.

Contractors West, Inc.

Enterprise Networks Solutions

GridMatrix, Inc.

ITS Plus, Inc.

L4 Technologies, LLC

NoTraffic U.S. Inc

Rhythm Engineering, LLC

Sierra Transportation & Technologies

Summit Traffic Solutions

Western Systems Inc

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 64

## Salt River Project Land Use License for 24th Street at Arizona Canal Diversion Channel Bicycle Underpass (Ordinance S-51479) - District 6

Request to authorize the City Manager, or his designee, to enter into land use licenses with Salt River Project for the continued use and maintenance of a bicycle underpass under the Arizona Canal at 24th Street. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

### Summary
This Salt River Project (SRP) Land Licenses are for renewals of existing Licenses that were entered into for work associated with a pedestrian crossing over the Grand Canal and allowed the City to construct, maintain, and utilize a bicycle underpass within USA Fee Property. The original licenses were executed on December 31, 1999 and expires on November 30, 2024.

### Contract Term
The term of the new license shall be for 10 years beginning January 1, 2025, and ending December 31, 2034. The licenses may be renewed upon written agreement by the parties.

### Financial Impact
There is no financial impact to the City of Phoenix for these licenses.

### Location
24th Street and Arizona Canal
Council District: 6

### Responsible Department
This item is submitted by Deputy City Manager Inger Erickson, the Street Transportation Department and the City Engineer.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 65

## Citywide Engineering On-Call Services for Calendar Years 2025-27 (Ordinance S-51487) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 55 consultants in **Attachment A**, to provide Engineering On-Call services citywide for calendar years 2025 to 2027. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $82.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

### Summary

The On-Call consultants will be responsible for providing On-Call Engineering services citywide that include, but are not limited to: studies, plan review, special inspections, programming, master plans, design, construction document development (plans, specifications and cost estimates), and construction administration and inspection services.

### Procurement Information

The selections were made using a qualifications-based selection process set forth in Section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. Section 34-604(H), the City may not publicly release information on proposals received, or the scoring results, until an agreement is awarded. 93 firms submitted

proposals and are listed in **Attachment A**.

**Contract Term**
The term of each agreement is up to three years or up to $1.5 million, whichever occurs first. 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 values for each of the On-Call consultants will not exceed $1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $82.5 million.

Funding is available in the Citywide departments' Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

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

**ATTACHMENT A**

**Selected Firms By Category**

**Complete Streets - Three (3) Firms Selected**

1. ALTA PLANNING + DESIGN, INC.
2. GHD INC.
3. HARRINGTON PLANNING & DESIGN, LLC

**Construction Project Management - Three (3) Firms Selected**

1. HILL INTERNATIONAL, INC.
2. KITCHELL/CEM, INC.
3. RIDER LEVETT BUCKNALL LTD

**Data Science - One (1) Firm Selected**

1. STANTEC CONSULTING SERVICES INC.

**Electrical - Two (2) Firms Selected**

1. LSW ENGINEERS ARIZONA, INCORPORATED
2. C R ENGINEERS, INC.

**Energy - Two (2) Firms Selected**

1. AFFILIATED ENGINEERS, INC.
2. WRIGHT ENGINEERING CORPORATION

**Fire Life Safety - One (1) Firm Selected**

1. COFFMAN ENGINEERS, INC.

**Floodplain Mitigation - Two (2) Firms Selected**

1. JE FULLER/HYDROLOGY AND GEOMORPHOLOGY, INC.
2. Ardurra Group, Inc.

**General Civil - Thirteen (13) Firms Selected**

1. T.Y. LIN INTERNATIONAL, INC.
2. KIMLEY-HORN AND ASSOCIATES, INC.

3. WILSON & COMPANY, INC., ENGINEERS AND ARCHITECTS
4. AECOM TECHNICAL SERVICES, INC.
5. ENTELLUS, INC.
6. WSP USA, INC.
7. J2 ENGINEERING & ENVIRONMENTAL DESIGN, L.L.C.
8. STRAND ASSOCIATES, INC.
9. TRACE CONSULTING, LLC
10. DIBBLE & ASSOCIATES CONSULTING ENGINEERS, INC.
11. PARSONS TRANSPORTATION GROUP INC.
12. OLSSON, INC.
13. HUIT-ZOLLARS, INC.

**Green Stormwater - Two (2) Firms Selected**

1. TERRACON CONSULTANTS, INC.
2. Werk, LLC

**Landscape Architecture - Three (3) Firms Selected**

1. Coe and Van Loo L.C.C.
2. DIG STUDIO, INC.
3. Thomas+Crowley LLC

**Mechanical/Plumbing - Two (2) Firms Selected**

1. GLHN ARCHITECTS AND ENGINEERS, INC.
2. PEARSON ENGINEERING ASSOCIATES, INCORPORATED

**Public Information - Two (2) Firms Selected**

1. YOUR PROJECT MARKETING & OUTREACH, LLC
2. Avenue Consultants, Inc.

**Structural - Three (3) Firms Selected**

1. ETHOS ENGINEERING, L.L.C.
2. JACOBS ENGINEERING GROUP INC.
3. CARUSO TURLEY SCOTT, INC.

**Survey - Two (2) Firms Selected**

1. WOOD, PATEL & ASSOCIATES, INC.

2. AZTEC Engineering Group Inc.

**Traffic Engineering - Three (3) Firms Selected**

1. BURGESS & NIPLE, INC.
2. Y2K ENGINEERING, LLC.
3. KITTELSON & ASSOCIATES, INC.

**Water/Wastewater - Eleven (11) Firms Selected**

1. WILSON ENGINEERS, LLC
2. CAROLLO ENGINEERS, INC.
3. BLACK & VEATCH CORPORATION
4. BROWN AND CALDWELL, INC.
5. ARCADIS U.S., INC.
6. HAZEN AND SAWYER, P.C.
7. EIC ENGINEERS, L.L.C.
8. OZ ENGINEERING, LLC
9. CONSOR North America, Inc.
10. HDR ENGINEERING, INC.
11. WATER WORK ENGINEERS, LLC

**Additional Proposals**

56. JENSEN HUGHES, INC.
57. TRISTAR ENGINEERING AND MANAGEMENT, INC.
58. IMEG Consultants Corp.
59. GUNN COMMUNICATIONS, INC.
60. WHPACIFIC, INC.
61. CIVTECH INC.
62. SUSTAINABILITY ENGINEERING GROUP LLC
63. Y .S. MANTRI & ASSOCIATES LLC
64. SUNRISE ENGINEERING, LLC
65. ADVANCE STRUCTURAL ENGINEERING, INC.
66. MEYER, BORGMAN & JOHNSON, INC.
67. MARTIN, WHITE & GRIFFIS, STRUCTURAL ENGINEERS, INC.
68. LEE ENGINEERING, L.L.C.
69. STANLEY CONSULTANTS, INC.

70. CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
71. SOUTHWEST TRAFFIC ENGINEERING, LLC
72. OMB ELECTRICAL ENGINEERS, INC.
73. PK ASSOCIATES, LLC
74. SPECTRUM ENGINEERS, INC.
75. LLOYD CONSULTING GROUP, LLC
76. HENDERSON ENGINEERS INCORPORATED
77. ATL, INC. (DBA CMT TECHNICAL SERVICES, INC.)
78. ENGINEERING ALLIANCE, INC.
79. GREENLIGHT TRAFFIC ENGINEERING, LLC
80. CONSULTANT ENGINEERING, INC.
81. RICK, COLLAR & WAGONER ENGINEERING, INC.
82. WEST CONSULTANTS, INC.
83. SMITHGROUP, INC.
84. CDM SMITH INC.
85. ENERGY SYSTEMS DESIGN, INC.
86. NARASIMHAN CONSULTING SERVICES INC.
87. LOKAHI, LLC
88. SAZAN GROUP INC.
89. FEHR & PEERS, INC.
90. VALENTINE ENVIRONMENTAL ENGINEERS, LLC
91. ALTA SURVEY, LLC
92. QUANTUM ENGINEERING, INC.
93. S&F LAND SERVICES, LLC

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 66

## 64th Street Reservoir No. 2 (1-ES1-2) Liner Replacement - Construction Manager at Risk Services - WS85050019 (Ordinance S-51458) - Out of City

Request to authorize the City Manager, or his designee, to enter into an agreement with MGC Contractors, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the 64th Street Reservoir No. 2 (1-ES1-2) Liner Replacement 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 $14 million.

### Summary

The purpose of this project is to provide construction services for a liner replacement of a 20 million gallon (MG) reservoir, full columns rehabilitation and structural repairs, replacement of 500 roof clips, and repair minor cracks and miscellaneous repairs.

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

MGC Contractors, Inc.’s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of marketplace conditions, project planning and scheduling, construction phasing and scheduling that will minimize interruption to City operations, providing alternate systems evaluation and constructability studies, advising City on ways to gain efficiencies in project delivery, providing long-lead procurement studies and initiating procurement of long-lead items, assisting in the permitting processes, and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

MGC Contractors, Inc.’s initial Construction Services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. MGC Contractors, Inc. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. MGC Contractors, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City’s subcontractor selection process. MGC Contractors, Inc. may also compete

to self-perform limited amounts of work.

MGC Contractors, Inc.'s additional Construction Services include liner replacement, full columns rehabilitation and structural repairs, replacement of 500 roof clips, minor cracks and miscellaneous repairs, selecting subcontractors and suppliers for this project, preparing a Guaranteed Maximum Price proposal that meets the approval of the City, coordinating with various City of Phoenix departments, other agencies and utility companies, arranging for procurement of materials and equipment, scheduling and managing site operations, providing quality controls, bidding, awarding, and managing all construction related contracts while meeting City Bid Requirements including the local and SBE participation goal, and maintaining a safe work site for all project participants.

**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. One firm submitted proposals and is listed below.

Selected Firm
Rank 1: MGC Contractors, 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 MGC Contractors, Inc. will not exceed $14 million, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

**Location**
General Location: 64th Street and E. Thomas Road

Council District: Out of City

**Responsible Department**
This item is submitted by Deputy City Managers Ginger Spencer and Inger Erickson, the Water Services Department and the City Engineer.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 67

## Lift Station 43 Force Main Rehabilitation - Construction Manager at Risk Services - WS90501000 (Ordinance S-51460) - District 7

Request to authorize the City Manager, or his designee, to enter into an agreement with Achen-Gardner Construction, L.L.C. to provide Construction Manager at Risk Preconstruction and Construction Services for Lift Station 43 Force Main Rehabilitation 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 $7.6 million.

### Summary

The purpose of this project is to rehabilitate the force mains associated with Lift Station 43. The force mains convey wastewater flows from the lift station.

Achen-Gardner Construction, L.L.C. will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Achen-Gardner Construction, L.L.C. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Achen-Gardner Construction, L.L.C.’s Preconstruction Services include, but are not limited to: providing detailed cost estimating and knowledge of marketplace conditions, providing project planning and scheduling, providing 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 for long-lead items, assist in the permitting processes, and participate with the City in a process to set a goal for Small Business Goal (SBE) for the project.

Achen-Gardner Construction, L.L.C.’s initial Construction Services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. Achen-Gardner Construction, L.L.C. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Achen-Gardner Construction, L.L.C. will be required to solicit bids from pre qualified subcontractors and to perform the work using the City’s subcontractor selection process. Achen-Gardner Construction, L.L.C. may also compete to self-perform limited

amounts of work.

Achen-Gardner Construction, L.L.C.'s additional Construction Services include: construct wastewater infrastructure for Lift Station 43 Force Main Rehabilitation, prepare a Guaranteed Maximum Price proposal that meets the approval of the City, coordinate with various City of Phoenix departments, other agencies, and utility companies, arrange for procurement of materials and equipment, schedule and manage site operations, bid, award, and manage all construction related contracts while meeting City bid requirements including the local and SBE participation goal, provide quality controls, bond and insure the construction, address all federal, state and local permitting requirements, and maintain a safe work site for all project participants.

**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. Four firms submitted proposals and are listed below.

Selected Firm
Rank 1: Achen-Gardner Construction, L.L.C.

Additional Proposers
Rank 2: B&F Contracting, Inc.
Rank 3: TF Contracting Services LLC
Rank 4: Hensel Phelps Construction Co

**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 Achen-Gardner Construction, L.L.C. will not exceed $7.6 million, including all subcontractor and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up

to agreement limits for all rendered agreement services, which may extend past the agreement termination.

**Location**
General Location: S. 75th Avenue and W. Vineyard Road
Council District: 7

**Responsible Department**
This item is submitted by Deputy City Managers Ginger Spencer and Inger Erickson, the Water Services Department and the City Engineer.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 68

## Laboratory Proficiency Evaluation Program - IFB-2425-WES-652 - Request for Award (Ordinance S-51462) - Citywide

Request to authorize the City Manager, or his designee, to enter into agreement with Environmental Resource Associates, Inc. to provide proficiency testing of water samples for the Water Services 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 $150,000.

### Summary

This agreement will provide the Water Services Department with the ability to procure proficiency testing and analysis of drinking water and wastewater samples. The proficiency testing is performed as needed by the compliance laboratory for the Discharge Monitoring Report - Quality Assurance study for the City of Phoenix's National Pollutant Discharge Elimination System and Arizona Pollutant Discharge Elimination System permits.

### Procurement Information

The recommendation was made using an Invitation for Bid procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three Vendors submitted bids and are listed below; all bids except one were found responsive and responsible. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder
Environmental Resource Associates, Inc.

Additional Bidders
Advanced Analytical Solutions, LLC.
Phenova, Inc.

### Contract Term

The contract will begin on or about March 1, 2025, for a five-year term with no options to extend.

## Financial Impact
The aggregate contract value will not exceed $150,000.

Funding is available in the Water Services Department Operating Budget.

## Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the Water Services Department.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 69

## Gaskets and O' Rings Contract - IFB-2425-WPP-661 - Request for Award (Ordinance S-51467) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Cupps Industrial Supply, Inc. to provide gaskets and o' rings for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $410,000.

### Summary
This agreement will provide various size gaskets and o' rings to be used in the City's Water Production, Wastewater Collection, and Wastewater Treatment systems on an as-needed basis. This agreement will allow the Water Services Department to purchase customized gaskets and o' rings when needed to ensure continued compliance with American National Standards Institute guidelines.

### 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 posted specifications 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
Cupps Industrial Supply, Inc.: $63,008.27

### Contract Term
The contract will begin on or about December 31, 2024, for a five-year term with no options to extend.

### Financial Impact
The aggregate contract value will not exceed $410,000.

Funding is available in the Water Services Department Operating budget.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 70

## Debris Caps - IFB-2425-WDD-660 - Request for Award (Ordinance S-51470) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with SW Services, LLC to provide debris caps, on an as needed basis, for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $3,800,000.

### Summary
This agreement will provide the Water Services Department (WSD) with the supply of debris caps that comply with Maricopa Association of Governments' requirements. The debris caps are utilized to prevent material such as dirt, dust, and sand from passing into the water valve housing throughout the water services infrastructure.

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

Two vendors submitted bids deemed to be responsive to posted specifications 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
SW Services, LLC: $72,600 (annual)

### Contract Term
The contract will begin on or about December 31, 2024, for a five-year term with no options to extend.

### Financial Impact
The aggregate contract value will not exceed $3,800,000.

Funding is available in the Water Services Department Operating and Capital Improvement Program budgets.

## Responsible Department

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

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 71

## Amend City Code - Ordinance Adoption - Rezoning Application Z-27-24-2 - Approximately 1,000 Feet South of the Southwest Corner of the 29th Avenue Alignment and Dove Valley Road (Ordinance G-7326) - District 2

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-24-2 and rezone the site from PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (Planned Community District, North Black Canyon Overlay District, Approved Intermediate Commercial or Commerce Park District, Mid-Rise District, Planned Community District, North Black Canyon Overlay District) and FH PCD NBCOD (Flood Hazard and Erosion Management District, Planned Community District, North Black Canyon Overlay District) to C-2 HGT/WVR DNS/WVR NBCOD (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) and FH NBCOD (Flood Hazard and Erosion Management District, North Black Canyon Overlay District) to allow multifamily residential.

### Summary

Current Zoning: PCD NBCOD (Approved C-2/CP M-R PCD NBCOD) (7.29 acres) and FH PCD NBCOD (12.76 acres)
Proposed Zoning: C-2 HGT/WVR DNS/WVR NBCOD (11.79 acres) and FH NBCOD (8.26 acres)
Acreage: 20.05
Proposal: Multifamily residential

Owner: North Gateway Core Acreage Investors, LLC
Applicant: Trumont Group c/o Shane Essert
Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Gateway Village Planning Committee heard this item on October 10, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.
PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the North Gateway Village Planning Committee recommendation, by a vote of 9-0.

## Location
Approximately 1,000 feet south of the southwest corner of the 29th Avenue alignment and Dove Valley Road
Council District: 2
Parcel Address: 32600 and 32620 N. 29th Avenue

## 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-27-24-2) FROM PCD NBCOD (APPROVED C-2/CP M-R PCD NBCOD) (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, MID-RISE DISTRICT, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) AND FH PCD NBCOD (FLOOD HAZARD AND EROSION MANAGEMENT DISTRICT, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 HGT/WVR DNS/WVR NBCOD (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER, NORTH BLACK CANYON OVERLAY DISTRICT) AND FH NBCOD (FLOOD HAZARD AND EROSION MANAGEMENT DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 20.05-acre property located approximately 1,000 feet south of the southwest corner of the 29th Avenue alignment and Dove Valley Road in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 7.29 acres of “PCD NBCOD (Approved C-2/CP M-R PCD NBCOD)” (Planned Community District, North Black Canyon Overlay District, Approved Intermediate Commercial or Commerce Park

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District, Mid-Rise District, Planned Community District, North Black Canyon Overlay District) and 12.76 acres of “FH PCD NBCOD” (Flood Hazard and Erosion Management District, Planned Community District, North Black Canyon Overlay District) to 11.79 acres of “C-2 HGT/WVR DNS/WVR NBCOD” (Intermediate Commercial, Height Waiver, Density Waiver, North Black Canyon Overlay District) and 8.26 acres of “FH NBCOD” (Flood Hazard and Erosion Management District, North Black Canyon Overlay District)

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

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall be in general conformance with the site plan date stamped September 24, 2024, as modified by the following stipulations and as approved by the Planning and Development Department.

2. The development for the east parcel (adjacent to 29th Avenue) as depicted on the site plan date stamped September 24, 2024, shall be in general conformance with the elevations date stamped April 10, 2024, with specific regard to the colors and materials being muted and blending, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.

3. The conceptual site plan and elevations for the 3.18-acre west parcel (west of Skunk Creek Wash), as depicted on the site plan date stamped September 24, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval, with specific regard to the inclusion of the items below. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

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a. Buildings fronting Skunk Creek Wash, with a minimum building frontage of 50% and a maximum building setback of 30 feet, measured from the east side of the multi-use trail easement.

b. Buildings fronting any adjacent street, with a minimum building frontage of 60% and a maximum building setback of 30 feet.

c. A minimum of two east-west, minimum 5-foot-wide, pedestrian walkways connecting the multi-use trail along Skunk Creek Wash to the west portion of the site, to eventually connect to the 32nd Avenue alignment.

d. Colors being muted and blending, rather than contrasting strongly, with the surrounding desert environment.

4. Multifamily residential development shall utilize the R-5 Planned Residential Development option.

5. A minimum of 10% of the gross site area of each parcel (east and west of Skunk Creek Wash) separately shall be retained as common area, as approved by the Planning and Development Department.

6. Surface parking for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall be setback a minimum of 50 feet from the western limits of the development along Skunk Creek Wash, as approved by the Planning and Development Department.

7. Surface parking for the west parcel (west of Skunk Creek Wash), as depicted on the site plan date stamped September 24, 2024, shall be setback a minimum of 50 feet from the eastern limits of the development along Skunk Creek Wash, as approved by the Planning and Development Department.

8. A 25-foot-wide shared-use path easement (SUPE) shall be dedicated along the east bank of Skunk Creek Wash aligned with the limits of development, east of the Floodway Zone AE boundary, and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

9. A 25-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west bank of Skunk Creek Wash aligned with the limits of development, west of the Floodway Zone AE boundary, and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

10. A minimum landscape setback of 10 feet shall be provided between both the shared-use path (SUP) and multi-use-trail (MUT) along Skunk Creek Wash and

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any adjacent fencing or buildings, planted with minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.

11. The landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.

12. A minimum of 25% of the surface parking areas for each parcel separately (east and west of Skunk Creek Wash) shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, single-trunk, large canopy, shade trees, or a combination thereof.

13. A minimum of 10% of the required shrubs for each parcel separately (east and west of Skunk Creek Wash), shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

14. 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 contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

15. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall provide a minimum of two east-west, minimum 5-foot-wide, pedestrian walkways connecting 29th Avenue to the shared-use path along Skunk Creek Wash, as approved by the Planning and Development Department.

16. The development for the east parcel (adjacent to 29th Avenue), as depicted on the site plan date stamped September 24, 2024, shall include building frontage as described below, in order to promote a walkable pedestrian realm per the North Gateway Village Core Plan, as approved by the Planning and Development Department.

    a. Buildings fronting onto 29th Avenue, with a minimum building frontage of 60%, and a maximum building setback of 30 feet.

    b. Buildings fronting onto Skunk Creek Wash, with a minimum building frontage of 50%, and a maximum building setback of 30 feet (measured from the west side of the shared-use path easement).

17. All buildings along the Skunk Creek Wash frontage, 29th Avenue frontage, and any adjacent street frontage shall comply with one frontage type for each

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frontage, per Table 1305.1 of the Phoenix Zoning Ordinance, and shall comply with Section 1305.C.2 for purposes of the frontage types, in order to promote the goals, policies and recommendations of the North Gateway Village Core Plan, as approved by the Planning and Development Department.

18. All bicycle infrastructure, pedestrian pathways (including sidewalks) and trails shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.

19. Secured bicycle parking shall be provided for each parcel separately (east and west of Skunk Creek Wash) at a minimum rate of 0.25 spaces per unit. Guest bicycle parking shall be provided for each parcel separately (east and west of Skunk Creek Wash) at a minimum rate of 0.05 spaces per unit. Guest bicycle parking shall be provided through Inverted U and/or artistic racks located in open space and amenity areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

20. A bicycle repair station (“fix it station”) shall be provided and maintained on site for each parcel separately (east and west of Skunk Creek Wash). The bicycle repair stations (“fix it stations”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

21. A minimum of 10% of the required bicycle parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include Electric Vehicle (EV) Installed Infrastructure and a minimum of 8% of the required parking spaces for each parcel separately (east and west of Skunk Creek Wash) shall include EV Capable spaces, as approved by the Planning and Development Department.

23. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented for each parcel separately (east and west of Skunk Creek Wash), as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

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24. Only landscape materials listed in Appendix A of the North Black Canyon Overlay District (Section 654 of the Phoenix Zoning Ordinance) shall be utilized, as approved or modified by the Planning and Development Department.

25. Natural turf shall only be utilized in required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas in common areas, as approved by the Planning and Development Department.

26. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

27. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

28. A leak detection device shall be installed for the irrigation system of landscape areas larger than 10,000 square feet.

29. The FH-zoned portion of the site shall be preserved as permanent undisturbed open space and shall be dedicated to the City as Sonoran Preserve, as approved by the Planning and Development Department and the Parks and Recreation Department.

30. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE & AE (Floodway), on panel 0845 L of the Flood Insurance Rate Maps (FIRM) revised October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

    a. The Architect and Engineer are required to show the floodplain boundary limits on the Site Plan and Grading and Drainage Plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval of Floodplain requirements.

    c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

    d. A LOMR application shall be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval prior to issuance of vertical construction permits.

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31. A minimum 5-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 29th Avenue, adjacent to the development, planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings.

    b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage.

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

32. Right-of-way shall be dedicated and constructed to connect to two existing public streets, specifically to Dove Valley Road, Sonoran Desert Drive, and/or North Valley Parkway, as required by the North Gateway Core Master Street Plan and as approved by the Street Transportation Department.

33. Twenty-ninth Avenue shall be dedicated and constructed to the special CM cross section, as required by the North Gateway Core Master Street Plan.

34. A minimum of three enhanced pedestrian connections shall be provided on the western site boundary of the eastern parcel, as depicted on the site plan date stamped September 24, 2024, to allow for direct pedestrian access to the adjacent Skunk Creek Wash shared-use path. The developer shall construct an 8-foot-wide shaded pedestrian pathway consisting of decorative material such as brick, pavers, or an alternative material, as approved by the Planning and Development Department.

35. All streets within and adjacent to the development shall be constructed 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.

36. 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.

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

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SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of December, 2024.

_____
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 (6 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-27-24-2

**C-2 HGT/WVR DNS/WVR NBCOD:**

A PORTION OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 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 HALF-INCH REBAR WITH NO IDENTIFICATION MARKING THE NORTH QUARTER CORNER OF SAID SECTION 14 FROM WHICH A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "RLS 21081" MARKING THE CENTER OF SAID SECTION 14 BEARS SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 2644.26 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 991.60 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY ARIZONA, BEING MARKED BY A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "LS 26404," AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST 200.36 FEET ALONG THE NORTH LINE OF SAID PARCEL;

THENCE SOUTH 06 DEGREES 52 MINUTES 31 SECONDS EAST 25.90 FEET;

THENCE SOUTH 08 DEGREES 03 MINUTES 04 SECONDS EAST 36.17 FEET;

THENCE SOUTH 06 DEGREES 08 MINUTES 37 SECONDS EAST 35.68 FEET;

THENCE SOUTH 08 DEGREES 05 MINUTES 58 SECONDS EAST 40.35 FEET;

THENCE SOUTH 14 DEGREES 06 MINUTES 05 SECONDS EAST 35.15 FEET;

THENCE SOUTH 04 DEGREES 16 MINUTES 04 SECONDS EAST 20.14 FEET;

THENCE SOUTH 02 DEGREES 11 MINUTES 16 SECONDS EAST 24.85 FEET;

THENCE SOUTH 02 DEGREES 26 MINUTES 25 SECONDS EAST 36.04 FEET;

THENCE SOUTH 01 DEGREES 53 MINUTES 15 SECONDS EAST 33.09 FEET;

THENCE SOUTH 03 DEGREES 28 MINUTES 54 SECONDS EAST 12.98 FEET;

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THENCE SOUTH 09 DEGREES 20 MINUTES 37 SECONDS WEST 15.24 FEET;

THENCE SOUTH 08 DEGREES 49 MINUTES 40 SECONDS WEST 31.50 FEET;

THENCE SOUTH 12 DEGREES 08 MINUTES 01 SECONDS WEST 31.49 FEET;

THENCE SOUTH 12 DEGREES 48 MINUTES 18 SECONDS WEST 29.29 FEET;

THENCE SOUTH 18 DEGREES 56 MINUTES 29 SECONDS WEST 35.81 FEET;

THENCE SOUTH 08 DEGREES 25 MINUTES 40 SECONDS WEST 8.01 FEET;

THENCE SOUTH 10 DEGREES 54 MINUTES 04 SECONDS EAST 8.70 FEET;

THENCE SOUTH 04 DEGREES 15 MINUTES 58 SECONDS WEST 99.97 FEET;

THENCE SOUTH 10 DEGREES 36 MINUTES 28 SECONDS WEST 60.09 FEET;

THENCE SOUTH 32 DEGREES 01 MINUTES 35 SECONDS WEST 57.68 FEET;

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST 148.83 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID PARCEL BEING MARKED BY A HALF-INCH REBAR WITH ILLEGIBLE YELLOW PLASTIC CAP AND TAG STAMPED "KLEIN 42137";

THENCE NORTH 00 DEGREES 15 MINUTES 24 SECONDS WEST 661.06 FEET TO THE POINT OF BEGINNING.

COMPRISING 137,067 SQUARE FEET MORE OR LESS.

AND

A PORTION OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 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 HALF-INCH REBAR WITH NO IDENTIFICATION MARKING THE NORTH QUARTER CORNER OF SAID SECTION 14 FROM WHICH A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "RLS 21081" MARKING THE CENTER OF SAID SECTION 14 BEARS SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 2644.26 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 991.60 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN QUIT CLAIM

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DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY ARIZONA, BEING MARKED BY A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "LS 26404";

THENCE NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST 681.88 FEET ALONG THE NORTH LINE OF SAID PARCEL TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST 637.88 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID PARCEL BEING MARKED BY A HALF-INCH REBAR WITH ALUMINUM CAP STAMPED "KLEIN 42137";

THENCE SOUTH 00 DEGREES 15 MINUTES 13 SECONDS EAST 661.72 FEET ALONG THE EAST LINE OF SAID PARCEL TO THE SOUTHEAST CORNER OF SAID PARCEL BEING MARKED BY A HALF-INCH REBAR WITH ALUMINUM CAP STAMPED "KLEIN 42137";

THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST 696.72 FEET ALONG THE SOUTH LINE OF SAID PARCEL;

THENCE NORTH 28 DEGREES 23 MINUTES 30 SECONDS EAST 8.59 FEET;

THENCE NORTH 37 DEGREES 16 MINUTES 05 SECONDS EAST 20.14 FEET;

THENCE NORTH 49 DEGREES 36 MINUTES 08 SECONDS EAST 33.55 FEET;

THENCE NORTH 62 DEGREES 26 MINUTES 19 SECONDS EAST 21.21 FEET;

THENCE NORTH 27 DEGREES 00 MINUTES 29 SECONDS EAST 35.57 FEET;

THENCE NORTH 11 DEGREES 17 MINUTES 06 SECONDS EAST 34.37 FEET;

THENCE NORTH 01 DEGREES 48 MINUTES 47 SECONDS WEST 25.70 FEET;

THENCE NORTH 10 DEGREES 30 MINUTES 19 SECONDS EAST 25.18 FEET;

THENCE NORTH 24 DEGREES 59 MINUTES 16 SECONDS EAST 14.61 FEET;

THENCE NORTH 43 DEGREES 47 MINUTES 52 SECONDS EAST 16.50 FEET;

THENCE NORTH 57 DEGREES 18 MINUTES 08 SECONDS EAST 18.82 FEET;

THENCE NORTH 54 DEGREES 03 MINUTES 00 SECONDS EAST 37.50 FEET;

THENCE NORTH 45 DEGREES 27 MINUTES 33 SECONDS EAST 37.10 FEET;

THENCE NORTH 13 DEGREES 49 MINUTES 46 SECONDS EAST 56.36 FEET;

DRAFT

THENCE NORTH 15 DEGREES 33 MINUTES 11 SECONDS EAST 31.66 FEET;
THENCE NORTH 08 DEGREES 13 MINUTES 48 SECONDS WEST 77.84 FEET;

THENCE NORTH 15 DEGREES 34 MINUTES 55 SECONDS WEST 42.15 FEET;

THENCE NORTH 28 DEGREES 55 MINUTES 55 SECONDS WEST 35.19 FEET;

THENCE NORTH 24 DEGREES 55 MINUTES 01 SECONDS WEST 19.83 FEET;

THENCE NORTH 27 DEGREES 05 MINUTES 42 SECONDS WEST 43.22 FEET;

THENCE NORTH 27 DEGREES 37 MINUTES 48 SECONDS WEST 40.65 FEET;

THENCE NORTH 29 DEGREES 08 MINUTES 02 SECONDS WEST 34.28 FEET;

THENCE NORTH 30 DEGREES 55 MINUTES 52 SECONDS WEST 28.15 FEET;

THENCE NORTH 43 DEGREES 42 MINUTES 55 SECONDS WEST 37.67 FEET TO THE POINT OF BEGINNING.

COMPRISING 375,314 SQUARE FEET MORE OR LESS.

**FH NBCOD:**

A PORTION OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 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 HALF-INCH REBAR WITH NO IDENTIFICATION MARKING THE NORTH QUARTER CORNER OF SAID SECTION 14 FROM WHICH A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "RLS 21081" MARKING THE CENTER OF SAID SECTION 14 BEARS SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 2644.26 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS OF THIS DESCRIPTION;

THENCE SOUTH 00 DEGREES 15 MINUTES 24 SECONDS EAST 991.60 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN 2023-0271092, OFFICIAL RECORDS OF MARICOPA COUNTY ARIZONA, BEING MARKED BY A HALF-INCH REBAR WITH YELLOW PLASTIC CAP STAMPED "LS 26404";

THENCE NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST 200.36 FEET ALONG THE NORTH LINE OF SAID PARCEL TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 89 DEGREES 35 MINUTES 14 SECONDS EAST 481.53 FEET ALONG SAID NORTH LINE;

DRAFT

THENCE SOUTH 43 DEGREES 42 MINUTES 55 SECONDS EAST 37.67 FEET;

THENCE SOUTH 30 DEGREES 55 MINUTES 52 SECONDS EAST 28.15 FEET;

THENCE SOUTH 29 DEGREES 08 MINUTES 02 SECONDS EAST 34.28 FEET;

THENCE SOUTH 27 DEGREES 37 MINUTES 48 SECONDS EAST 40.65 FEET;

THENCE SOUTH 27 DEGREES 05 MINUTES 42 SECONDS EAST 43.22 FEET;

THENCE SOUTH 24 DEGREES 55 MINUTES 01 SECONDS EAST 19.83 FEET;

THENCE SOUTH 28 DEGREES 55 MINUTES 55 SECONDS EAST 35.19 FEET;

THENCE SOUTH 15 DEGREES 34 MINUTES 55 SECONDS EAST 42.15 FEET;

THENCE SOUTH 08 DEGREES 13 MINUTES 48 SECONDS EAST 77.84 FEET;

THENCE SOUTH 15 DEGREES 33 MINUTES 11 SECONDS WEST 31.66 FEET;

THENCE SOUTH 13 DEGREES 49 MINUTES 46 SECONDS WEST 56.36 FEET;

THENCE SOUTH 45 DEGREES 27 MINUTES 33 SECONDS WEST 37.10 FEET;

THENCE SOUTH 54 DEGREES 03 MINUTES 00 SECONDS WEST 37.50 FEET;

THENCE SOUTH 57 DEGREES 18 MINUTES 08 SECONDS WEST 18.82 FEET;

THENCE SOUTH 43 DEGREES 47 MINUTES 52 SECONDS WEST 16.50 FEET;

THENCE SOUTH 24 DEGREES 59 MINUTES 16 SECONDS WEST 14.61 FEET;

THENCE SOUTH 10 DEGREES 30 MINUTES 19 SECONDS WEST 25.18 FEET;

THENCE SOUTH 01 DEGREES 48 MINUTES 47 SECONDS EAST 25.70 FEET;

THENCE SOUTH 11 DEGREES 17 MINUTES 06 SECONDS WEST 34.37 FEET;

THENCE SOUTH 27 DEGREES 00 MINUTES 29 SECONDS WEST 35.57 FEET;

THENCE SOUTH 62 DEGREES 26 MINUTES 19 SECONDS WEST 21.21 FEET;

THENCE SOUTH 49 DEGREES 36 MINUTES 08 SECONDS WEST 33.55 FEET;

THENCE SOUTH 37 DEGREES 16 MINUTES 05 SECONDS WEST 20.14 FEET;

THENCE SOUTH 28 DEGREES 23 MINUTES 30 SECONDS WEST 8.59 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL;

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THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS WEST 474.17 FEET ALONG SAID SOUTH LINE;

THENCE NORTH 32 DEGREES 01 MINUTES 35 SECONDS EAST 57.68 FEET;

THENCE NORTH 10 DEGREES 36 MINUTES 28 SECONDS EAST 60.09 FEET;

THENCE NORTH 04 DEGREES 15 MINUTES 58 SECONDS EAST 99.97 FEET;

THENCE NORTH 10 DEGREES 54 MINUTES 04 SECONDS WEST 8.70 FEET;

THENCE NORTH 08 DEGREES 25 MINUTES 40 SECONDS EAST 8.01 FEET;

THENCE NORTH 18 DEGREES 56 MINUTES 29 SECONDS EAST 35.81 FEET;

THENCE NORTH 12 DEGREES 48 MINUTES 18 SECONDS EAST 29.29 FEET;

THENCE NORTH 12 DEGREES 08 MINUTES 01 SECONDS EAST 31.49 FEET;

THENCE NORTH 08 DEGREES 49 MINUTES 40 SECONDS EAST 31.50 FEET;

THENCE NORTH 09 DEGREES 20 MINUTES 37 SECONDS EAST 15.24 FEET;

THENCE NORTH 03 DEGREES 28 MINUTES 54 SECONDS WEST 12.98 FEET;

THENCE NORTH 01 DEGREES 53 MINUTES 15 SECONDS WEST 33.09 FEET;

THENCE NORTH 02 DEGREES 26 MINUTES 25 SECONDS WEST 36.04 FEET;

THENCE NORTH 02 DEGREES 11 MINUTES 16 SECONDS WEST 24.85 FEET;

THENCE NORTH 04 DEGREES 16 MINUTES 04 SECONDS WEST 20.14 FEET;

THENCE NORTH 14 DEGREES 06 MINUTES 05 SECONDS WEST 35.15 FEET;

THENCE NORTH 08 DEGREES 05 MINUTES 58 SECONDS WEST 40.35 FEET;

THENCE NORTH 06 DEGREES 08 MINUTES 37 SECONDS WEST 35.68 FEET;

THENCE NORTH 08 DEGREES 03 MINUTES 04 SECONDS WEST 36.17 FEET;

THENCE NORTH 06 DEGREES 52 MINUTES 31 SECONDS WEST 25.90 FEET TO THE POINT OF BEGINNING.

COMPRISING 360,489 SQUARE FEET MORE OR LESS.

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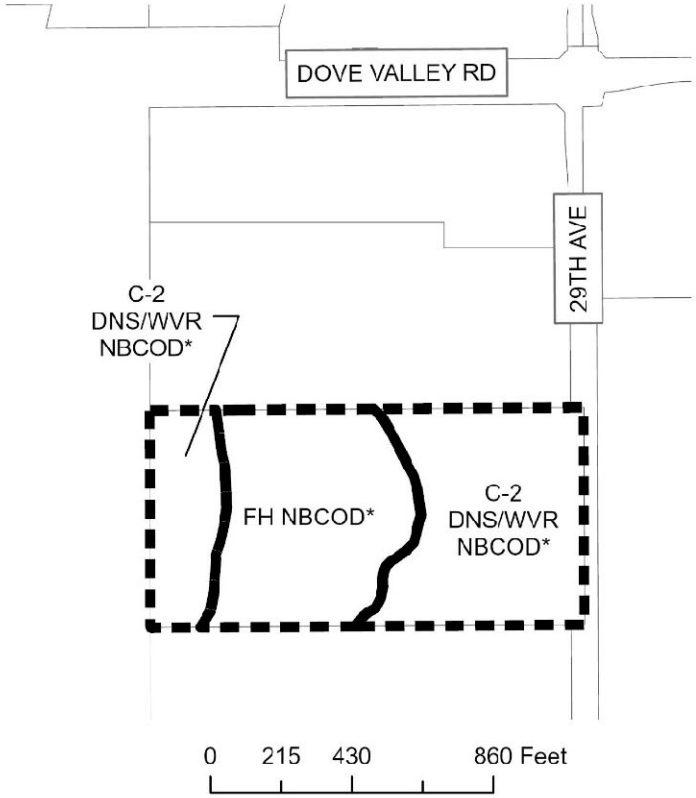
# ORDINANCE LOCATION MAP

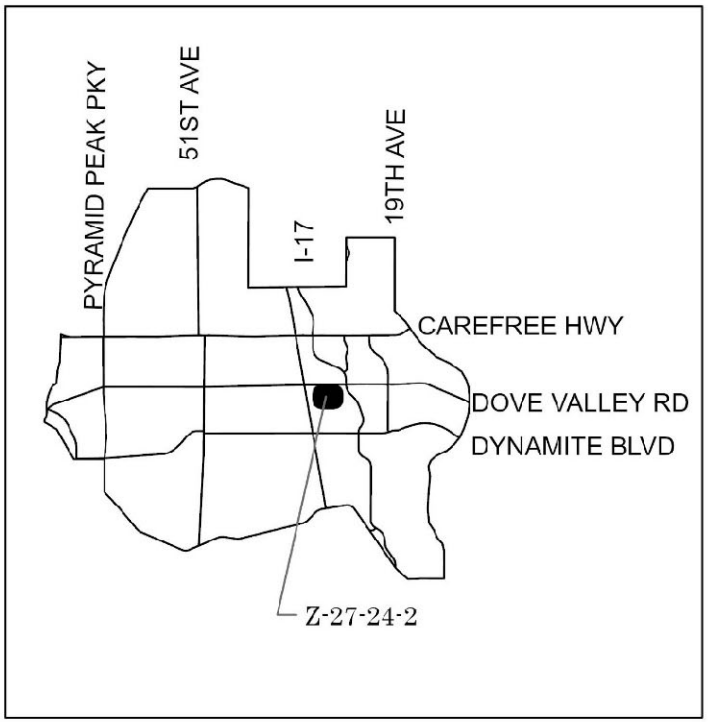
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ▬ ▬ ▬ ▬

Zoning Case Number: Z-27-24-2
Zoning Overlay: North Black Canyon Corridor Plan and Overlay District
Planning Village: North Gateway




NOT TO SCALE

N

Drawn Date: 11/5/2024

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City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 72

## Amend City Code - Ordinance Adoption - Rezoning Application Z-85-24-3 - Approximately 170 Feet East of the Northeast Corner of 13th Avenue and Peoria Avenue (Ordinance G-7329) - District 3

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-85-24-3 and rezone the site from R-3 (Multifamily Residence District) to R-3 Hillside DNS/WVR (Multifamily Residence District, Hillside Density Waiver) for a Hillside Density Waiver for single-family residential.

### Summary

Current Zoning: R-3 (Multifamily Residence District)
Proposed Zoning: R-3 Hillside DNS/WVR
Acreage: 1.26
Proposal: Hillside density waiver for single-family residential

Owner: Empire J Properties, LLC
Applicant: Ty Utton, Rose Law Group, PC
Representative: Jon Gillespie, Rose Law Group, PC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this item on October 16, 2024, and recommended approval, per the staff recommendation, with a modification, by a vote of 13-0.
PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the North Mountain Village Planning Committee, by a vote of 9-0.

### Location

Approximately 170 feet east of the northeast corner of 13th Avenue and Peoria Avenue
Council District: 3
Parcel Address: 1226 W. Peoria Avenue

### 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 (Z-85-24-3) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-3 HILLSIDE DNS/WVR (MULTIFAMILY RESIDENCE DISTRICT, HILLSIDE DENSITY WAIVER).

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

SECTION 1. The zoning of a 1.26-acre site located approximately 170 feet east of the northeast corner of 13th Avenue and Peoria Avenue in a portion of Section 19, Township 3 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-3” (Multifamily Residence District) to “R-3 Hillside DNS/WVR” (Multifamily Residence District, Hillside Density Waiver).

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

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

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

1. The development shall be limited to a maximum of four units.

2. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant trees, 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

3. The sidewalk along Peoria Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings.

    b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. No structure shall be built above the 15% slope line per the approved Slope Analysis, as approved by the Planning and Development Department.

5. The materials, colors, textures and finishes of all structures (including architectural elements, walls, fences and retaining walls) shall match and blend with the adjacent surrounding undisturbed area, as approved by the Planning and Development Department.

6. All disturbed areas not covered by structures or paving must be revegetated with plant species from the Sonoran Desert Plant List that exists in the adjacent undisturbed area, as approved by the Planning and Development Department.

7. Only landscape materials listed the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines (Section 507 TAB II of the Zoning Ordinance) shall be utilized within the landscape areas and improved common areas, as approved or modified by the Planning and Development Department.

8. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.

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9. A minimum of one green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

10. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

11. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

12. A minimum 40 feet of right-of-way shall be dedicated and constructed for the north side of Peoria Avenue.

13. All streets within and adjacent to the development shall be constructed 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 final 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 December, 2024.

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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**

LEGAL DESCRIPTION FOR Z-85-24-3

LOT 1:

THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 33 FEET FOR ROAD;

AND EXCEPT THE NORTH HALF.

LOT 2:

THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 33 FEET FOR ROAD;

AND EXCEPT THE NORTH HALF.

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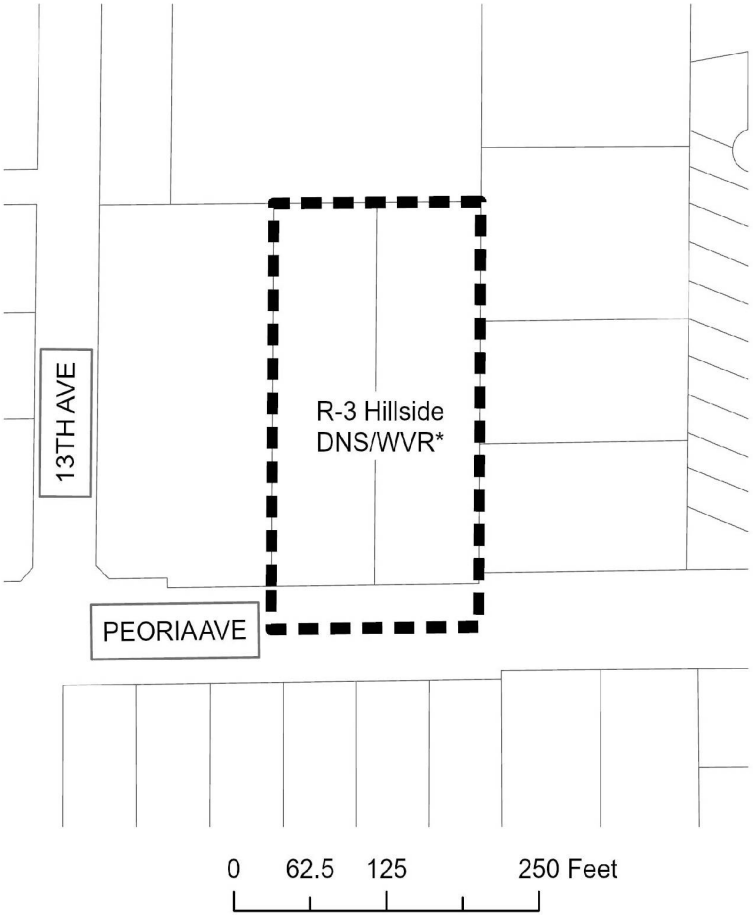
# ORDINANCE LOCATION MAP

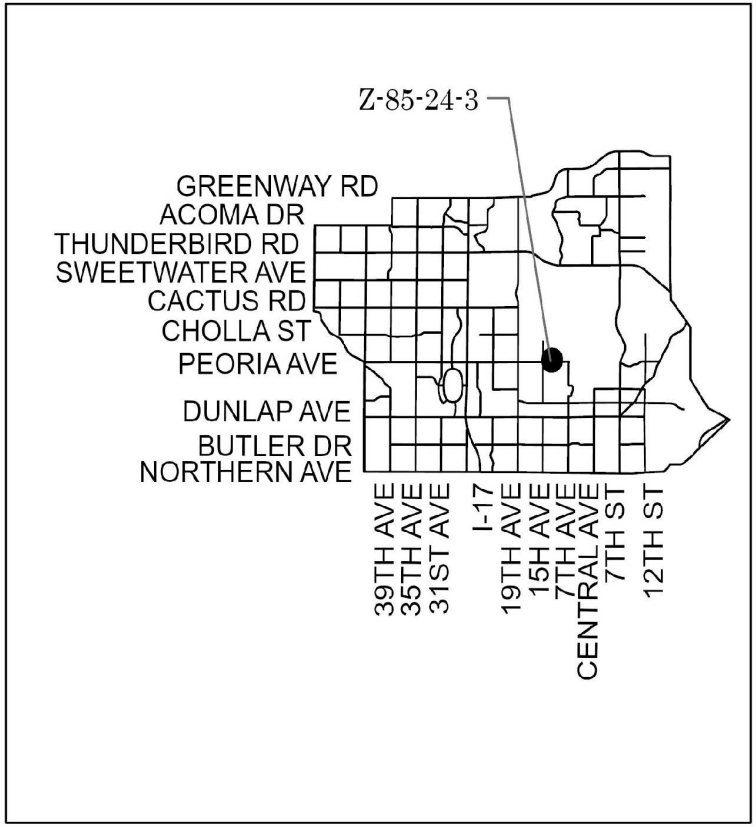
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-85-24-3
Zoning Overlay: N/A
Planning Village: North Mountain




NOT TO SCALE

N

Drawn Date: 11/5/2024

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City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 73

## Amend City Code - Ordinance Adoption - Rezoning Application Z-94-24-3 - Approximately 280 Feet North of the Northeast Corner of 13th Place and Cinnabar Avenue (Ordinance G-7327) - District 3

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-94-24-3 and rezone the site from R-3 (Multifamily Residence District) to R-3 HP (Multifamily Residence District, Historic Preservation Overlay) to allow for a Historic Preservation Overlay for the Thompson Rock Garden.

## Summary

Current Zoning: R-3
Proposed Zoning: R-3 HP
Acreage: 0.22
Proposal: Historic Preservation Overlay for the Thompson Rock Garden

Owner: Mosaic Trust c/o Marion Frances
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Kevin Weight, City of Phoenix, Planning and Development Department, Historic Preservation Office

Staff Recommendation: Approval.
HPC Action: The Historic Preservation Commission heard this item on September 16, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.
VPC Action: The North Mountain Village Planning Committee heard this item on October 16, 2024, and recommended approval, per staff recommendation, by a vote of 13-0.
PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Historic Preservation Commission and North Mountain Village Planning Committee recommendations, by a vote of 9-0.

## Location

Approximately 280 feet north of the northeast corner of 13th Place and Cinnabar Avenue
Council District: 3

Parcel Address: 10023 N. 13th Place

## 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-94-24-3) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-3 HP (MULTIFAMILY RESIDENCE DISTRICT, HISTORIC PRESERVATION OVERLAY).

_____

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

SECTION 1. The zoning of a 0.22 acre site located approximately 280 feet north of the northeast corner of 13th Place and Cinnabar Avenue in a portion of Section 28, Township 3 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-3” (Multifamily Residence District) to “R-3 HP” (Multifamily Residence District, Historic Preservation Overlay).

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

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

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decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of December, 2024.

_____
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

LEGAL DESCRIPTION FOR Z-94-24-3

Within a portion of Section 28, Township 3 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Lot 26, NICHOLS PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 38 of Maps, page 23.

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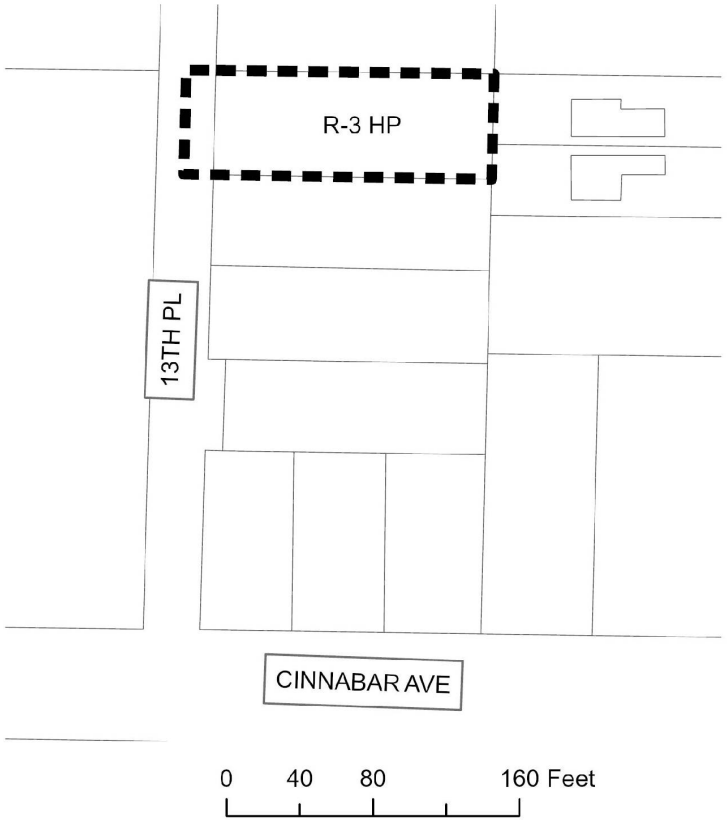
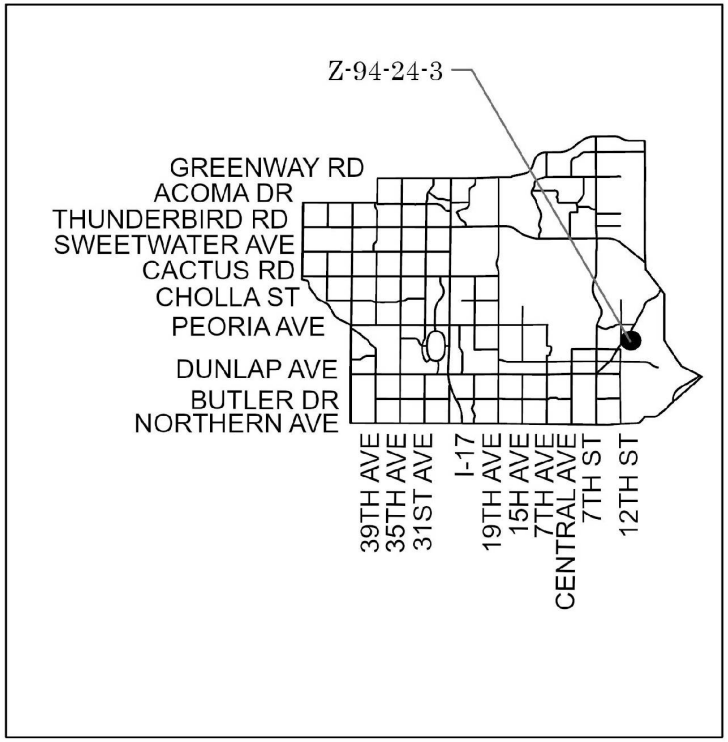
# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-94-24-3
Zoning Overlay: N/A
Planning Village: North Mountain




NOT TO SCALE

N

Drawn Date: 11/5/2024

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City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 74

## Amend City Code - Ordinance Adoption - Rezoning Application Z-93-24-8 - Northwest Corner of 15th Avenue and South Mountain Avenue (Ordinance G-7328) - District 8

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-93-24-8 and rezone the site from S-1 (Ranch or Farm Residence) and S-2 (Ranch or Farm Commercial) to S-1 HP (Ranch or Farm Residence, Historic Preservation Overlay) and S-2 HP (Ranch or Farm Commercial, Historic Preservation Overlay) to allow for a Historic Preservation Overlay for the Mission Revival Residence.

## Summary

Current Zoning: S-1 (0.23-acres) and S-2 (3.29 acres)
Proposed Zoning: S-1 HP (0.23-acres) and S-2 HP (3.29 acres)
Acreage: 3.52 acres
Proposal: Historic Preservation Overlay for the Mission Revival Residence

Owner: Tonya Sevilla and Miguel Sevilla
Applicant/Representative: Kevin Weight, City of Phoenix, Planning and Development Department

Staff Recommendation: Approval.
HPC Action: The Historic Preservation Commission heard this case on September 16, 2024, and recommended approval, per the staff recommendation, by a vote of 6-0.
VPC Action: The South Mountain Village Planning Committee heard this case on October 8, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on November 7, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 9-0.

## Location

Northwest corner of 15th Avenue and South Mountain Avenue
Council District: 8
Parcel Address: 8252 S. 15th Avenue

## 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-93-24-8) FROM S-1 (RANCH OR FARM RESIDENCE) AND S-2 (RANCH OR FARM COMMERCIAL) TO S-1 HP (RANCH OR FARM RESIDENCE, HISTORIC PRESERVATION OVERLAY) AND S-2 HP (RANCH OR FARM COMMERCIAL, HISTORIC PRESERVATION OVERLAY).

_____

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

SECTION 1. The zoning of a 3.52-acre site at the northwest corner of 15th Avenue and South Mountain Avenue in a portion of Section 6, Township 1 South, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence) and “S-2” (Ranch or Farm Commercial) to “S-1 HP” (Ranch or Farm Residence, Historic Preservation Overlay) and “S-2 HP” (Ranch or Farm Commercial, Historic Preservation Overlay).

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

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SECTION 3. 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 December, 2024.

_____
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

LEGAL DESCRIPTION FOR Z-93-24-8

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PHOENIX IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

The Southeast quarter of the Southeast quarter of the Northwest quarter (Part of Farm Unit D) of Section 6, Township 1 South, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the North 341 feet; AND

EXCEPT the West 226 feet; AND

EXCEPT the South 30 feet of the East 157 feet; AND

EXCEPT Beginning at the Northeast corner of the South 30 of said Northwest quarter;

Thence Westerly along the North line of said South 30 feet to a distance of 8 feet;

Thence Northeast to a point on the East line of said Northwest quarter, which is 8 feet North of the Point of Beginning; Thence to the Point of Beginning; AND

EXCEPT Parcel A described below,

Parcel A

The North 10 feet of the South 30 feet of the Southeast quarter of the Southeast quarter of said Northwest quarter;

Together with that part of said Southeast quarter of the Southeast quarter of said Northwest quarter described as follows;

Commencing at the Northeast corner of said South 30 feet, herein designated as Point A;

Thence Westerly along the North line of said South 30 feet a distance of 8 feet to the TRUE POINT OF BEGINNING;

Thence continuing Westerly along said North line to a point that is 11 feet Westerly of said Point A;

Thence Northeasterly to a point of the East line of said Northwest quarter that is 11 feet Northerly of said Point A;

Thence Southerly along said East line to a point that is 8 feet Northerly of said Point A;

Thence Southwesterly to the TRUE POINT OF BEGINNING.

EXCEPT the West 226 feet; AND EXCEPT the East 157 feet.

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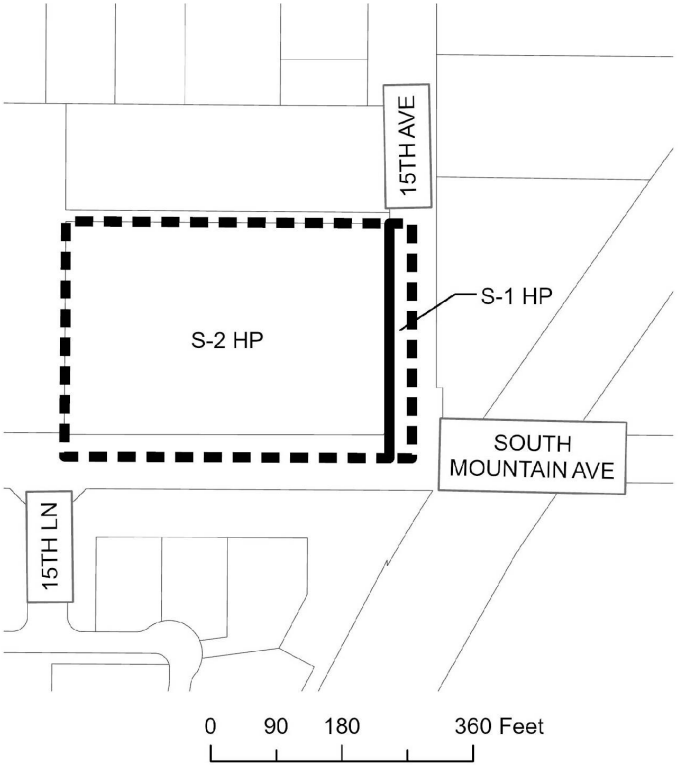
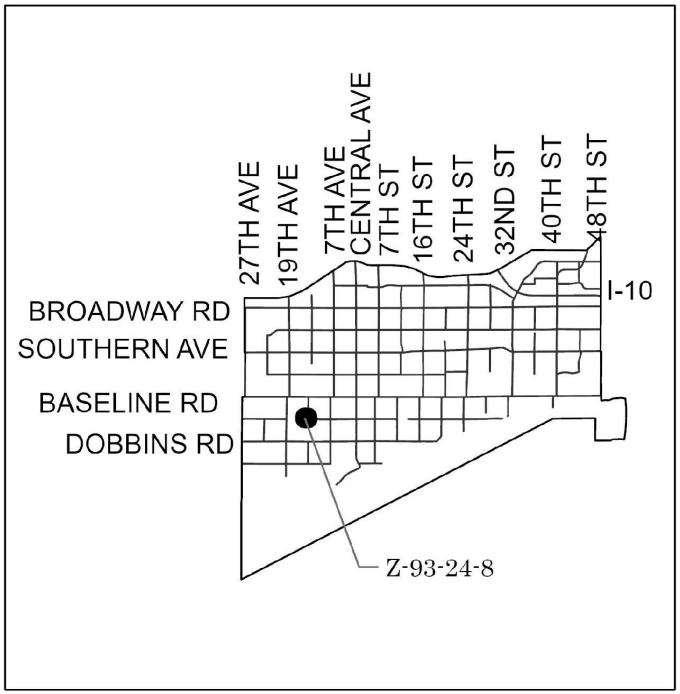
# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-93-24-8
Zoning Overlay: N/A
Planning Village: South Mountain




NOT TO SCALE

N

Drawn Date: 11/5/2024

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2024 Ord\12-4-24\12-4-24.aprx

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** *75

## ***ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing - Amend City Code - Ordinance Adoption - Downtown Code Z-TA-5-22-4-7-8 (Ordinance G-7330) - Districts 4, 7 & 8

Request to hold a public hearing on a proposed text amendment Z-TA-5-22-4-7-8 and to request City Council approval per the Planning Commission recommendation which amends the following sections of the Phoenix Zoning Ordinance, as follows: 1) Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12 (Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls); 2) add a new Section 312 to Chapter 3 to create the Technical Appeals Committee; and 3) repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.

## Summary

The intent of the proposed text amendment is to update development requirements, fix process issues, eliminate ordinance conflicts, and clarify the language of the Downtown Code, while still implementing the vision of the Downtown Phoenix Urban Form Project (DPUFP). It does so by amending related sections of the Zoning Ordinance to work better with Chapter 12, as well as rewriting Chapter 12 entirely (based upon the existing language and format) for ease of understanding and layout. No changes to property entitlements (i.e. height, density, lot coverage) have been proposed with this text amendment, except for the correction of some identified errors and typos. However, some development standards and sustainability bonus points have been revised not only to eliminate conflicts and confusion, but also to better implement the pedestrian-oriented environment envisioned by the DPUFP. The proposed text amendment also creates a new Technical Appeal process for certain technical requirements, and clarifies and revises existing appeal processes with the goal of eliminating instances when requesting a modification to a single requirement that requires two separate and

unrelated appeal processes as detailed in the Staff Report and Addendum A Staff Report (**Attachments B and C**).

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-5-22-4-7-8 as shown in Exhibits A and B of the Addendum A Staff Report (**Attachment C**).
VPC Info: The Encanto Village Planning Committee heard this item on August 5, 2024, for information only and the Central City Village Planning Committee heard this item on August 12, 2024, for information only (**Attachment D**).
VPC Action: The Encanto Village Planning Committee heard this item on September 9, 2024, and recommended approval, per the staff recommendation, by a vote of 9-1. The Central City Village Planning Committee heard this item on September 9, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0 (**Attachment D**).
PC Info: The Planning Commission heard this item on September 5, 2024, for information only.
PC Action: The Planning Commission heard this item on October 10, 2024, and continued the item to November 7, 2024, by a vote of 4-3. The Planning Commission heard this item on November 7, 2024, and recommended approval, per the staff recommendation in the Addendum A Staff Report, by a vote of 9-0 ( **Attachment E**).

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

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** Alan Stephenson
Deputy City Manager

**Date:** November 27, 2024

**From:** Joshua Bednarek
Planning and Development Director

**Subject:** ITEM 75 ON THE DECEMBER 4, 2024, FORMAL AGENDA – PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - DOWNTOWN CODE Z-TA-5-22-4-7-8 (ORDINANCE G-7330) - CITYWIDE

Item 75, is a request to hold a public hearing on a proposed text amendment Z-TA-5-22-4-7-8, which amends the following sections of the Phoenix Zoning Ordinance, as follows: 1) Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12 (Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls); 2) add a new Section 312 to Chapter 3 to create the Technical Appeals Committee; and 3) repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.

The Planning Commission heard the case on November 7, 2024, and recommended approval, per the staff recommendation in the Addendum A Staff Report, by a vote of 9-0.

Staff is requesting a modification to the proposed text amendment language to reflect the language approved in amendment Z-TA-10-23-7, which was approved by City Council on July 1, 2024. Z-TA-10-23 changed the height bonus provision in a portion of the Downtown Gateway character area, but the new provisions were not initially addressed with this text amendment.

Staff recommends approval of Z-TA-5-22-4-7-8 as shown in the proposed text per Planning Commission recommendation and the following modification:

**Section 1212. Downtown Gateway.**

A. Intent. The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

B. Development Standards. The following development regulations apply to properties located with the Downtown Gateway character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. Maximum height:

a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

b. Bonus: None, except north of Garfield Street, ~~McKinley Street and south of Portland Street where a 30% bonus is allowed~~ **SOUTH OF ROOSEVELT STREET, AND EAST OF CENTRAL AVENUE: 30% MAXIMUM.**

Approved:

Alan Stephenson, Deputy City Manager

# ATTACHMENT A

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

ORDINANCE G-XXXX

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 201 (RULES OF CONSTRUCTION), SECTION 202 (DEFINITIONS), SECTION 307.A (AUTHORITY AND DUTIES OF THE ZONING ADMINISTRATOR), SECTION 507 (DEVELOPMENT REVIEW APPROVAL), SECTION 669 (ARTS, CULTURE, AND SMALL BUSINESS OVERLAY DISTRICT), SECTION 702 (OFF-STREET PARKING AND LOADING), AND SECTION 703 (LANDSCAPING, FENCES, AND WALLS); ADDING A NEW SECTION 312 (TECHNICAL APPEALS COMMITTEE); AND REPEALING CHAPTER 12 (DOWNTOWN CODE) AND ADOPTING A NEW CHAPTER 12 (DOWNTOWN CODE), IN ORDER TO UPDATE AND CLARIFY THE PROVISIONS OF THE DOWNTOWN CODE, INCLUDING HOW IT RELATES TO OTHER PROVISIONS OF THE ZONING ORDINANCE.

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

SECTION 1: Chapter 2, Section 201 (Rules of Construction), is hereby amended to read as follows:

For the purpose of this ZONING Ordinance, certain terms and words are hereby defined as follows: Words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs, or associations. The following words or terms, when applied in this ZONING Ordinance shall carry full force when used interchangeably: lot, plot, parcel, or premises, used, arranged, occupied or maintained; sold or dispensed, construct, reconstruct, erect, alter (structurally or otherwise), but not the term maintenance. The terms "City" and "County" shall mean the City of Phoenix and County of Maricopa, respectively; "Board" shall mean Board of Adjustment; "Commission" shall mean City

Planning Commission; "Council" shall mean City Council.; “PDD” SHALL MEAN PLANNING AND DEVELOPMENT DEPARTMENT.

***

SECTION 2: Chapter 2, Section 202 (Definitions), is hereby amended to add new definitions and revise existing as follows:

*Alley, Buffer:* ~~An alley that is adjacent to a single-family residential use as identified on Map 1202.F, and in Sections 1207.O and P~~. AN ALLEY ABUTTING BOTH SINGLE-FAMILY AND COMMERCIAL USES, DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE).

***

*CITY MANAGER’S REPRESENTATIVE (CMR):* SEE SECTION 32-3 OF THE CITY CODE.

***

*FRONTAGE ZONE:* THE PORTION OF A LOT OR PARCEL LOCATED DIRECTLY ADJACENT TO A STREET, OF A DEPTH REQUIRED BY THE APPLICABLE ZONING DISTRICT AND/OR CHARACTER AREA.

***

~~*Off-Street Loading Spaces:* An on site space for the standing, loading, and unloading of vehicles.~~

***

~~*Off-Street Passenger Loading:* The provision of space off the street and adjacent to a building entrance for the loading and unloading of automobile passengers. The design of such space shall be subject to the approval of the Street Transportation Department.~~

***

*SERVICE/GOODS LOADING SPACE:* A DESIGNATED AREA WHICH IS PROVIDED FOR THE LOADING AND UNLOADING OF GOODS AND SERVICES FOR BUSINESSES AND COMMERCIAL USERS.

***

~~*Street, Front:* A street identified by an area plan towards which the front of buildings are oriented to minimize driveway cuts. If no area plan is adopted, all single-frontage lots adjoining a front street must orient the front of the building to the front street. For multi-frontage lots, the street with the most pedestrian activity is the front street. When lots adjoin two or more streets with an equal amount of pedestrian activity, both are front streets. Front streets are not necessarily the street adjoining the lot front.~~

***

~~*Street, Pedestrian:* Sidewalk, landscape, driveway and buildings are designed to create a safe, pleasant and enjoyable experience for pedestrians. Building openings are oriented toward the street and vehicular conflicts with pedestrians are minimized. Designated on~~



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~~Map 1202.E and individual character areas in Chapter 12.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH IS SUBJECT TO DEVELOPMENT REGULATIONS AND VEHICULAR RESTRICTIONS INTENDED TO ENHANCE THE PEDESTRIAN ENVIRONMENT.

***

*Street, Side:* ~~A street identified by an area plan towards which the side of buildings are oriented. If no area plan is adopted, the street with the least amount of pedestrian activity is the side street for multi-frontage lots. Side streets are not necessarily the street adjoining the lot side.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH PERMITS A MIX OF USES AND TYPES OF ACCESS, SUCH AS (BUT NOT LIMITED TO) PEDESTRIAN, VEHICULAR, SERVICE, AND LOADING ACCESS.

*STREETSCAPE:* THE LANDSCAPE, SHADE, STREET IMPROVEMENTS, SIDEWALK, AND OTHER AMENITIES PROVIDED DIRECTLY ADJACENT TO A STREET.

*Streetscape Zone:* ~~*The area located behind the right-of-way curb that has either landscaping per Section 1207 or public amenities (such as seating, artwork).*~~ THE PORTION OF A DEDICATED STREET PROVIDING STREETSCAPE IMPROVEMENTS AND LOCATED BETWEEN THE BACK OF CURB AND THE FRONTAGE PROPERTY LINE. THE STREETSCAPE ZONE MAY ALSO INCLUDE A PORTION OF ABUTTING PRIVATE PROPERTY, PER THE PROVISIONS OF CHAPTERS 12 AND 13.

***

SECTION 3: Chapter 3, Section 307.A (Authority and duties of the Zoning Administrator) is hereby amended to provide the Design Review Committee the authority to review and make recommendations regarding variance applications within Downtown, as follows:

***

A. **Authority and duties of the Zoning Administrator.** There is hereby created in the City Planning and Development Department a Zoning Administrator. The Zoning Administrator shall be appointed by the Planning and Development Director and shall be under ~~his~~ THEIR direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under ~~his~~ THEIR direction. The Zoning Administrator shall**:**



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***

9. Authorize upon application and hearing such variance from the terms of this ZONING Ordinance as will not be contrary to the public interest, when owing to special conditions, a literal enforcement of any provisions of the ordinance would result in unnecessary property hardship.

   A variance shall not be authorized unless the Zoning Administrator shall find upon sufficient evidence:

   a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district; and

   b. That such special circumstances were not created by the owner or applicant; and

   c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

   d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

   e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE SHALL FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS REQUIRED IN SECTION 1224.C.

***

SECTION 4: Chapter 3 is hereby amended to add Section 312 (Technical Appeals Committee) to establish a technical review committee to review and decide technical appeals, as follows:

**SECTION 312. TECHNICAL APPEALS COMMITTEE**

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A. **POWERS AND DUTIES.** THE TECHNICAL APPEALS COMMITTEE (TAC) SHALL HAVE THE POWER AND DUTY UNDER THE PROVISIONS OF THESE REGULATIONS TO HEAR SPECIFIC ITEMS APPEALED BY THE APPLICANT CONTESTING A DECISION ON A TECHNICAL ITEM OR INFRASTRUCTURE REQUIREMENT IMPOSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, OR A DEVELOPMENT REGULATION INDICATED AS (T) IN SECTION 507 TAB A AND ALL OTHER ZONING ORDINANCE REQUIREMENTS (INCLUDING OVERLAYS) WHICH USE (T) TO INDICATE TECHNICAL ITEMS.

B. **MEMBERSHIP.** THE TECHNICAL APPEALS COMMITTEE SHALL CONSIST OF THE SAME MEMBERS AS THE SUBDIVISION COMMITTEE AS SET FORTH IN CHAPTER 32 OF THE CITY CODE. THE PLANNING AND DEVELOPMENT DIRECTOR IS AUTHORIZED TO APPOINT AND REMOVE ANY MEMBER AT ANY TIME, WITH OR WITHOUT CAUSE, AND MAY ALSO APPOINT ADDITIONAL TECHNICAL CITY STAFF TO THE TAC, SUCH AS LANDSCAPE, FIRE PREVENTION/LIFE SAFETY, WATER/SEWER, AND BUILDING SAFETY.

SECTION 5: Chapter 5, Section 507 (Development Review Approval) is hereby amended to clarify applicability of development review procedures and appeals, and revise the Technical Appeal process, as follows:

***

B. **Applicability.**

1. Development review applies to all public and private facilities in residential, commercial and industrial developments in the City in all zoning districts. The only complete exceptions to compliance with this section are as follows:

~~a. Single-family and duplex dwelling units constructed prior to May 1, 1998;~~

~~b.~~ a. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;

~~c.~~ b. Nonstructural remodeling of facade treatment (SUCH AS PAINT);

~~d.~~ c. Sign permits for properties not otherwise subject to development review~~;~~



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e. ~~Development submitted for site plan approval prior to the effective date of this section.~~

2. Exterior structural remodeling ~~or~~ / new BUILDING facade treatment~~, to buildings~~ AND/OR MODIFICATIONS TO EXISTING SITE IMPROVEMENTS (DRIVEWAYS, PARKING, SITE WALLS, LANDSCAPE, DRAINAGE FACILITIES, OR SIMILAR), OR PROPERTIES WITH ADDITIONS (INCLUDING NEW ACCESSORY STRUCTURES) OF UP TO 2000 SQUARE FEET, ~~without additional square footage is~~ ARE subject to development review approval as follows:

   a. ~~For properties located within the boundary of the Downtown Code, the following shall apply:~~ COMPLIANCE WITH DEVELOPMENT REGULATIONS APPLICABLE ONLY TO THE EXTERIOR PORTION OF THE BUILDING AND/OR SITE IMPROVEMENTS BEING MODIFIED, UNLESS OTHERWISE STIPULATED WITH A REZONING OR ZONING ADJUSTMENT ACTION.

      ~~(1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified.~~

      ~~(2) Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities.~~

   b. ~~Reserved.~~ FOR SITES SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12) OR WALKABLE URBAN CODE (CHAPTER 13), PROVISION OF SHADE, LANDSCAPING AND SIDEWALKS IN ACCORDANCE WITH ADOPTED STREETSCAPE STANDARDS. UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES OR OTHER EXISTING SITE CONSTRAINTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. ~~Additions to buildings are subject to development review approval as follows:~~ CHANGE OF USE OR OCCUPANCY TYPE, OR INTERIOR STRUCTURAL REMODELING (“TENANT IMPROVEMENTS”), WITH OR WITHOUT ADDITIONAL SQUARE FOOTAGE, ARE SUBJECT TO THE FOLLOWING:



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a. ~~An addition of two thousand square feet or less to an existing building may be required to submit a site plan to the Department of Planning and Development but shall not be subject to the design review principles and guidelines set forth in Tab A of Section 507 if the impacts of the addition are not significant, with the exception that new structures or additions of 500 square feet or greater on properties located within the boundary of the Downtown Code shall be required to meet the shading requirements in Section 1207.D. The Department of Planning and Development shall determine the significance of an addition's impacts on adjacent properties based on noise, odor, lighting, glare, vibration, visibility from a public street, and removal of site amenities which are included in a design review principle or guideline. Surface parking as a primary use is subject to the provisions of development review if the use is determined to have impact on adjacent uses or visibility from a public street as determined by the Department of Planning and Development.~~ COMPLIANCE WITH CURRENT STANDARDS FOR REQUIRED AUTOMOBILE AND BICYCLE PARKING.

b. ~~When an addition of two thousand square feet or less to an existing building is determined by the Department of Planning and Development as having significant impacts, as described above, the addition shall be subject to full development review including the design review principles and guidelines.~~ SPECIFIC REQUIREMENTS RELATED TO THE USE OR OCCUPANCY AS OTHERWISE INDICATED IN THE ZONING ORDINANCE.

c. ~~When additions to a property after the effective date of this ordinance total more than two thousand square feet, the property shall be subject to full development review including the design review principles and guidelines.~~ REQUIREMENTS OF SECTION 507.B.2 IF EXTERIOR REMODELING AND/OR ADDITIONS UNDER 2000 SF ARE ALSO INCLUDED.

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4. PROPERTIES WITH ADDITIONS OF 2000 SQUARE FEET OR LARGER, VACANT PROPERTIES, AND/OR PROPERTIES UNDERGOING FULL DEMOLITION AND REDEVELOPMENT ARE SUBJECT TO FULL DEVELOPMENT REVIEW, INCLUDING ALL APPLICABLE DESIGN REVIEW PRINCIPLES AND GUIDELINES, UNLESS STATED OTHERWISE WITHIN THIS ZONING ORDINANCE.

~~4.~~ 5. Subdivision plats are processed in accordance with Chapter 32 of the City Code. Preliminary subdivision plats have the additional requirement to be reviewed and approved in accordance with the provisions ~~of this section for context plan and the design review guidelines for subdivisions of~~ Section 507 Tab A (DESIGN REVIEW) AND ALL OTHER CODES AND POLICIES TO WHICH SUBDIVISIONS ARE SUBJECT. ~~II.C, "Subdivision design."~~

~~5.~~ 6. DEVELOPMENT WHICH EXISTED AT THE TIME OF ANNEXATION, OR FOR WHICH ALL REQUIRED PERMITS WERE ISSUED BY THE CITY, IS ASSUMED TO HAVE A VALID DEVELOPMENT REVIEW PLAN, EVEN IF NO APPROVED SITE PLAN EXISTS. A SITE PLAN MAY BE REQUIRED BASED ON THE SCOPE OF ANY PROPOSED REMODEL, REVISION, ADDITION, OR REDEVELOPMENT.
~~Existing legally constructed development with or without an approved site plan as of the date of this Ordinance is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~

~~6.~~ 7. ~~Implementation of single-family design review shall begin on May 1, 1998, for all subdivision applications which have not obtained preliminary development review approval. Any site plans or subdivision plats which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~
**ADAPTIVE REUSE.** DEVELOPMENT QUALIFYING AS ADAPTIVE REUSE MAY BE GRANTED FULL OR PARTIAL ADMINISTRATIVE RELIEF FROM ZONING ORDINANCE REQUIREMENTS IN ACCORDANCE WITH POLICIES ADOPTED BY CITY COUNCIL. IN SUCH CASES, THE RELIEF PROVIDED SHALL BE NOTED ON THE SITE PLAN, OR THE CONSTRUCTION PLANS IF NO SITE PLAN IS REQUIRED.

C. **Design Review Principles and Guidelines.** Design review principles~~,~~ and guidelines are listed in Tab A and other sections of ~~this~~ THE ZONING Ordinance. The principles reflect desired goals and policies for the City. The guidelines indicate specific implementation standards. The guidelines consist of requirements, presumptions and considerations.

1. **Requirements (R)**. Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature.

2. **Presumptions (P).** Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

   a. *Overcoming a presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate~~, unless the property is located within the boundary of the Downtown Code~~. The Planning and Development Department may approve an alternative that achieves the intent of the presumption.

      Appropriate reasons for overcoming a presumption include:

      (1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;

      (2) Showing that another design principle is enhanced by not applying the presumption;

      (3) Demonstrating an alternative method for achieving the intent of the presumption;



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(4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.

Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

b. *Appeals.* In the event that a presumption is not incorporated or overcome, AS DETERMINED BY PDD STAFF, ~~or if the property is located within the boundary of the Downtown Code an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) and requirements followed by an asterisk (R*) located in Tab A.II.C, "Subdivision design," shall be heard by the Design Review Committee.~~ THE APPLICANT MAY FILE AN APPEAL TO BE HEARD BY THE DESIGN REVIEW COMMITTEE PER SECTION 507.G.

~~c. *Purpose and intent of single-family design guidelines.* Notwithstanding the above, there are differences in the application of design guidelines for single-family development. In the R1-10 through R-5 zoning districts, the conventional development option establishes the baseline development conditions for single-family detached development. Deviations from these standards for the entire subdivision will require application of the planned residential development (PRD) option and the associated design guidelines found in subsection 507 Tab A.II.C. When applying these guidelines, staff will consider the unique conditions of each site, such as context area, lot size and shape, slope, natural vegetation, and drainage. In addition, staff will strive to ensure that affordable housing opportunities are not precluded. The PRD option is intended to encourage quality and creative design solutions through the use of flexible development standards. This design review structure is intended to foster a dialogue between staff and the applicant which facilitates creative responses to unique site conditions while being mindful of housing affordability.~~

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3. **TECHNICAL ITEMS (T).** DEVELOPMENT REGULATIONS INDICATED BY (T) WITHIN THIS AND OTHER SECTIONS OF THE ZONING ORDINANCE ARE CONSIDERED TECHNICAL ITEMS. TECHNICAL ITEMS MAY BE APPEALED THROUGH THE TECHNICAL APPEAL PROCESS SPECIFIED IN SECTION 507.H.

~~3.~~ 4. **Considerations (C).** Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.

5. ITEMS WITHIN SECTION 507 TAB A AND OTHER SECTIONS OF THE ZONING ORDINANCE WHICH ARE NOT QUALIFIED BY AN (R), (R*), (P), (T) OR (C) SHALL BE TREATED AS REQUIREMENTS (R), UNLESS EXPLICITLY STATED OTHERWISE.

D. **Process.** The development review process includes the following steps:

1. Pre-application conference with the Planning and Development Department staff (see subsection E);

2. Preliminary review (see subsection F);

   a. Submittal of ~~design~~ DEVELOPMENT review documents by the applicant/property owner;

   b. Routing of documents to various departments and agencies for comment where needed;

   c. Staff review and consolidation of comments;

   d. Preliminary design review meeting with applicant and any interested citizen where needed;

3. Consideration of any DESIGN REVIEW appeals (see subsection G);

4. ~~Review~~ CONSIDERATION of ANY technical APPEALS ~~documents~~ (see subsection H);



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5. Final document submittal responding to staff comments (see subsection I);

6. Final approval of development review documents (see subsection J);

7. Building permit issuance (see subsection J);

8. Site inspection and issuance of certificate of occupancy (see subsection J);

9. Follow-up inspection (see subsection J).

***

~~G.~~ **~~Design Alternatives and Sustainability Bonus Appeals.~~** ~~A design alternative or sustainability bonus appeal is a deviation from the prescribed standards and design guidelines. Design alternatives and sustainability bonus appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject character area as approved by the DRC. Design alternatives apply to properties with Walkable Urban Code zoning, which would result in a furtherance of the goals and policies of Transit Oriented Policy Plans or other relevant policy plans.~~

~~1.~~ ~~Each design alternative application shall include, at a minimum, the following:~~

~~a.~~ ~~A Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing for any property with a Historic Preservation (HP) zoning designation;~~

~~b.~~ ~~A listing of the standard(s) or guideline(s) that are the subject of the proposed design alternative;~~

~~c.~~ ~~A narrative statement describing the justification for the design alternative and the manner in which the proposed design alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, Transit Oriented Policy Plans, or other relevant policy plans and would satisfy the findings required for approval;~~

~~d.~~ ~~Site plan;~~



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e. Building elevations;

f. Context plan;

g. Landscaping and shading plan;

h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

i. Such other information as may be required by the Planning and Development Director or DRC.

2. Each sustainability bonus appeal application shall include, at a minimum, the following:

a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional).

b. Site plan;

c. Building elevations;

d. Context plan;

e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

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3. Within 15 calendar days of the date of filing a design alternative or sustainability bonus appeal application, the applicant shall mail a notice by first class mail to all property owners within 150 feet of the subject site explaining the request and providing the date, time and location of the DRC meeting at which the application will be reviewed.

4. In order to approve a design alternative, the DRC must make findings as follows:

a. That the project is consistent with the intent stated for the subject character area in the Downtown Code;

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, form and materials.

Permeability and connectivity which enables people to move within, around and through the project with ease.

The project improves safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enables "eyes on the street."

The project incorporates materials and design which enhance thermal comfort.

Modifications from prescribed standards as per Section 1313; and

c. That the project demonstrates design excellence by addressing design alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the Transit Oriented Policy Plans or other relevant policy plans. The modifications must meet the standards set forth in Section 1313.

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~~5. In order to approve a sustainability bonus appeal, the DRC must make findings as follows:~~

~~a. That the project is consistent with the intent stated for the subject character area;~~

~~b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and~~

~~c. The increased entitlements are consistent with the improved performance of the building(s).~~

~~6. In approving a design alternative or sustainability bonus appeal, the DRC may impose any reasonable conditions to ensure that the approval complies with the findings required above.~~

~~7. A design alternative or sustainability bonus appeal application will be reviewed at a public meeting within 30 calendar days from the date of submission of the application. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of the meeting.~~

~~8. A decision on the design alternative or sustainability bonus appeal application will be made by the DRC on the date of the public meeting unless continued at the discretion of the Committee and a certificate of approval shall be transmitted to the applicant in writing.~~

G. **DESIGN REVIEW APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION ON A DESIGN REVIEW ITEM TO THE DESIGN REVIEW COMMITTEE, WHO SHALL HEAR THE APPEAL PER SECTION 309, AS FOLLOWS:

   a. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH:

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(1) DESIGN REVIEW PRESUMPTIONS, WHICH ARE TYPICALLY INDICATED AS (P); OR

(2) OTHER PRESUMPTIVE STANDARDS OR CRITERIA INDICATED BY THE WORD “SHOULD”.

b. A DESIGN REVIEW REQUIREMENT INDICATED WITH AN (R*).

c. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH URBAN DESIGN PRINCIPLES, ADOPTED DESIGN REVIEW POLICIES, OR DESIGN DECISIONS WHICH ARE IMPOSED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

d. A DESIGN ALTERNATIVE APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12, OR IN THE WALKABLE URBAN CODE, CHAPTER 13.

e. A SUSTAINABILITY BONUS APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12.

2. **DESIGN REVIEW COMMITTEE HEARING PROCESS**. AN APPEAL TO THE DESIGN REVIEW COMMITTEE MUST BE SUBMITTED NO LATER THAN 30 CALENDAR DAYS AFTER A DECISION HAS BEEN ISSUED BY THE PLANNING AND DEVELOPMENT DEPARTMENT REGARDING THE SUBJECT DESIGN REVIEW ITEM.

a. APPEALS SHALL BE IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND SHALL INCLUDE ONLY THOSE ITEMS APPEALABLE TO THE DESIGN REVIEW COMMITTEE.

b. AN APPEAL SUBMITTAL MUST BE COMPLETE BASED UPON THE REQUEST AND REQUIREMENTS ON THE SUBMITTAL CHECKLIST BEFORE IT IS SCHEDULED FOR A HEARING. STAFF WILL REVIEW THE SUBMITTAL FOR COMPLETENESS AND PROVIDE A WRITTEN LIST OF ANY DEFICIENCIES TO THE APPLICANT WITHIN 15 CALENDAR DAYS OF RECEIPT OF THE SUBMITTAL.



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c. ONCE DETERMINED TO BE COMPLETE, AN APPEAL WILL BE SCHEDULED FOR THE NEXT DESIGN REVIEW COMMITTEE HEARING, BUT NO SOONER THAN 15 CALENDAR DAYS FROM STAFF DETERMINATION THAT THE SUBMITTAL IS COMPLETE. BY MUTUAL CONSENT OF PDD STAFF AND THE APPLICANT, THE APPEAL MAY BE SCHEDULED FOR A LATER DRC HEARING.

d. NO LATER THAN 15 CALENDAR DAYS PRIOR TO THE SCHEDULED DESIGN REVIEW COMMITTEE HEARING, THE APPLICANT SHALL MAIL A NOTICE TO ALL PROPERTY OWNERS AND REGISTERED NEIGHBORHOOD ASSOCIATIONS WITHIN 150 FEET OF THE SUBJECT SITE EXPLAINING THE REQUEST AND PROVIDING THE DATE, TIME AND LOCATION OF THE DRC MEETING AT WHICH THE APPLICATION WILL BE REVIEWED.

e. ANY PERSON WHO HAS BEEN OR WILL BE INVITED TO THE PRELIMINARY SITE PLAN REVIEW MEETING WITH THE APPLICANT SHALL BE INFORMED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE DATE, TIME AND LOCATION OF DRC APPEAL HEARING.

f. IN APPROVING AN APPEAL, THE DRC MAY IMPOSE ANY REASONABLE CONDITIONS TO ENSURE THAT THE APPROVAL COMPLIES WITH ANY FINDINGS REQUIRED.

g. A DECISION ON THE APPEAL WILL BE MADE BY THE DESIGN REVIEW COMMITTEE ON THE DATE OF THE HEARING UNLESS CONTINUED TO A FUTURE DRC HEARING AT THE DISCRETION OF THE DESIGN REVIEW COMMITTEE. THE DECISION SHALL BE TRANSMITTED BY PDD STAFF TO THE APPLICANT IN WRITING WITHIN 15 CALENDAR DAYS OF THE DECISION.

h. THE DECISION OF THE DESIGN REVIEW COMMITTEE IS FINAL AND NON-APPEALABLE.

~~H.~~ **~~Appeals.~~** ~~There are two distinct categories of review standards, design and technical:~~



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1. **Appeal of design review decisions.** An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed to the Design Review Committee within 15 calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

    b. An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

    c. A decision on the appeal will be made by the Design Review Committee on the date of the hearing unless continued at the discretion of the Committee and shall be transmitted to the applicant in writing. The decision of the Design Review Committee shall be final.

2. **Appeal of technical requirements.** An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed within 15 calendar days to the City Manager's representative. The Planning and Development Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

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b. An appeal will be heard within 15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

c. A decision on the appeal will be made by the City Manager's representative within five calendar days from the date of the hearing and transmitted to the applicant and interested parties in writing.

d. *Appeal to Development Advisory Board.* An appeal of the decision of the City Manager's representative may be made to the Development Advisory Board within 15 calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within 30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the Development Advisory Board and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The Development Advisory Board shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.

e. *Development Advisory Board action.* The Development Advisory Board may:

(1) Affirm the decision of the City Manager's representative;

(2) Remand the matter for further proceedings before the City Manager's representative; or

(3) Reverse or modify the City Manager's representative's decision.

The decision of the Development Advisory Board is final.

## H. TECHNICAL APPEALS

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1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION REGARDING A TECHNICAL ITEM, AN INFRASTRUCTURE REQUIREMENT IMPOSED BY THE DEPARTMENT, OR AN ITEM INDICATED AS (T) IN SECTION 507 TAB A, CHAPTER 12 AND OTHER SECTIONS OF THE ZONING ORDINANCE TO THE TECHNICAL APPEALS COMMITTEE (TAC) PER SECTION 312, AS FOLLOWS:

   a. ANY APPEAL SHALL BE FILED NO LATER THAN 15 CALENDAR DAYS FOLLOWING A DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

   b. THE TAC MAY GRANT AN APPEAL IF THE APPELLANT CAN DEMONSTRATE THAT THERE EXISTS EXTRAORDINARY CONDITIONS OF TOPOGRAPHY, LAND OWNERSHIP, OR ADJACENT DEVELOPMENT, OR OTHER CIRCUMSTANCES NOT PROVIDED FOR IN THESE REGULATIONS. THE TAC MAY MODIFY THE REQUIREMENT(S) IN SUCH A MANNER AND TO SUCH EXTENT AS MAY BE APPROPRIATE TO THE PUBLIC INTEREST SOUGHT TO BE PROTECTED BY THE REQUIREMENT(S) REQUESTED TO BE MODIFIED. IN MODIFYING THE REQIREMENT(S), THE TAC MAY MAKE SUCH ADDITIONAL REQUIREMENTS AS APPEAR NECESSARY TO SUBSTANTIALLY SECURE THE OBJECTIVES OF THE MODIFIED REQUIREMENT(S).

   c. IN ADDITION TO THE REQUIREMENTS OF H.1.b, REQUESTS FOR TECHNICAL APPEALS ARISING FROM DEVELOPMENTS SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), WALKABLE URBAN CODE (CHAPTER 13) AND ANY OTHER AREA-SPECIFIC TECHNICAL REQUIREMENTS SHALL BE APPROVED ONLY IF THE MODIFICATION IS CONSISTENT WITH ANY STATED RATIONALE, GOAL, OR INTENT SPECIFIC TO THE CHARACTER AREA AND APPLICABLE STREETSCAPE STANDARDS. THE TAC MAY IMPOSE STIPULATIONS TO ENSURE COMPLIANCE WITH SUCH RATIONALE, GOAL OR INTENT WHEN APPROVING A TECHNICAL APPEAL.

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2. **APPLICATION.** TECHNICAL APPEALS SHALL BE FILED IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AS FOLLOWS:

   a. THE REQUEST SHALL ADDRESS ONLY THOSE ITEMS BEING APPEALED.

   b. THE REQUEST SHALL INCLUDE TECHNICAL INFORMATION AND A NARRATIVE RELATED TO THE APPEAL, CLEARLY EXPLAINING WHY THE PROPOSED ALTERNATIVE IS EQUIVALENT TO OR BETTER THAN THE TECHNICAL ITEM BEING APPEALED.

3. THE TAC WILL CONDUCT A REVIEW OF THE APPEAL AT THEIR FIRST REGULARLY SCHEDULED MEETING FOLLOWING A COMPLETE SUBMITTAL.

   a. THE TAC MAY CHOOSE TO DEFER ACTION ON THE APPEAL AND INSTEAD SEND THE APPEAL REQUEST DIRECTLY TO THE CITY MANAGER'S REPRESENTATIVE (CMR) FOR HEARING, AS OUTLINED BELOW.

   b. THE TAC MAY CHOOSE TO REQUEST ADDITIONAL INFORMATION PRIOR TO RENDERING A DECISION.

4. THE TAC SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, FORWARD FOR CMR HEARING WITHOUT RECOMMENDATION, OR CONTINUE TO A SUBSEQUENT TAC MEETING IF ADDITIONAL INFORMATION IS REQUIRED FOR REVIEW BEFORE RENDERING A DECISION.

5. A DECISION OF THE TAC SHALL BE CONSIDERED FINAL IF NOT APPEALED TO THE CMR WITHIN 15 CALENDAR DAYS OF THE DECISION.

6. **CITY MANAGER'S REPRESENTATIVE APPEAL HEARING.** A DECISION OF THE TAC MAY BE APPEALED TO THE CMR BY THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE WITHIN 15 CALENDAR DAYS.

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a. SCHEDULING OF CMR HEARING. A TECHNICAL APPEAL WILL BE HEARD BY THE CMR WITHIN 30 CALENDAR DAYS FROM THE DATE OF FORWARDING FROM TAC. THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE DATE OF THE CMR HEARING NO LATER THAN SEVEN CALENDAR DAYS PRIOR TO THE HEARING.

b. CITY MANAGER'S REPRESENTATIVE'S DECISION. A DECISION ON THE APPEAL WILL BE MADE BY THE CMR AT THE HEARING. THE CMR SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, CONTINUE TO A SUBSEQUENT CMR HEARING FOR FURTHER CONSIDERATION, OR ISSUE A RULING AT A LATER DATE IN ORDER TO FIRST SEEK ADDITIONAL INFORMATION AND/OR PROFESSIONAL ADVICE. THE FINAL CMR DECISION SHALL BE TRANSMITTED IN WRITING TO THE APPLICANT AND ANY INTERESTED PARTIES WHO WERE IN ATTENDANCE AT THE HEARING.

7. **APPEAL TO DEVELOPMENT ADVISORY BOARD.** AN APPEAL OF THE DECISION OF THE CMR MAY BE MADE TO THE DEVELOPMENT ADVISORY BOARD, AS ESTABLISHED UNDER CHAPTER 2, ARTICLE IX OF THE CITY CODE. NOTWITHSTANDING THE PROCESS OUTLINED IN CHAPTER 2, ARTICLE IX, SECTION 2-172, AN APPEAL UNDER THIS PROVISION MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF THE CMR DECISION.

***

SECTION 6: Chapter 6, Section 669 (Arts, Culture, and Small Business Overlay District), is hereby amended to clarify how the overlay regulations interact with the provisions of Chapter 12, as follows:

***

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B. **Applicability.** The Arts, Culture and Small Business Overlay may be applied to land bounded by Interstate 10 Inner Loop (Papago Freeway) on the north, 20th Street to the east, Buckeye Road to the south and 19th Avenue to the west. ~~The application of the overlay on specific parcels will occur subject to approval by City Council through the rezoning process in accordance with zoning map amendment section of the Zoning Ordinance. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts or other overlay districts, except as expressly modified by the following regulations and as regulated by other provisions of City Code. Where there is a conflict with other Zoning Ordinance provisions, the more permissive shall apply.~~

1. FOR PROPERTIES NOT ZONED DOWNTOWN CODE (DTC), THE APPLICATION OF THE OVERLAY ON SPECIFIC PARCELS WILL OCCUR SUBJECT TO APPROVAL BY CITY COUNCIL THROUGH THE REZONING PROCESS IN ACCORDANCE WITH SECTION 506.B. THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS OR OTHER OVERLAY DISTRICTS, EXCEPT AS EXPRESSLY MODIFIED BY THE FOLLOWING REGULATIONS AND AS REGULATED BY OTHER PROVISIONS OF CITY CODE. WHERE THERE IS A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.

2. FOR PROPERTIES ZONED DOWNTOWN CODE (DTC), APPLICATION OF THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEVELOPMENT REGULATIONS ON AFFECTED PROPERTIES SHALL BE AS SPECIFIED BY SECTION 1207.M.

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SECTION 7: Chapter 7, Section 702 (Off-Street Parking and Loading) is hereby amended to correct a numbering error for Section 702.B (Off-Street Loading Spaces) which immediately follows Section 702.G, and to make other minor changes to terms used, as follows:

***

~~B.~~H. **~~Off-Street~~ SERVICE/GOODS Loading Spaces.**

1. **General provisions, requirements for space size.** ~~Off-street~~ SERVICE/GOODS loading spaces shall be not less than ten (10) feet in width and thirty (30) feet in length, exclusive of access aisles and maneuvering space.

2. **~~Off-Street~~ SERVICE/GOODS loading spaces required.** The following shall apply to all developments, except for single family developments and vehicular parking areas.

    a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    b. Office development less than 60 feet in height shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    c. Multi-family residential development shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    d. Commercial or office developments (excluding multi-family) over 60 feet in height and all hotel or resort developments shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

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3. ~~The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve.~~ SERVICE/GOODS LOADING SPACES SHALL BE LOCATED ON-SITE UNLESS SPECIFICALLY PERMITTED ELSEWHERE BY THE ZONING ORDINANCE. In no case shall the required off-street loading space be ~~part of the area~~ USED to satisfy ~~the~~ off-street parking requirements ~~of this Ordinance~~.

***

SECTION 8: Chapter 7, Section 703 (Landscaping, Fences and Walls) is hereby amended to correct a provision regarding when a Certificate of No Effect or Certificate of Appropriateness is required for a wall/fence, as follows:

A. **Height of Fences and Retaining Walls.**

***

2. The following shall apply to all residence districts:

a. For lots fronting on a public street, private accessway or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches, provided:

(1) ~~For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.~~

**HISTORIC PRESERVATION DESIGNATED PROPERTIES.** FOR PROPERTIES DESIGNATED HP AND HP-L, FENCES OR FREESTANDING WALLS IN THE FRONT YARD (THE AREA BETWEEN THE STRUCTURE AND THE STREET RIGHT-OF-WAY LINE) SHALL NOT EXCEED A MAXIMUM HEIGHT OF

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THREE FEET. THIS HEIGHT LIMITATION EXTENDS THREE FEET BACK FROM THE FRONT FAÇADE INTO THE SIDE YARD(S).

***

SECTION 9: Chapter 12 (Downtown Code) of the Zoning Ordinance of the City of Phoenix, is hereby repealed.

SECTION 10: A new Chapter 12 (Downtown Code) of the Zoning Ordinance of the City of Phoenix, is hereby adopted as shown in Exhibit "A" which is attached to this Ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 4th day of December, 2024.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Attachments:
Exhibit A (161 pages)

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**EXHIBIT A**

# Chapter 12
# DOWNTOWN CODE


**Section 1201.** **Code Administration.**
**Section 1202.** **Regulating Maps.**
**Section 1203.** **Land Use Matrix.**
**Section 1204.** **Streetscape and Frontage Zones.**
**Section 1205.** **Frontage Elements.**
**Section 1206.** **Parking, Loading, and Vehicular Access.**
**Section 1207.** **General Development Regulations.**
**Section 1208.** **Biomed.**
**Section 1209.** **Business Core.**
**Section 1210.** **Central Park.**
**Section 1211.** **Commercial Corridors.**
**Section 1212.** **Downtown Gateway.**
**Section 1213.** **East Evergreen.**
**Section 1214.** **Evans Churchill East.**
**Section 1215.** **Evans Churchill West.**
**Section 1216.** **McDowell Corridor.**
**Section 1217.** **Roosevelt East.**
**Section 1218.** **Roosevelt North.**
**Section 1219.** **Roosevelt South.**
**Section 1220.** **Townsend Park.**
**Section 1221.** **Van Buren.**
**Section 1222.** **Warehouse.**
**Section 1223.** **Sustainability Bonus Points.**
**Section 1224.** **Appeals.**


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## Section 1201. Code Administration.

A. **Purpose and Intent.** The purpose of the Downtown Code is to implement the vision, goals and policies of the Downtown Phoenix Plan and provide the physical environment necessary to create a pedestrian-oriented, dynamic urban center with an authentic sense of place. The intent of the Downtown Code is to address design that impacts the public realm by establishing standards and guidelines that will allow projects to develop over time in a scale and character consistent with the Downtown Phoenix Plan and with the vision and goals of PlanPHX.

B. **Applicability**. The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.A and generally bounded by McDowell Road on the north, 7th Street on the east, Buckeye Road on the south, and 7th Avenue on the west. This boundary shall be hereafter known as "Downtown". The "Downtown Code" may be abbreviated as "DTC".

1. Historic Preservation**.** Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event of a conflict between the provisions of Chapter 8 and Chapter 12, the provisions of Chapter 8 shall prevail.

2. If a conflict occurs between requirements of the Downtown Code and other provisions the City of Phoenix Zoning Ordinance (not including Chapter 8), the requirements of the Downtown Code shall prevail.

3. Development review of sites located within Downtown shall be in conformance with the provisions of Section 507.B, unless specifically stated otherwise within this Chapter.

C. **Approval Requirements.** Each structure and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements:

1. The land use or function must be allowed by the Use Matrix in the Character Area where the site is located, unless subject to the provisions of Chapter 9, Nonconformities.

2. Development review approval shall be obtained in accordance with the procedures outlined in Section 507, Development Review Approval.

3. Guidelines, standards, and requirements in this Chapter indicated with the markers (R), (R*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in Section 507. Items not indicated with an (R), (R*), (P), (T), and (C) shall be treated as (R).

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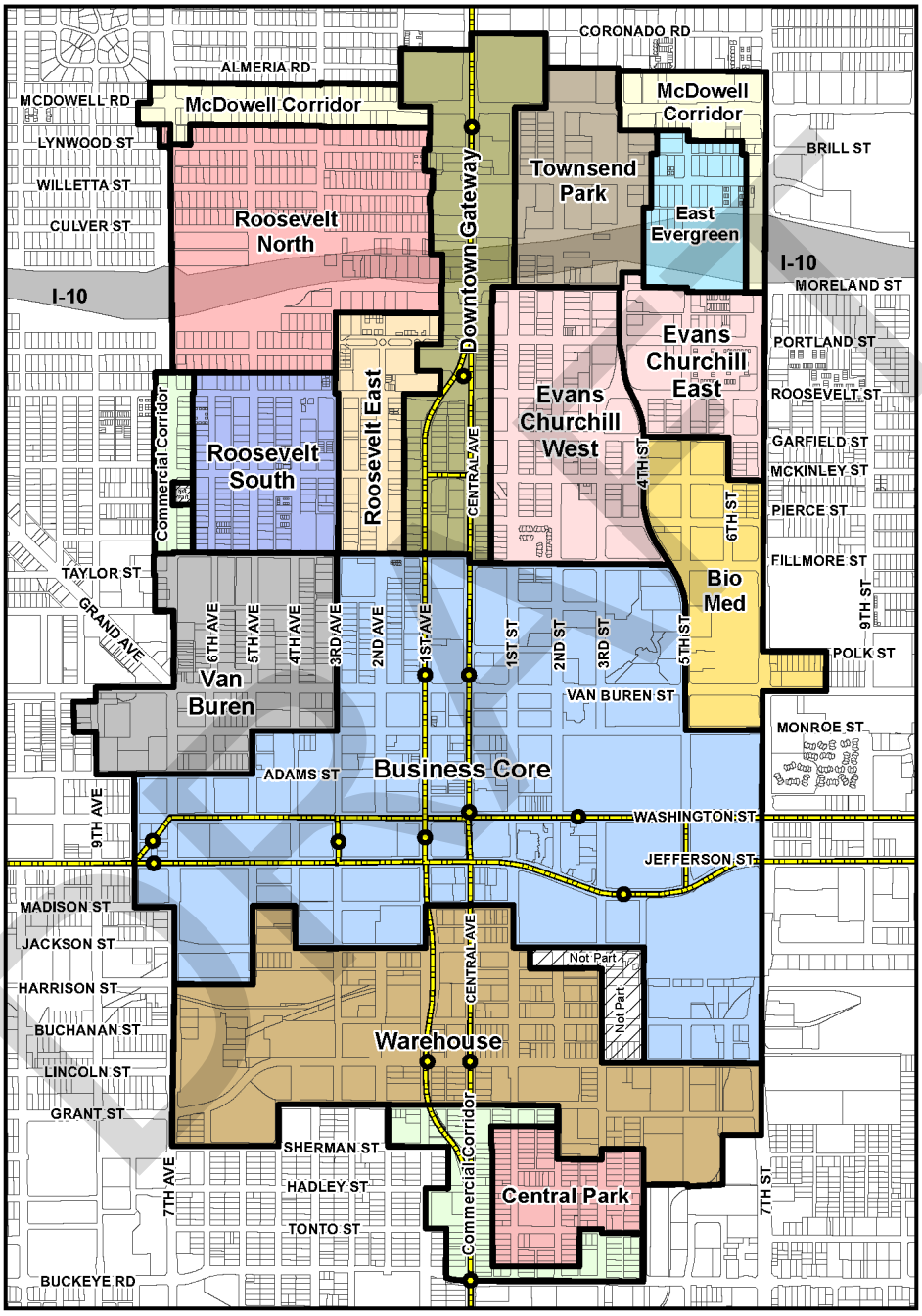
## Section 1202. Regulating Maps.

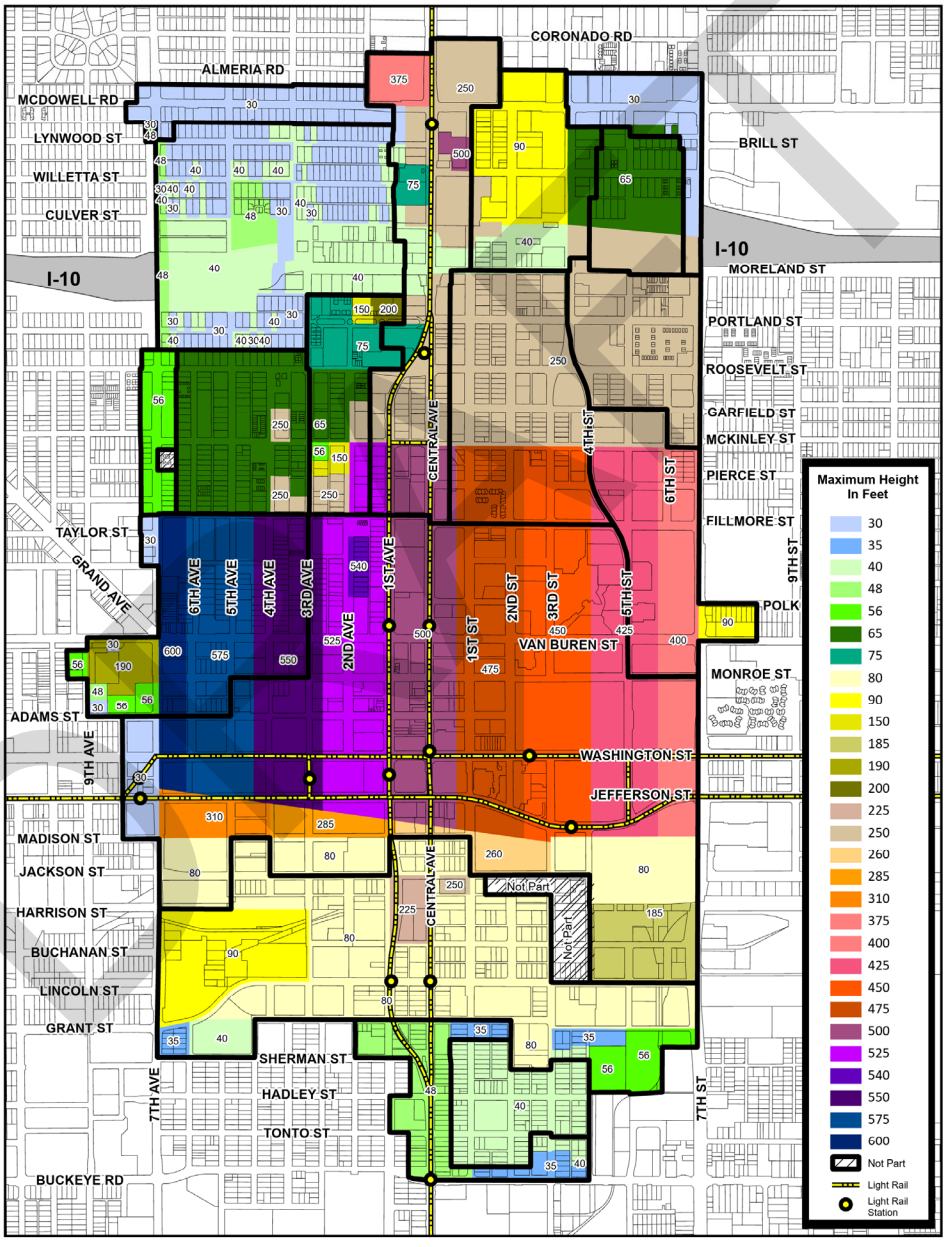
A. **Character Areas.** This map designates the Character Area boundaries for the Downtown Code:



B. **Maximum Building Height.** This map designates maximum building heights within Downtown.

1. The height limits shown on the following map are the base requirements and do not include any height bonuses which may be allowed per other sections of this Chapter. Additional setbacks may apply at the boundary between different height zones, per Section 1207.E.

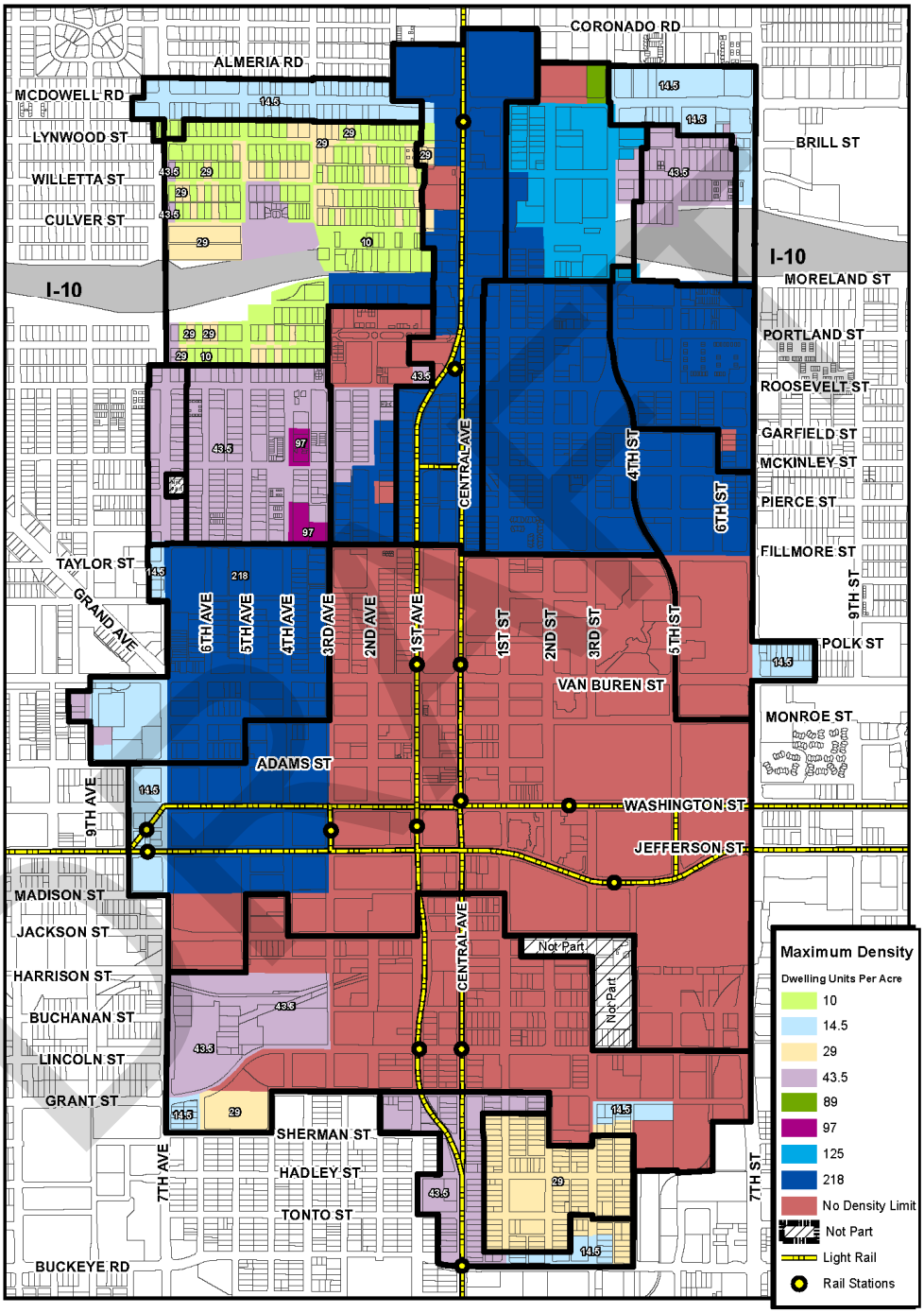
2. No building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.



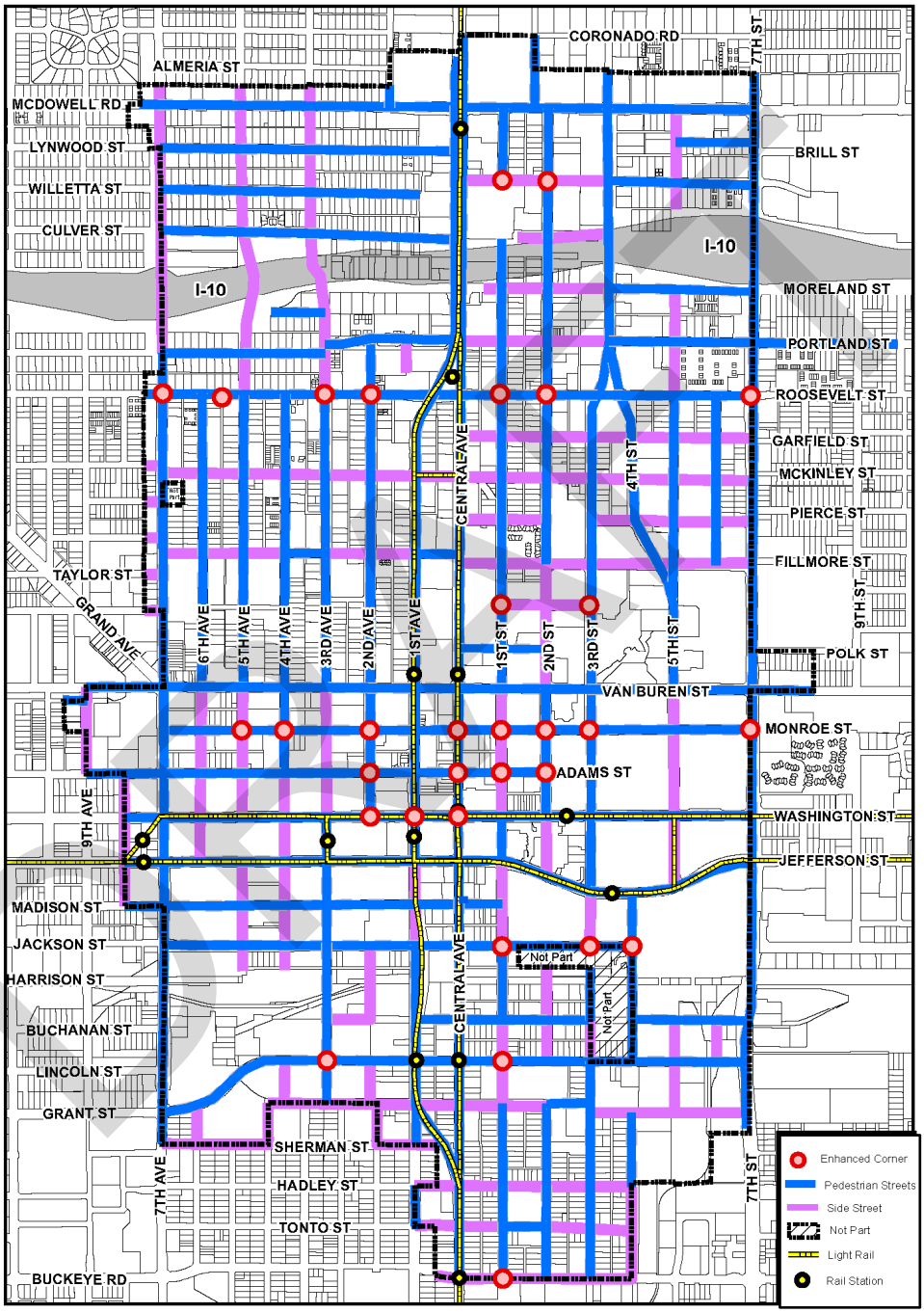

WHERE THERE EXISTS A CONFLICT BETWEEN THE HEIGHT LIMITATION PRESCRIBED IN THE CHAPTER AND ANY OTHER REGULATIONS IN CHAPTER 4 OF THE PHOENIX CITY CODE, THE LOWER LIMITATION SHALL GOVERN AND PREVAIL. (SEE PHOENIX CITY CODE SEC. 4-247)

C. **Maximum Density.** This map designates maximum density limits within Downtown.

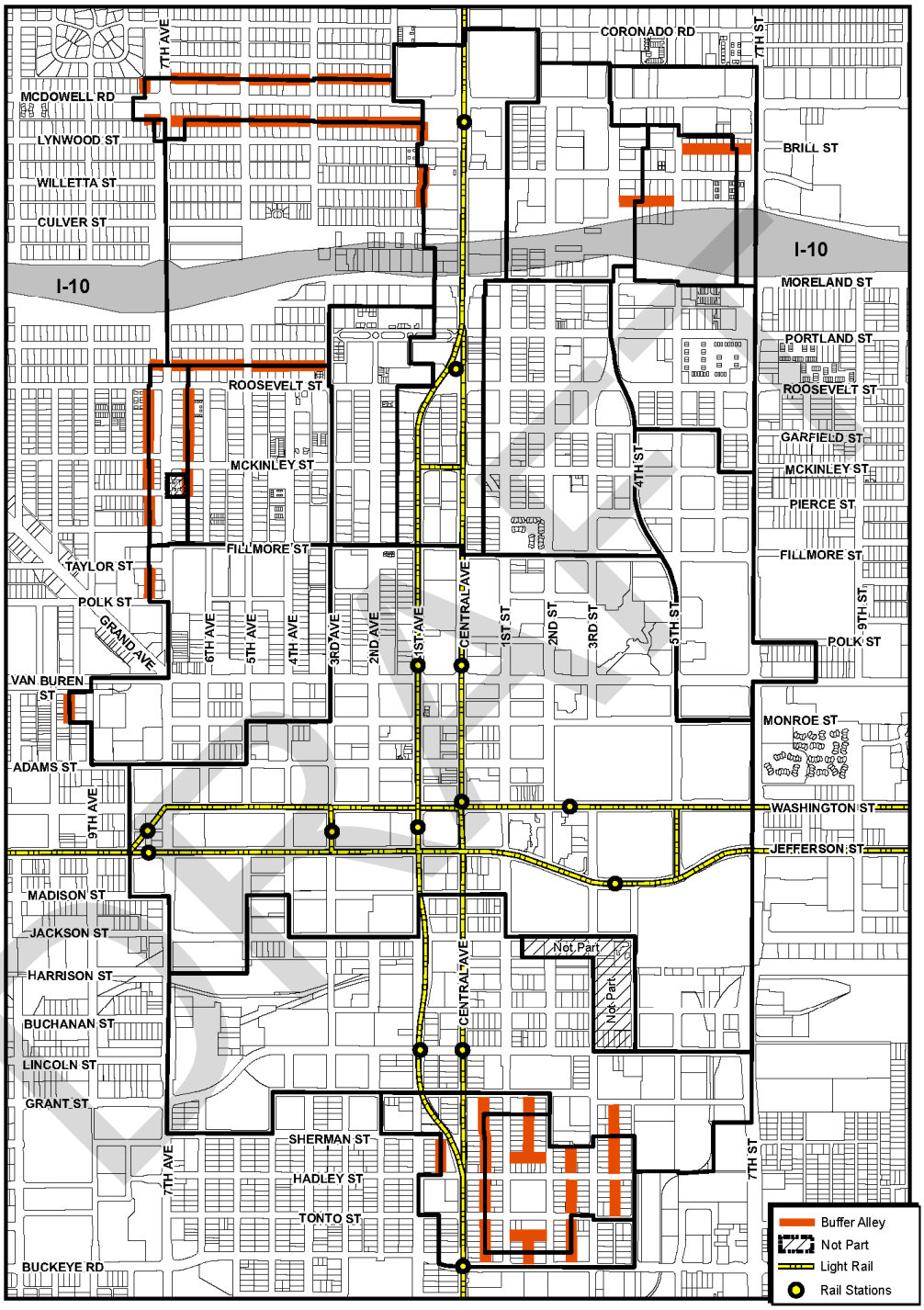
1. The density limits shown on the following map are the base requirements and do not include any density bonuses which may be allowed per other sections of this Chapter.



D. **Pedestrian Streets, Side Streets, and Enhanced Corners.** This map designates the streets within Downtown that are either Pedestrian or Side Streets, as referenced elsewhere within this Chapter. The map also designates Enhanced Corner locations as referenced elsewhere in this Chapter. Public streets not designated on this map shall be considered Pedestrian Streets.



E. **Buffer Alleys.** This map designates Buffer Alleys for which abutting properties must conform to the requirements outlined elsewhere in this Chapter.

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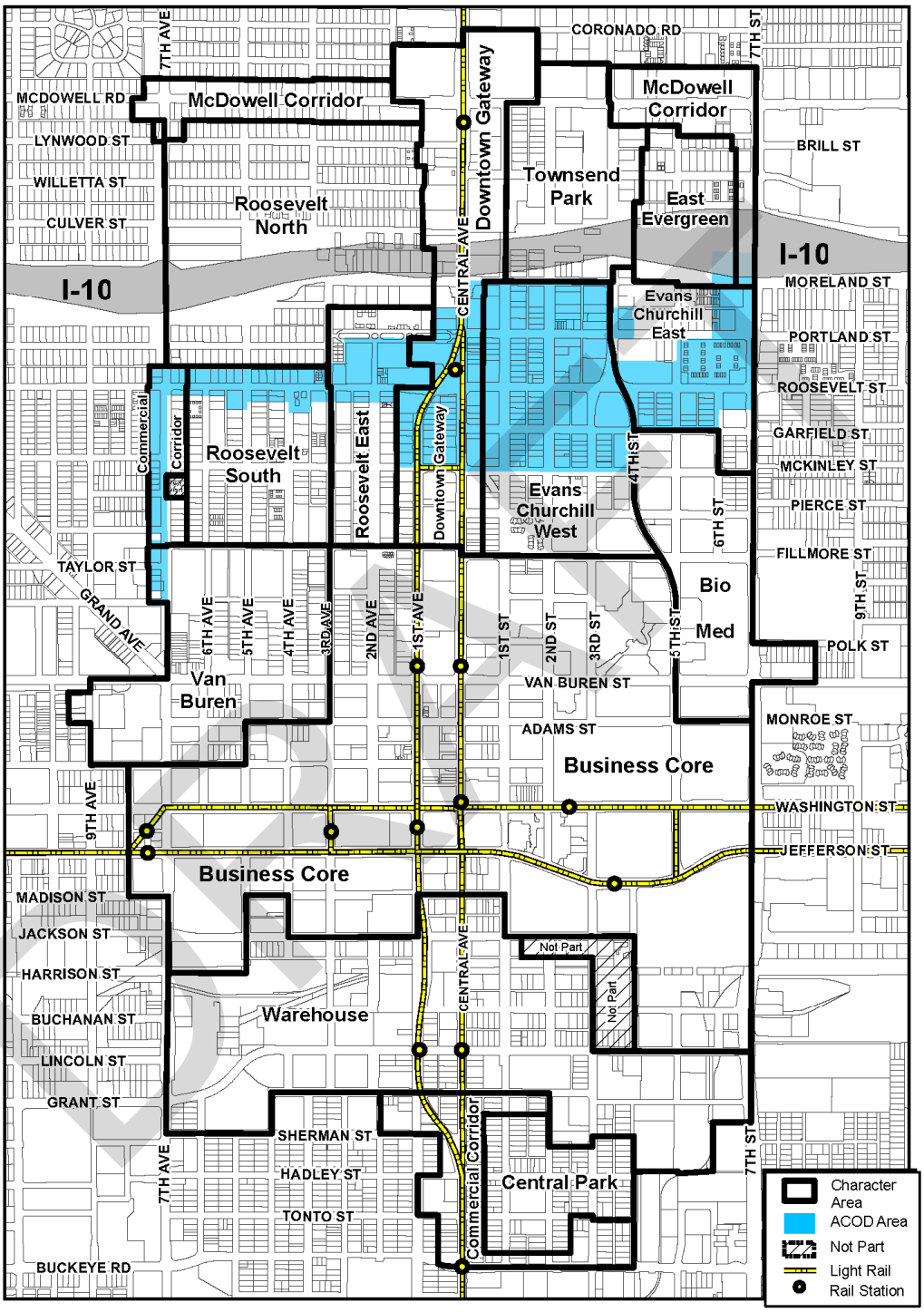
F. **Arts, Culture and Small Business Area.** This map designates the Arts, Culture, and Small Business Area referenced elsewhere in this Chapter:



## Section 1203. Land Use Matrix.

A. **Applicability.** The Land Use Matrix regulates all permitted uses within Downtown.

B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1203.C, and Land Use Conditions in Section 1203.D:

1. Any use not specifically listed in the Land Use Matrix shall not be permitted.

2. All uses indicated with “p” are permitted with the applicable Character Area.

3. All uses indicated with “pc” are permitted with conditions within the applicable Character Area. The conditions are described in Section 1203.D, Land Use Conditions, by the associated condition number (e.g. “pc15” is described under Section 1203.D.15).

4. All uses indicated with “up” are permitted within the applicable Character Area only upon approval of a Use Permit per Section 307.A.7.

5. All uses indicated with “sp” are permitted within the applicable Character Area only upon approval of a Special Permit per Section 504.1.

6. All uses indicated with “np” are not permitted within the applicable Character Area.

**C. Land Use Matrix.**

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| RESIDENTIAL USES | | | | | | | | | | | | | | | | |
| Boarding House | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Community Residence Home | | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 |
| Dwelling Unit, Multi-Family | | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| Dwelling Unit, Single-Family, Detached (including Duplex and Triplex uses) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Dwelling Unit, Single-Family Attached | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Group Home | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Group Foster Home | | p | p | up | p | p | p | p | p | p | p | up | up | p | p | p |
| Live-Work | x | p | p | pc11, 15 | p | p | p | p | p | p | p | np | p | p | p | p |

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| LAND USE CATEGORIES | | CHARACTER AREAS | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| Subdivision, Single-Family Infill | | | np | np | pc27 | pc27 | np | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | np |
| *Accessory to Residential Uses Only:* | | | | | | | | | | | | | | | | | |
| (ac) | Accessory Dwelling Unit | | np | np | pc31 | pc31 | np | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | np |
| (ac) | Home Occupations | | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 |
| ASSEMBLY USES | | | | | | | | | | | | | | | | | |
| Assembly, General | | x | p | p | np | p | p | up | p | p | p | up | np | np | p | p | p |
| Day Care (Adult Day Care Center and Child Care), Nursery School | | x | p | p | pc13, 15 | p | p | pc13, 15 | p | p | p | p | pc13, 15 | pc13, 15 | p | p | p |
| Religious Assembly | | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School | | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School, Commercial | | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| GENERAL RETAIL SALES AND RELATED SERVICE USES | | | | | | | | | | | | | | | | | |
| Artist Studio/Gallery | | x | p | p | pc4, 6, 17 | p | p* | pc4, 6, 17 | p* | p* | p | pc4, 6, 17* | np | pc4, 6, 17* | p | p | p |
| Bakery | | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Commercial Recreation | | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Farmers Market | | x | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 |

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| Garden Center, Plant Nursery | x | np | np | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Pawn Shop | x | up | np | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Pet Care Facility | x | up | up | np | up | up | up | up | up | up | up | np | np | up | up | up |
| Pet Day Care Facility | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Pet Grooming | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Retail Sales | x | p | p | np | pc10 | p | pc7 | pc9 | pc10 | pc10 | pc9 | np | pc9 | pc8 | p | p |
| Second Hand/Used Merchandise Sales | x | pc21 | pc21 | np | pc10, 21 | pc21 | pc7, 21 | pc9, 21 | pc10, 21 | pc10, 21 | pc9, 21 | np | pc9, 21 | pc8, 21 | pc21 | pc21 |
| FOOD SERVICE AND ENTERTAINMENT | | | | | | | | | | | | | | | | |
| Bar | x | up | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| (ac) Outdoor Liquor Service | x | up | up | np | up | up | up | up | up | up | up | np | up | up | up | up |
| Liquor, Retail Sales | x | up | up | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Dance Hall | x | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Restaurant | x | p | p | np | p* | p* | pc7 | p* | p* | p | p* | np | pc2* | p | p | p |
| Brew Pub, Microbrewery, Winery | x | up24 | up24 | np | up24 | up24 | up24 | up24 | up24 | up24 | up24 | np | up24 | up24 | up24 | p24 |
| *Accessory Only To Restaurant/Brew Pub/Microbrewery/Winery:* | | | | | | | | | | | | | | | | |
| (ac) Outdoor Liquor Service | x | up | p | np | up | up | up | up | up | up | up | np | up | up | up | p |

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| LAND USE CATEGORIES | | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| (ac) | Outdoor Cooking | x | up | pc4, 16 | np | up | up | np | up | up | up | up | np | np | up | up | up |
| (ac) | Outdoor Dining | x | p | p | np | pc3* | p* | np | p* | p* | p | p* | np | pc3* | p | pc3 | p |
| (ac) | Patron Dancing | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| LODGING | | | | | | | | | | | | | | | | | |
| Bed and Breakfast | | x | p | p | up | p | p | p | p | p | p | p | np | p | p | p | p |
| Hotel/Motel | | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| HEALTH AND SUPPORT SERVICES | | | | | | | | | | | | | | | | | |
| Clinic, Medical or Dental | | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| Community Residence Center | | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospice | | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospital | | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Laboratory, Medical, Dental or Clinical | | | p | p | np | up | p | up | p | p | up | up | np | up | up | up | up |
| Laboratory, Research | | | p | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| Medical or Dental Office | | x | p | p | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Nursing Home or Assisted Living Center | | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Veterinary Office | | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| INDUSTRIAL AND MANUFACTURING USES | | | | | | | | | | | | | | | | | |

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| Building Materials | | np | np | np | np | np | np | np | np | np | np | np | np | np | up | p |
| Contractor's Yards | | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Manufacturing - Artisan | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - Light | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - General | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | p |
| Manufacturing - Heavy | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| OFFICE AND PROFESSIONAL USES | | | | | | | | | | | | | | | | |
| Financial institutions | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| General Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| Professional Office | x | p | p | np | p | p | p | p | p | p | p | pc19 | p | p | p | p |
| Appliance Repair | x | pc4, 6, 17 | np | np | pc4, 6, 17 | pc4, 6, 17 | np | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | np | np | pc4, 6, 17 | p | p |
| Business Services | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Personal Services | x | p | p | np | p | p | np | p | p | p | p | np | p | p | p | p |
| Tattoo/Body-Piercing Studio | x | p | p | np | p | p | np | p | p | p | sp | np | np | np | p | p |
| STORAGE AND WHOLESALING USES | | | | | | | | | | | | | | | | |
| Self Service Storage Facility | | sp | np | np | p | sp | np | np | sp | sp | sp | np | np | np | p | p |
| Storage/Warehousing (indoor) | | np | np | np | sp | np | np | np | np | np | np | np | np | np | sp | sp |

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| Wholesale Sales | | np | np | np | up | np | np | np | np | np | np | np | np | np | up | up |
| UTILITY AND TRANSPORTATION USES | | | | | | | | | | | | | | | | |
| Motor Vehicle Rentals | x | up | pc12 | np | up | pc12 | np | sp | sp | sp | sp | np | np | sp | up | up |
| Motor Vehicle Sales (New) and Leasing | x | sp | pc12 | np | pc12 | pc12 | np | sp | sp | sp | sp | np | np | sp | pc12 | pc12 |
| Motor Vehicle Service Station, Fuel Sales | x | np | sp | np | up19 | np | np | np | np | up19 | np | np | np | np | sp | np |
| Motor Vehicle Service and Repair, Minor | x | np | np | np | np | np | np | np | np | np | np | np | np | np | sp | np |
| Motor Vehicle Washing | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| Bus Terminal | | np | sp | np | np | np | np | np | np | np | np | np | np | np | np | sp |
| Public Utility Buildings and Facilities | | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 |
| ACCESSORY USES AND FACILITIES | | | | | | | | | | | | | | | | |
| Accessory Structure (not ADU) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Adult Day Care Home | | up | p | up | p | p | p | p | p | p | p | up | p | p | p | p |
| Dependent Care Facility | | up | p | up | p | p | pc14 | p | p | p | p | up | pc14 | p | p | p |
| Drive-Through | | np | np | np | pc19, 20 | np | np | np | np | pc19, 20 | np | np | np | np | np | np |
| Helistop/Heliport | | sp | sp | np | sp | sp | np | np | sp | sp | sp | np | np | np | sp | sp |

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| Home Occupation as per Section 608.E.27 | | p | p | p | p* | p* | p* | p* | p* | p* | p* | p | p* | p | p | p |
| Outdoor Crafting of Art | | up | up | up | p22* | up* | up | p22* | p22* | p22 | p22* | up | np | up | up | p22 |
| Outdoor Display/Sales | x | up | up | np | p | up | up | up | up | up | up | np | up | up | p | p |
| Outdoor Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Outdoor Entertainment | x | up | pc4, 16, 23 | np | up* | pc5, 16, 18, 23* | up | pc5, 16, 18, 23* | pc5, 16, 18, 23* | up | up* | np | up* | up | pc4, 16, 23 | pc4, 16, 23 |
| Pocket Shelter (Accessory to Religious Assembly Only) | | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 |
| Repair and/or Storage Facilities (Accessory to Public Utility Building and Facilities Only) | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Valet Parking | | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 |
| LOCAL FOOD PRODUCTION | | | | | | | | | | | | | | | | |
| Community Garden | | up | up | up | up | up | up | up | up | up | up | np | up | up | up | up |
| Home Produce Stand | x | np | np | up | np | np | up | np | np | np | np | np | up | np | np | up |

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| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ACTIVE USE | BioMed | Business Core | Central Park | Commercial Corridors | Downtown Gateway | East Evergreen | Evans Churchill East | Evans Churchill West | McDowell Corridor | Roosevelt East | Roosevelt North | Roosevelt South | Townsend Park | Van Buren | Warehouse |
| INTERIM USES | | | | | | | | | | | | | | | | |
| Interim Vacant Land Uses | | p | p | p | p | p | p | p | p | p | p | up | p | up | p | p |
| Environmental Remediation | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Surface parking | | up | up | np | np | up | np | up | up | np | up | np | np | np | up | up |
| Civic Event | | p | p | np | np | np | np | np | np | np | np | np | np | np | np | p |

***LAND USE KEY:*** *p=permitted use, pc=permitted with conditions (see numbered footnote for conditions), up=use permit, sp=special permit, np=not permitted*

** = For properties within the Arts, Culture, and Small Business Area (see map in Section 1202.G), please refer to the additional regulations outlined in Section 1207.C. If a regulation of Section 1207.C conflicts with the provisions of this Land Use Matrix, the more permissive regulation shall apply.*

*Note: Alcohol sales and service on properties within an Entertainment District designated by the City Council pursuant to Section 4-207, Arizona Revised Statutes, must also comply with Section 307(A)(17) of the Zoning Ordinance.*

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D. **Land Use Conditions.** The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1203.C:

**Spacing:**

1. No use shall be located on a lot with a property line within 1,320 feet of the same type of use as measured in a straight line in any direction of the lot line of another such use.

**Separation:**

2. The use shall not be located within 50 feet of a Buffer Alley as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the Buffer Alley.

3. The use shall not be located within 25 feet of a Buffer Alley as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley.

**Environmental Quality:**

4. Noise, odor, dust, gas, heat, smoke, glare or vibration shall not be emitted at any time by the use that exceeds the general or ambient level by uses immediately off site as compared at the parcel boundary.

5. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained.

6. The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval.

**Maximum Size:**

7. The use shall not exceed 2,500 square feet of building area.

8. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained.

9. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained.

10. The use shall not exceed 25,000 square feet of lot area.

11. The use shall not exceed 25 percent of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50 percent of the total under roof area.

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12. The use shall not include more than ten display vehicles.

**Maximum Persons:**

13. The use may not be conducted for more than ten persons.

14. The use may not be conducted for more than 12 persons.

15. The use may not employ more than one nonresident person.

**Hours of Operation:**

16. The use is limited to Fridays, Saturdays and Sundays only, unless a use permit is obtained for other days of the week.

17. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m., unless a use permit is obtained to extend the hours.

18. The use may only be conducted between the hours of 10:00 a.m. and 12:00 midnight on Fridays and Saturdays and between 10:00 a.m. and 10:00 p.m. on Sundays, unless a use permit is obtained to extend the hours.

**Location:**

19. The use may only occur on a site that is adjoining an arterial street which is not a light-rail street.

20. Drive-through windows shall not be located within a Frontage Zone, nor drive-through queuing lanes, which also must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee.

21. Used/second hand merchandise cannot be received or processed at a site in Downtown for sale at another site. No outdoor sales or displays allowed.

22. Outdoor crafting of art subject to the following:

    a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street.

    b. Storage of materials associated with the crafting area shall not exceed eight feet in height and shall be limited to the rear or side yard.

    c. Storage area shall be fully screened with a solid wall or landscaping.

    d. Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance.

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23. Outdoor entertainment, subject to the following:

    a. Outdoor event or performances are open to the public.

    b. The outdoor event or performance must be presented by an existing business on the property.

    c. The business's regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

24. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.

25. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services.

26. Farmers markets, subject to the following:

    a. Obtaining an administrative temporary use permit (ATUP) in accordance with the provisions of Section 708 if no food or beverage is dispensed from a vehicle.

    b. Obtaining a use permit in accordance with the provisions of Section 307 if food or beverage is dispensed from a vehicle.

    c. On-site operational conditions and improvements may be stipulated as a condition of an ATUP or use permit approval.

27. Single-family infill subdivision, per Section 608.F.6 and Section 614, Table 614.B, except as modified below:

    a. Historic Preservation designated properties or properties in historic districts cannot use the single-family infill development option.

    b. Maximum height: as per height map, Section 1202.B.

    c. Maximum density:  as per density map, Section 1202.C.

    d. Maximum lot coverage: 100 percent per townhome lot; overall subdivision lot coverage per applicable Character Area.

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e. Frontage Requirements: as per the applicable Character Area; or if lots front on a something other than a Frontage Zone, per the regulations of Section 608.F.6 and Section 614, Table B, Column D.

f. Setbacks:

(1) Perimeter setbacks (interior and street frontage): per the applicable Character Area; or if lots front on a dedicated alley with no Frontage Zone, minimum 10 feet setback.
(2) Individual lot front (not on a perimeter): 0 feet.
(3) Individual lot side and rear: 0 feet or the required perimeter setback, whichever is greater.

g. Allowed uses: single-family attached dwelling units and home occupations per Section 608, except that units fronting a perimeter street (not an alley) may have additional uses as permitted per the applicable Character Area. Single-family detached units are permitted for no more than 20% of the units in an SFI development to allow for variety and efficiency of design.

h. Parking and loading: per Section 1206, except that one space per dwelling unit is required to be covered.

i. Design: units adjacent to perimeter streets shall provide primary entrances facing and accessible from the street. No garages or carports are allowed to face perimeter streets. (R*)

j. All subdivisions must comply with the requirements of the Subdivision Ordinance (Chapter 32 of the City Code), as may be modified by the Subdivision Committee to further the goals of this Chapter and the applicable Character Area.

28. Public utility buildings and facilities shall be fully screened and subject to the following:

a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R*)

b. All public utility buildings and facilities subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a Design Alternative Appeal, per the provisions of Section 1224.A.

c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property

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owners and to neighborhood associations registered with the City pursuant to the DRC process handout.

d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.

e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:

(1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.
(2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.
(3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:

A minimum of two of the following installations:

(a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.
(b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
(c) Shade trees or shade structures.
(d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

(e) A local public art component and/or wall displays for local public arts organizations.
(f) An educational component that describes the history or setting.
(g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.
(h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.

f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other Frontage and Streetscape Zone regulations, including those indicated as (R).

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**Dispersal and Establishment of a Registered Use:**

29. Community residence homes, subject to the following:

    a. The home has no more than five residents, not including staff (unless permitted by Section 36-582(A), Arizona Revised Statutes); or

    b. For a home with six to ten residents, not including staff, the following conditions shall apply:

        (1) Such home shall be registered with, and administratively verified by, the Planning and Development Department Director's designee as to compliance with the standards of this section as provided in Section 701.
        (2) No community residence home shall be located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another community residence home that has been registered with six to ten residents.
        (3) Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.

**Accessory Uses:**

30. Valet Parking, subject to the following:

    a. Valet parking is permitted by right if accessory to a permitted use or a use permitted with conditions, so long as all of the conditions are complied with. For primary uses subject to approval through a use permit or special permit, valet parking is permitted as an accessory use only if the valet parking is specifically approved as part of the use permit or special permit.

    b. Valet parking spaces for a use located on a different site than for which the parking is to be provided is allowed only if the following three conditions are met:

        (1) Both the site where the parking is to be located, and the site for which the parking is provided, are allowed the use(s) for which the parking is to be provided. For sites with uses permitted by use permit or special permit, compliance with Section 1203.D.30.a is required.

        (2) The site on which the valet parking is to be provided also has a primary use, or is otherwise permitted to have valet parking.

        (3) The site where the valet parking is to be located has provided parking spaces in excess of any required minimum parking for the subject site. This provision does

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not grant permission to provide more parking spaces than the maximum parking spaces allowed for uses located on the site.

c. Valet parking facilities, when provided, must comply with the additional development regulations of Section 1206.G.

31. Accessory Dwelling Unit (ADU). Two ADUs are permitted on a lot which has only one other single-family detached dwelling unit. A third ADU is permitted only when at least one ADU qualifies as low-income housing and the net lot size is a minimum of 43,560 square feet.

32. Home Occupations, subject to the provisions of Section 608.E.27. Properties subject to the provisions of Arts, Culture, and Small Business Area have additional permissions, as outlined in Section 1207.M.

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## Section 1204. Streetscape and Frontage Zones.

**A. Applicability.**

1. **Streetscape Zone.** This is the area located between the curb and the property line located within a dedicated street, of a minimum depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The minimum depth required is inclusive of sidewalk provided within the Streetscape Zone.

2. **Frontage Zone.** This is the portion of a private lot or parcel located directly adjacent to a Streetscape Zone, of a depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The depth of the Frontage Zone is measured from and perpendicular to the property line abutting the street.

    b. If the Street Transportation Department allows a sidewalk easement to be dedicated in lieu of required ROW based upon the adopted Street Classification Map, and/or a public utility easement is dedicated, the Frontage Zone depth shall be measured from the back of the easement. If both easements are dedicated over the same area, the setback shall be from the larger easement.

    c. Frontage Zones and associated development regulations apply only to the first 25 feet of the development as measured vertically above the finished grade.

    d. Frontage Zones do not apply where parcels abut dedicated alleys.

3. **Combined Dimensions of Streetscape Zone and Frontage Zone.**

    a. In cases where the existing Streetscape Zone does not meet the minimum depth required, the Frontage Zone depth shall be increased by the same amount as the deficiency in the Streetscape Zone depth, unless the Streetscape Zone can be brought into compliance within the existing ROW, or by dedication of additional ROW as approved by the Street Transportation Department.

    b. When the minimum Frontage Zone depth is 15 feet or greater, Planning and Development staff have the authority to reduce the Frontage Zone depth by up to 5 feet so long as the Streetscape Zone is increased by the same amount.

    c. Additional easement dedications may be required if public sidewalks, public utilities, or other public amenities are provided within the Frontage Zone. (T)

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***Figure 1204.1 Non-Residential Streetscape and Frontage Zone (example)***

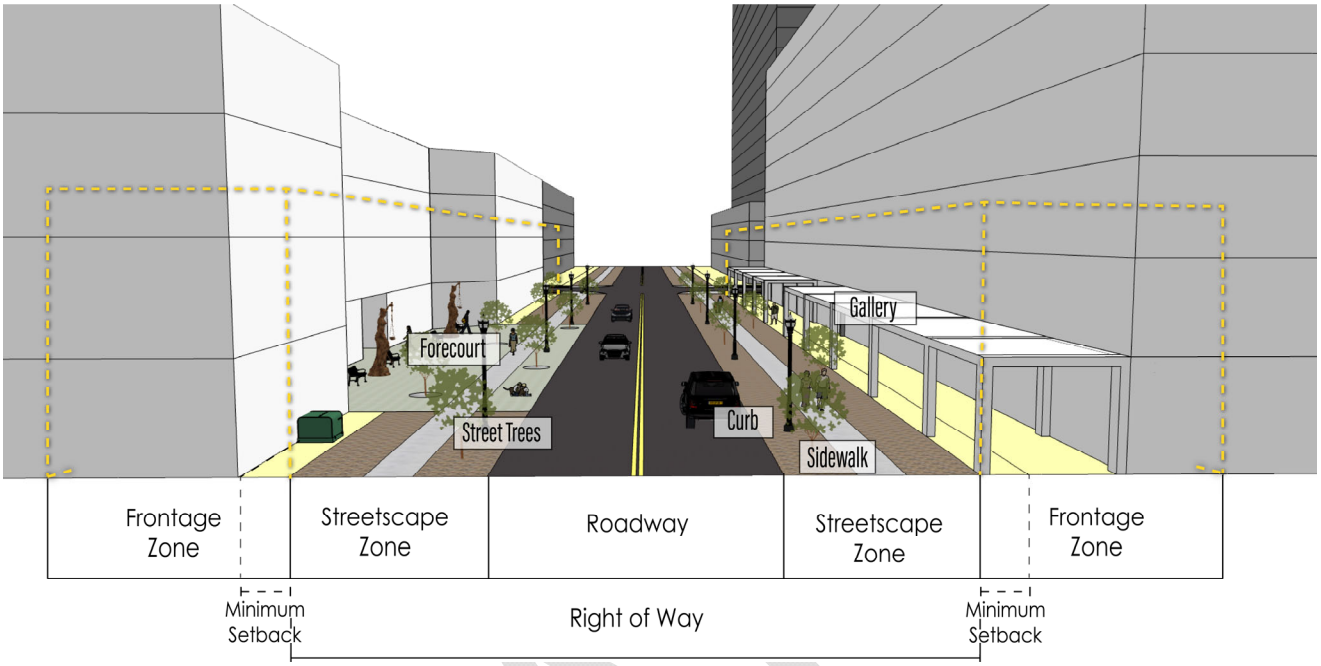
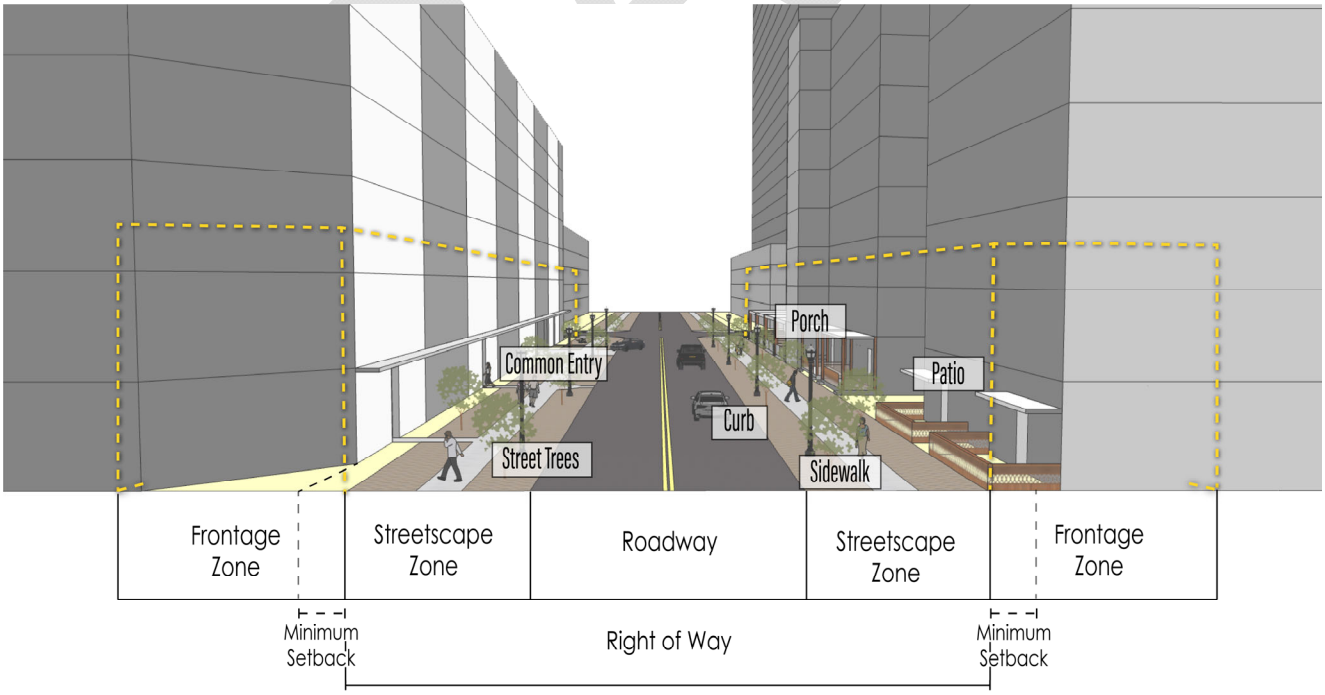



***Figure 1204.2 Residential Streetscape and Frontage Zone (example)***



**B. Streetscape Zone Standards.**

1. **Intent.** The Streetscape Zone is the public realm, and the area from which the public may access private properties via multiple transportation modes.

    a. Along Pedestrian Streets, the Streetscape Zone area should be designed primarily for pedestrians, providing shade, easy access to building entrances, and complementary landscaping.

    b. Along Side Streets, the Streetscape Zone area is expected to have automobile access, parking and loading access, as well as service areas adjoining them, while still serving pedestrians.

2. **Structures and Projections within the Streetscape Zone.** Structures shall not be constructed or provided within the Streetscape Zone, except where specifically permitted within this Chapter. Any allowed structural projections into public rights-of-way may only be installed upon issuance of an encroachment permit as administered by the City of Phoenix, and if applicable, approval from affected public utility companies. (T)

    a. Cantilevered structural shade elements projecting from the building are not subject to minimum setback requirements and are allowed to project into the public right-of-way (with approval of an encroachment permit) so long as the structures do not preclude the installation of required street trees. The shade elements shall be removable, unless otherwise approved in writing by all affected City departments and utilities. (T)

    b. Stairs/steps/accessible ramps to building entrances (other than those required for public street crossings or existing grade differentials within the public right-of-way) are not permitted within the Streetscape Zone. Retaining walls within the Streetscape Zone are regulated by Section 1204.D. (T)

    c. Transformers and other mechanical equipment are not permitted to be located within the Streetscape Zone. (T)

3. **Uses permitted within the Streetscape Zone**. No uses are permitted with the Streetscape Zone unless specifically permitted by other provisions of this Chapter, with the following exceptions:

    a. Development regulations for uses permitted within the Streetscape Zone shall be the same as those provided for the adjacent Frontage Zone, unless specific regulations for the use or structure located within the Streetscape Zone are provided elsewhere within this Chapter.

    b. Uses which are permitted by right or with conditions for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department, if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The proposed use complies with the development regulations required of the use when located within the adjacent Frontage Zone.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

c. Uses which are permitted with approval of a use permit or special permit for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The use of the right-of-way is specifically shown and reviewed as part of the use permit or special permit approval.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

4. Private pedestrian and bicycle amenities being provided for residents or on-site users should not be located within the public right-of-way. (P)

*Rationale: Non-structural amenities (such as benches, lit bollards, bicycle racks, or public art) should not cause obstructions to pedestrian routes, prevent proper installation or clearances for required landscape, or private utility lines in the Streetscape Zone. Amenities should instead be provided within the Frontage Zone whenever possible. This does not apply to amenities specifically provided for public use.*

5. In the Roosevelt North, Roosevelt South, and Roosevelt East character areas, where there is an existing Streetscape Zone larger than required by the applicable Character Area, a private development shall not reduce the Streetscape Zone by moving the curb and widening the street to provide new on-street parking, loading, or drop off areas: (R*)

*Rationale: The Roosevelt Character areas retain a significant number of historic single-family homes, and many blocks have large areas between the curb and the sidewalk historically used for landscaping. These areas should not be reduced for vehicle parking, passenger loading, or good/services loading, unless approved by both Street Transportation and the Design Review Committee.*

6. On-Street Parking. When on-street parking is provided abutting a site, a minimum 4-foot wide concrete walkway may be provided adjacent to the raised curb in addition to the required sidewalk, so long as it does not preclude installation of required street trees. The walkway shall provide paved connections at reasonable intervals to the public sidewalk, and be constructed to the same standards as the public sidewalk. (T)

*Rationale: Persons exiting a car parked adjacent to a curb should not have to step into a landscape or other areas unsuitable for pedestrians.*

7. **Sidewalks.**

   a. Location. The required public sidewalk shall be located within the Streetscape Zone, subject to the following:

      (1) On a Side Street, the sidewalk may be attached to the curb, unless it is a designated Arterial Street. (T)

      (2) On a Pedestrian Street, the sidewalk shall be detached from the curb and the required street trees located between the curb and sidewalk, unless a Technical Appeal is approved to allow an attached sidewalk when abutting on-street parking. (T)

      (3) When a required sidewalk is approved to be attached to the curb, the sidewalk shall be a minimum of 8 feet wide, regardless of the Character Area requirement. (T)

   b. Elevation. The required public sidewalk should be constructed no higher than six inches above the immediately adjacent street top of curb. Additional elevation may be permitted without a Technical Appeal when the area between the back of curb and sidewalk has a slope no steeper than 10:1 and no retaining walls are provided. (T)

      *Rationale: Most of the sidewalks in Downtown are existing and historic. Sidewalks reconstructed higher than 6" above the adjacent top of curb can make access from on-street parking difficult; can provide challenges with ADA compliance; can cause steep slopes within adjacent landscape areas which encourage erosion and discourage the growth of plants and trees; and can interrupt the visual and historic continuity of the neighborhood. If the finished floor of the building(s) are higher than six inches above the top of curb, ramps and/or steps should be provided from the sidewalk to the building entries, rather than raising the sidewalk, unless it can be done in a very gradual manner.*

   c. Planning and Development staff may allow a decrease in the minimum required sidewalk width of up to one foot in the case of conflicts with existing utilities other existing obstacles which cannot otherwise be avoided. (T)

   d. The required sidewalk shall be clear of all obstacles for the full minimum required sidewalk width. Approved amenities and landscaping (including tree grates) shall only be allowed within portions of the sidewalk wider than the minimum required. (T)

   e. Sidewalks located within the public right-of-way shall be constructed using materials and methods approved by the Street Transportation Department. (T)

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f. Where setback sidewalks exist on a block face where there is an HP designated property, the sidewalk should remain within the historic alignment for that block face and not be offset by more than one foot. (P)

*Rationale: Historic streetscapes are generally defined by a consistent sidewalk and landscape area along a single block face. These streetscapes are an important part of the Downtown Phoenix character and should be maintained whenever possible.*

g. The required sidewalk should not have jogs and offsets, and should be in a straight line unless navigation around existing conflicts in the Streetscape Zone is unavoidable. (P)

*Rationale: Pedestrians of all capabilities should be able to navigate sidewalks easily and not have unnecessary diversions around landscape, amenities, transformers, or similar potential obstructions.*

**C. Frontage Zone Standards.**

1. **Intent.** The Frontage Zone is the interface between the public and the private realm, and the area where public amenities (including but not limited to pedestrian and bicycle amenities, outdoor dining, public courtyards, public art, etc.) should be located.

2. **Structures within the Frontage Zone.** Structures shall not be constructed within the Frontage Zone, except where specifically permitted by this Chapter.

   a. For wall/fence requirements, refer to Section 1207.D and any applicable Frontage Element regulations.

   b. For retaining wall requirements, refer to Section 1204.D and any applicable Frontage Element regulations.

3. **Amenities and Projections within the Frontage Zone.** The following items may project or be constructed within the Frontage Zone, but no closer than the minimum setback as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area, unless specifically permitted elsewhere in this Chapter: (R*)

   a. Frontage Elements, as allowed by the Character Area.

   b. Exterior stairwells constructed as part of the building and not part of the hardscape.

   c. Parking spaces within structured parking and/or located internal to the building and screened from view of the Frontage Zone.

   The following items are permitted anywhere within the Frontage Zone and are not required to meet minimum setbacks, so long as they do not preclude installation of required street trees and shading requirements:

   d. Outdoor dining patio or bar area, covered or open (if a permitted use).



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e. Bicycle parking and amenities.

f. Pedestrian amenities.

g. Exterior art installations.

h. Passenger loading zones.

i. Valet parking facilities, subject to the provisions of Section 1206.G.

j. Drainage facilities.

k. Mechanical equipment/systems, so long as a minimum 5 feet separation from the public sidewalk is provided.

l. Basements/utility vaults.

m. Cantilevered awnings/shade structures.

n. ADA ramps/pathways.

4. **Minimum Building Frontage Requirements.**

a. The length of each building façade constructed within or abutting the Frontage Zone shall be no less than required by the Streetscape and Frontage Zone Matrix for the applicable Character Area and street section, unless otherwise approved by the DRC as a Design Alternative per Section 1224.A.

b. The minimum building frontage requirement shall be calculated as a percentage of the length of the frontage property line, and the façade shall be measured by a line parallel with the frontage property line. For the purposes of this calculation only, the following may be subtracted from the length of the frontage property line:

(1) The width of driveways at the frontage property line, so long as the driveways are otherwise compliant with this Chapter.

(2) The portion of required visibility triangles which are deeper than the applicable Frontage Zone depth.

c. All portions of the building façade abutting or located within the Frontage Zone, including Frontage Elements, may be used to calculate the required minimum building frontage. Certain Frontage Elements may provide additional flexibility in calculating the required minimum building frontage, as stated elsewhere in this Chapter.

d. Underground structures cannot be counted toward meeting minimum building frontage requirements.



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5. **Hardscape Guidelines—Frontage Zones.**

   a. Alternative paving materials should be used when possible within the Frontage Zone to reduce the urban heat island effect, and to allow natural drainage and filtration. (T)

   b. Permeable paving, porous concrete or similar material should be installed adjacent to tree wells. The design should ensure adequate watering and root growth. (T)

   c. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on private walkways and patio/gathering areas. (T)

**D. Grading and Drainage Requirements—Streetscape and Frontage Zones.**

1. The maximum slope of any landscape or non-hardscape area located within the Streetscape Zone is 10:1. (T)

2. The maximum grade differential of the Frontage Zone from the adjacent Streetscape Zone is 30 inches, unless specifically permitted elsewhere in this Chapter. (T)

3. Retaining walls are not allowed within the Streetscape Zone. (T)

4. Retaining walls up to 36 inches in height are allowed within the Frontage Zone, unless greater height is specifically permitted elsewhere in this Chapter. (T)

5. If the required finished floor elevation is at a height which will require stairs or ADA ramps to connect building entries with the sidewalk, or will require a retaining wall exceeding heights permitted for Streetscape and Frontage Zones, the depth of the Frontage Zone may be increased to the depth required to avoid steps or ramps (if desired). (T)

**E. Design Requirements—Frontage Zones.**

1. Along Pedestrian Streets, buildings facades facing Frontage Zones shall incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 75% of the required building frontage for each Frontage Zone, unless a Design Alternative is approved by the Design Review Committee per Section 1224.A. (R*)

2. Along Side Streets, buildings facades facing Frontage Zones should incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 50% of the required building frontage for each Frontage Zone. (P)

   *Rationale: Appropriate Frontage Elements for have been determined through extensive staff analysis and community input for each Character Area, as well as the specific streets within each area. Facades located along designated Side Streets may be granted additional flexibility in application of this design requirement.*

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3. The portion of a building facade adjacent to a Frontage Zone which does not comply with a Frontage Element design should have a level of trim and finish compatible with the quality and design of the remainder of the Frontage Zone façade(s). (P)

   *Rationale: The portion of facades not required to meet the minimum building frontage, or the portion which does project into the Frontage Zone should still consist of high quality materials, and be integrated with the design of the remainder of the façade. Unfinished surfaces and blank walls should not be provided where visible from a Frontage Zone.*

4. The areas of a Frontage Zone not adjacent to or occupied by Frontage Elements shall be improved as follows:

   a. Landscape shall be provided in accordance with Section 1204.G. (T)

   b. Seating should be provided. Seating may consist of installed benches or removable furniture. This shall not apply within the Roosevelt North, Roosevelt South, and East Evergreen character areas. (P)

      *Rationale: Character areas consisting mainly of traditional single-family homes and historic designations should maintain the residential character of private front yards when possible.*

   c. Other features which attract and engage pedestrians should be provided, such as (but not limited to) bicycle parking and amenities, exterior art installations, additional structural shade, etc. (P)

      *Rationale: the area of a Frontage Zone not adjacent to a Frontage Element, where conflicts with primary entrances are less likely to occur, should have other features which encourage use by pedestrians and cyclists.*

5. Building entrances shall face toward the street in order to meet the intent of activating the public realm. Entrances from a permitted Frontage Element (such as Forecourt, Patio, Porch, or Stoop/Doorwell) are exempt from this requirement. (R*)

6. Public building entrances, residential patios/porches, windows, storefronts, outdoor dining, public gathering areas, exterior art installations, and other similar features should be located adjacent to Pedestrian Streets. (P)

   *Rationale: On Pedestrian Streets, adjacent structures should be designed to provide easy and obvious pedestrian access to the buildings, to encourage pedestrian use.*

7. All on-site mechanical equipment, transformers, utility equipment, trash/recycling receptacles, or similar must be fully screened from view from the Streetscape Zone. Screening may consist of the following: (P)

   a. Green screen.

b. Dense landscaping which provides screening starting from the time of initial installation.

c. Decorative walls or fences up to 40 inches in height if within the minimum setback area, or 72” if behind the minimum setback.

d. Underground utility vaults.

e. Along Side Streets only: decorative walls or fences up to 8 feet in height if located at or beyond the minimum setback.

*Rationale: The Streetscape environment should be aesthetically pleasing, and service equipment/areas should be screened from view whenever possible. If it is simply not possible, the visual impact should be mitigated by disguising equipment with paint or other treatments as approved by PDD and any affected utility company.*

8. Along Pedestrian Streets, all windows and doors counting toward required glazing should allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. (P)

9. Along Pedestrian Streets, commercial suites with windows or entrances to Frontage Zones should be constructed so that a public area of the suite (lobby, reception area, dining area, or similar) is adjacent to the Frontage Zone. Storage areas, private offices, kitchens, or other areas restricted to the public/customer use shall not be located adjacent to doors or windows facing a Pedestrian Street. (P)

*Rationale for E.8 and E.9: Frontage Zones along Pedestrian Streets should attract, engage, and interest pedestrians at the street level and encourage patronage of the businesses. Opaque or translucent/frosted windows, or views into employee or storage areas do not meet this intent.*

10. Building facades abutting or within a Frontage Zone should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the Frontage Zone and all additional stories. (P)

*Rationale: Large buildings should provide a transition to a pedestrian scale to make such areas feel comfortable for pedestrians, without causing a feeling of walking up to the base of a tall “cliff”.*

11. Roof drains shall not be designed to drain across public sidewalks or other pedestrian walkways. (T)

**F. Shade Standards—Streetscape and Frontage Zones.**

1. Public and private pedestrian walkways should be shaded (minimum 75 percent at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

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2. All Streetscape and Frontage Zones should be shaded (50% at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

   *Rationale for F.1 and F.2: The design of pedestrian routes and gathering areas, such as public sidewalks, private walkways, courtyards, plazas, and transit stops, should be designed with appropriate shading for the health, safety, and welfare of pedestrians and to mitigate the heat island effect to enhance the pedestrian environment.*

3. Shade calculations shall be based on shade cast at the summer solstice at 12:00 noon. (T)

4. Shade cast from required shade trees, structural shade (canopies/awnings), or shade cast from a building may be used to comply with the shade requirements of this section.

**G. Landscape Requirements—Streetscape and Frontage Zones.**

1. Landscape shall be provided, subject to the following:

   a. Where there is an existing established streetscape theme, including street trees, additional trees shall be provided to replace removed or destroyed trees, and/or to comply with shade requirements. In such cases, the trees shall be of like kind and size to those provided with the existing streetscape, as approved by the PDD Landscape Architect. (T)

   b. Trees shall be provided for the full length of the Streetscape Zone at a minimum rate of 20 feet on center, or equivalent groupings as approved by the PDD Landscape Architect (T).

      (1) This requirement does not apply to properties with a maximum of two dwelling units and no other primary uses.

      (2) Trees provided within the Streetscape Zone may be used to comply with the shade requirements of Section 1204.F.

      (3) All trees planted to meet this requirement must be selected from the Tree Species Matrix, Section 1204.G.5, and allowed for use in the Streetscape Zone, or match the existing streetscape trees adjacent to the site.

      (4) If existing utility conflicts prevent the installation of trees within both the Streetscape Zone and the Frontage Zone, architecturally or artistically integrated structural shade may be requested for approval by filing a Technical Appeal.

   c. If necessary to avoid existing utility conflicts, required street trees may be provided within the Frontage Zone within 5 feet of the sidewalk, as approved by PDD. (T)

   d. Trees shall be provided within a minimum 5 feet wide landscape area, unless tree wells (or equivalent) are provided outside of the required minimum sidewalk width to avoid conflicts with existing utilities or other existing street improvements. (T)

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e. When two rows of trees are provided either side of the public sidewalk, the minimum planting area for each row should be 5' wide, unless tree wells are approved by the PDD Landscape Architect (T).

f. Where hardscape is not necessary for pedestrian connections to amenities, drop off/pickup zones, on-street parking, or similar, shrubs or groundcovers shall be installed in addition to trees to provide 75% live coverage. This percentage may be reduced to 50% if bioswales are approved for use within the Streetscape Zone. (T)

g. Unless prohibited by law, palm trees may be installed in the Streetscape Zone in areas where palm trees have historically been provided in the ROW, in addition to any required shade trees. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

h. In areas where turf has historically been provided within the Streetscape Zone, turf may be provided unless otherwise prohibited for use within the ROW by law. Alternatively, low growing, drought-tolerant green ground covers may instead be provided, as approved by the PDD Landscape Architect. (T)

i. Artificial turf is not permitted for use within public rights-of-way, and may not be used to comply with any on-site landscape requirements. It may be used for outdoor amenity areas which are not required to be landscaped. (T)

2. Tree wells, if permitted, shall be a minimum five feet by five feet, or a two-foot six-inch radius from the base of the tree. (T)

   a. A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. (T)

   b. The landscape plans shall demonstrate that the soil volume to be provided for each tree is sufficient for the healthy and successful maturity of type of tree chosen, as approved by the PDD Landscape Architect. (T)

3. All landscape areas located within the Streetscape Zone shall not exceed a 10:1 slope. (T)

4. New underground utility lines or equipment should not be installed where street trees are required unless other options are not technically feasible, as approved through a Technical Appeal. (T)

   *Rationale: The Streetscape and Frontage Zones should provide a pleasant and comfortable pedestrian experience, of which landscape and shade are of great importance. If a technical appeal is approved because there is no other technically feasible option, the appeal should address how required landscape and shade requirements will still be met.*

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5. **Tree Species Matrix**. The following is a list of shade trees permitted for use within Streetscape and Frontage Zones, as indicated below. Additional tree types may be requested for approval by filing a Technical Appeal. All trees used within public rights-of-way must be low-water use/drought-tolerant as approved by the Arizona Department of Water Resources. (T)

| **Tree Species Matrix (Streetscape and Frontage Zones)** | | | |
|---|---|---|---|
| *Botanical Name* | Common Name | Allowed locations | |
| | | Public right of way (Streetscape Zone) | Private property (Frontage Zone) |
| | | | |
| *Parkinsonia florida* | Blue Palo Verde | Yes | Yes |
| *Pistacia chinensis (+ hybrids)* | Chinese Pistache | Yes | Yes |
| *Chilopsis linearis* | Desert Willow | Yes | Yes |
| *Ulmus parvifolia 'Sempervirens'* | Evergreen Elm, Chinese Evergreen Elm | Yes | Yes |
| *Quercus virginiana* | Heritage Live Oak | Yes | Yes |
| *Gleditsia triacanthos (thornless)* | Honey Locust (thornless) | Yes | Yes |
| *Olneya tesota* | Ironwood | Yes | Yes |
| *Prosopis spp. (thornless)* | Mesquite (thornless hybrids) | Yes | Yes |
| *Olea europaea (fruitless)* | Olive (fruitless hybrids) | Yes | Yes |
| *Dalbergia sissoo* | Sissoo Tree, Indian Rosewood | Yes | Yes |
| *Fraxinus velutina (+ hybrids)* | Arizona Ash (varieties) | No | Yes |
| *Acacia farnesiana (Acacia smallii)* | Sweet Acacia | No | Yes |

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## Section 1205. Frontage Elements.

The following Frontage elements consist of architectural features, designs, and amenities which may project within the Frontage Zone, though no closer than the required minimum setback unless specifically permitted by this Chapter. Please see the Frontage and Streetscape Zone Matrix for each Character Area for applicable standards, in addition to the Streetscape and Frontage Zone standards of Section 1204.

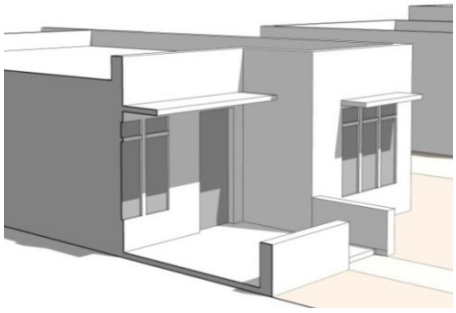
**A. Active Front Yard (AFY).** An Active Front Yard is a frontage element intended for use on blocks with a high percentage of existing and/or historic single-family or duplex style residential structures. AFY is not permitted for use on sites with primary uses which are non-residential, or on residential lots with more than two dwelling units (not including ADUs). (R*)

1. For sites with HP zoning or designation, both the building elevations and improvements in the Frontage Zone shall be constructed as approved by Historic Preservation.

2. For sites not zoned or designated HP, buildings and improvements shall be installed in conformance with Section 507 Tab A II.C.8.5 (Individual Unit Design Standards). If any of the requirements of Section 507 Tab A II.C.8.5 conflict with provisions of the Downtown Code, Section 507 Tab A II.C.8.5 requirements shall prevail.

3. Minimum building frontages stated in the Streetscape and Frontage Matrix for each Character Area do not apply when implementing Active Front Yard standards as a Frontage Element.

**B. Patio (PA).** A Patio (previously known as a "Dooryard") is a residential frontage element which incorporates a private outdoor space for each dwelling unit, and is surrounded by a fence or wall to provide a separation of the private realm from the adjacent streetscape.



1. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards:

   a. Minimum depth: 8 feet. (R*)
   b. Minimum area: 64 square feet. (R*)
   c. Maximum grade differential: 30 inches above adjacent Streetscape grade. (T)
   d. Placement: Adjacent to the individual dwelling unit entry. (R*)
   e. Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. (T)

2. Pedestrian access. An opening in the wall/fence, or stairs to the elevated area, shall be provided for a pedestrian connection to the adjacent streetscape from each Patio. (R*)

3. Separation of public and private realm:

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a. A wall/fence of at least 40 inches in height shall be provided around each Patio, up to a maximum of 72 inches in height as measured from the adjacent streetscape grade. This maximum height applies only to walls abutting patios and not to other walls located in the Frontage Zone.
b. The portion of walls or fences above 40 inches in height shall consist of view fencing, as approved by Planning and Development.
c. Screen walls/fences may be constructed on top of permitted retaining walls, but the combined height of the retaining wall and screen wall/fence may not exceed 72 inches as measured from the adjacent streetscape grade.

4. Shade. Each Patio shall have a minimum of 50% shade provided either by landscaping or permanent structural shade. (T)

**C. Stoop/Door Well (SD).** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent streetscape. A Stoop/Door Well is constructed as an integral part of the building, rather than as a courtyard or patio. It may or may not have structural shade.



1. A landing area shall be provided for each Stoop/Door Well in accordance with the following standards:

   a. Minimum depth: 6 feet. (R*)
   b. Minimum area: 36 square feet (R*)
   c. Maximum grade differential: 60 inches above or below adjacent Streetscape grade. Retaining walls of up to 66 inches in height may be permitted within the Frontage Zone when necessary for this Frontage element. (T)
   d. Placement: Adjacent to a primary entrance. (R*)
   e. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Stoop/Door Well shall be provided. (R*)

3. Minimum building frontage requirements. If a Stoop/Doorwell is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Stoop/Doorwell shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Stoop/Doorwell is located within or abutting the Frontage Zone. (R*)

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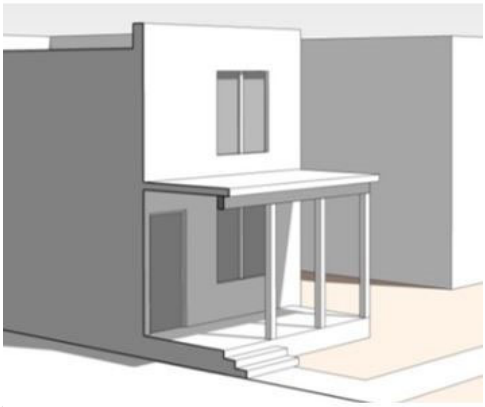
**D. Porch (PO).** A Porch frontage element consists of a covered structure that is often elevated above street grade, sheltering an outdoor area deep enough to ensure usability. A Porch is larger than a Stoop and is structurally shaded for its entirety. A Porch provides a transition between the public and private realm, and creates opportunity for interaction between neighbors.



1. Each Porch shall meet the following requirements:

    a. Minimum depth: 8 feet. (R*)
    b. Minimum area: 96 square feet. (R*)
    c. Maximum grade differential: 60 inches above the adjacent Streetscape grade. (R*)
    d. Placement: Adjacent to a primary entrance. (R*)
    e. Each Porch shall have 100% structural shading. (R*)
    f. Porch floor shall consist concrete, stone, metal, wood decking, or equivalent alternative suitable for outdoor flooring. (T)
    g. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Porch shall be provided. (R*)

3. Minimum building frontage requirements. If a Porch is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Porch shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Porch is located within or abutting the Frontage Zone. (R*)

**E. Common Entry (CE)**. A Common Entry is a building façade design element which includes ground floor entrance(s) to a shared lobby/hallway, which in turns provides direct access to residential units and/or office suites on all floors. This frontage element is generally not intended for use with frontages consisting primarily of retail suites. Elevations should include a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk, though to a lesser extent than Storefront. This frontage element should also include cantilevered canopies or awnings.



1. Primary entrance requirements.

    a. A minimum of one primary entrance leading to a shared lobby/hallway is required from each frontage on a Pedestrian Street. For sites located at an Enhanced Corner, the corner building entry may serve as the required primary entrance for both street frontages. (R*)

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b. Additional primary entrances are required on each Pedestrian Street frontage at the rate of one per 100 feet of building frontage. Each additional primary entrance (beyond the minimum one per street frontage) may provide access to either a shared lobby/hallway or an individual commercial/office suite. (R*)
c. Stoops or doorwells may be provided as part of any Common Entry frontage, even if Stoop/Doorwell is not a permitted Frontage Element per the applicable Streetscape and Frontage Zone Matrix, so long as they comply with all Stoop/Doorwell development standards.

2. Glazing requirements:

a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
b. Minimum amount: 50% of each required building frontage, which may include primary entrances if the doors are glass and meet visibility requirements. (R*)
c. Glazing requirements shall be calculated as a percentage of the Common Entry frontage element length.
d. Glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. This includes the doors for any primary entrances located within the Common Entry frontage element. (R*)

3. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Common Entry frontage element, in accordance with Section 1204.B.2, and the following:

a. Minimum depth: 5 feet. (R*)
b. Minimum length: 50% of the Common Entry frontage element length.
c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

4. Walls/Fencing.

a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential.

**F. Forecourt (FC)**. A Forecourt is a pedestrian-oriented design element, where a courtyard that is open to the sky and the street (or two streets if located on a corner) is provided. The Forecourt may be used as an entry area and shared garden space for residential uses, or as additional shopping, seating, or gathering areas adjacent to and accessible from the street for commercial uses. Art installations and other pedestrian amenities are also appropriate uses within a Forecourt.



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1. Mechanical equipment, transformers, trash and recycling containers, and vehicular uses are not permitted within a Forecourt.

2. Minimum building frontage requirements. If a Forecourt is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Forecourt shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

3. Minimum glazing: 50% of the area measured between 3 and 8 feet above grade for the portion of the building façade abutting each Forecourt. (R*)

4. A Forecourt should be a minimum 500 square feet in size, with a minimum street frontage of 20 feet. (P)

   *Rationale: A forecourt needs to be of a minimum size to encourage gathering, while also having a large enough frontage to encourage pedestrians to enter and create a successful transition between the public and private realm.*

5. Accessibility. Forecourts shall have a slope not exceeding 2%, except for approved ADA ramps, and be grade-separated by no more than 24 inches above or below the abutting Streetscape Zone(s). (T)

6. Pedestrian access. A minimum of one pedestrian connection to each Streetscape Zone abutting the Forecourt shall be provided. (R*)

7. Primary entrance requirements.

   a. Residential uses. At least one residential unit shall have a primary entrance from a Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting unit(s). (R*)
   b. Commercial uses. Each ground floor commercial suite abutting a Forecourt shall provide a primary entrance into the Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting suite(s). (R*)

8. Walls/Fences/Public Access. A Forecourt is a quasi-public area which is an extension of the public realm. No walls or fences are permitted within or abutting a Forecourt, except as follows:

   a. Walls or fences not exceeding 40” in height.
   b. Retaining walls, as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential.
   c. View fencing (no solid/opaque portions) surrounding areas approved for outdoor dining or outdoor alcohol consumption may be provided up to a height of 72” above the forecourt grade.

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d. Walls/fencing separating private residential patios which front on a Forecourt may be provided up to a height of 72” above the grade of the forecourt, so long as all portions of the wall/fence above 40” consists of view fencing, as approved by Planning and Development.

9. Shade Requirements. A minimum of 50% of each Forecourt should be shaded with landscape and/or structural shade.(P)

*Rationale: Shade is needed in the hotter months to encourage users to gather in the area.*

**G. Storefront (S).** A Storefront is a building façade design element which includes a ground floor elevation with a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, live/work, and other nonresidential active uses and should include cantilevered canopies or awnings.



1. Minimum building frontage requirements. If a portion of the Frontage Zone occupied by outdoor dining or outdoor liquor service is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the outdoor dining/liquor service area shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

2. Primary entrance requirements.

   a. Each ground floor commercial suite located within a Storefront frontage element shall provide a primary entrance on the street side that directly connects to the street. A suite which abuts a corner may meet this requirement for both street frontages by providing a single primary entrance at the corner. (R*)

   b. A Recessed Display Entry may be included as part of a Storefront frontage element.

3. Glazing requirements:

   a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
   b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Storefront frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |

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| | |
|---|---|
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Storefront frontage element length.

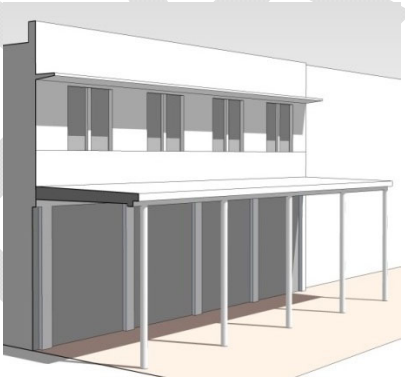
4. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Storefront frontage element, in accordance with Section 1204.B.2, and the following:

   a. Minimum depth: 5 feet. (R*)
   b. Minimum length: 75% of the Storefront frontage element length. (R*)
   c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

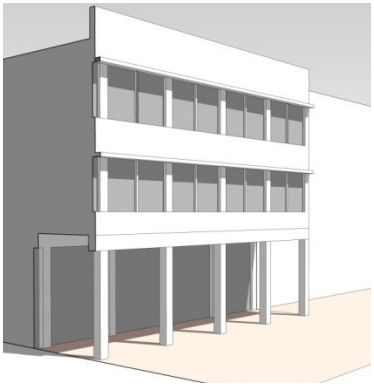
5. No fencing is permitted within the Streetscape or Frontage Zones adjacent to a Storefront frontage element, except as follows:

   a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential. (R*)

**H. Gallery/Arcade (GA).** A Gallery or an Arcade is a building façade design element where significant and continuous structural shade is provided for pedestrians, often over the actual public sidewalk. Similar to the Storefront frontage element, a large number of transparent windows and frequent building entrances should be provided to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, office, and other nonresidential active uses.



**Gallery**



**Arcade**

1. Minimum setback requirements. A Gallery/Arcade may project into the Frontage Zone to the property line and is not required to meet minimum setbacks as stated in the applicable Character Area so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

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2. Minimum dimensions. All portions of a Gallery/Arcade frontage element shall comply with the following:

    a. Minimum depth: 10 feet. (R*)
    b. Maximum depth: 30 feet. No maximum for the portion of a Gallery/Arcade is being used for outdoor dining, outdoor liquor service, or a public gathering space. (R*)
    c. Minimum spacing between columns/supports: 10 feet as measured parallel to the street. (R*)
    d. Minimum clear height: 10 feet as measured from finished grade. (R*)
    e. Maximum clear height: 25 feet as measured from finished grade. (R*)

3. Pedestrian use. All portions of a Gallery/Arcade frontage element shall have a walkway provided for pedestrians. The walkway may serve as the actual public sidewalk, if public easements are dedicated, or it may be provided in addition to the public sidewalk located within the Streetscape Zone so long as the area under the Gallery/Arcade is also open for pedestrian use.

    a. Public sidewalk easement dedications shall be no less than the required sidewalk width for the applicable Character Area. (T)
    b. Outdoor uses (dining, alcohol consumption, or similar), if permitted by the Character Area, may be provided within a Gallery/Arcade, so long as the greater of 5', or the minimum public sidewalk width (if there is no other public sidewalk) is left unobstructed for use as a pedestrian walkway. (R*)

4. Primary entrance requirements.

    a. Each Gallery/Arcade frontage element shall provide a minimum of one primary entrance on the street side that directly connects to the street. A single primary entrance provided at the corner of a building at a street intersection complies this requirement for both street frontages. (R*)
    b. A Recessed Display Entry may be included as part of a Gallery/Arcade frontage element.

5. Glazing requirements:

    a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade for the portion of the building that is a Gallery/Arcade Frontage Element. (R*)
    b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Gallery/Arcade frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

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c. Glazing requirements shall be calculated as a percentage of the Gallery/Arcade frontage element length.

6. Walls/Fencing.

a. No walls or fences are permitted in the Frontage Zone adjacent to a Gallery/Arcade frontage element which separates the Gallery/Arcade from the Frontage Zone.

b. Walls and fences within a Gallery/Arcade may be provided to separate outdoor dining or other permitted outdoor uses from the public walkway, if compliance with both of the following is demonstrated:

(1) A minimum 5 foot walkway clearance (or the minimum sidewalk width, if the public sidewalk has been located within the Gallery/Arcade) is maintained.

(2) View fencing (no solid/opaque portions) may be provided up to a height of 72 inches above the Gallery/Arcade grade.

**I. Recessed Display Entry.** A Recessed Display Entry is not a separate frontage element; rather it is a feature which may be included as part of a Common Entry, Storefront or Gallery/Arcade frontage element. The characteristics of a Recessed Display Entry are as follows:




1. Consists of a primary entrance to a public space (retail, restaurant, lobby/reception, etc.) recessed from the façade of the building, and is shaded by the upper portion of the building.

2. Minimum depth to primary entrance: 5 feet. (R*).

3. Maximum depth to primary entrance: 25 feet. (R*)

4. Minimum clear height: 8 feet on private property; 10 feet if permitted to project within public ROW or into a public sidewalk easement. (T)

5. Glazing provided within the Recessed Display Entry counts toward the minimum required glazing for the associated Frontage Element.

6. Shade provided by a Recessed Display Entry counts towards the minimum requirement for the associated Frontage Element.

7. No portion of a Recessed Display Entry may be fenced off, unless included as a part of an outdoor dining/bar/patio which is otherwise allowed.

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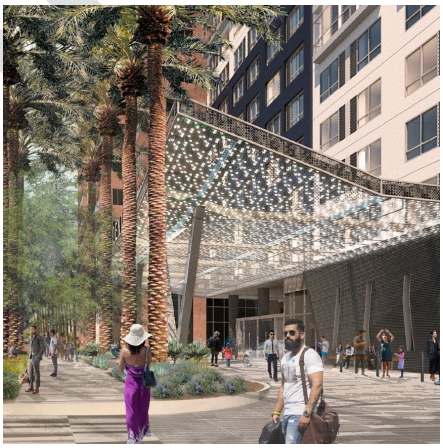
8. If a Recessed Display Entry is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Recessed Display Entry shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

**J. Grand Entry (GR).** A Grand Entry is a building façade design element which includes the most important pedestrian entrance to the building, indicated by significant architectural features and windows which may be provided more for visual impact than actual need. A Grand Entry should also incorporate significant public gathering space(s), pedestrian amenities, and art. A Grand Entry may also incorporate vehicular passenger loading and valet functions, including a porte-cochere, if the proposed use allows it. A Grand Entry would typically be used in conjunction with hotels, government buildings, educational institutions, hospitals, large office buildings, large residential and mixed-use buildings, and large assembly uses.







1. Applicability. A Grand Entry frontage element may be provided for the following uses if also permitted by the Frontage and Streetscape Zone Matrix for the applicable Character Area: (R*)

   a. Hotels.
   b. Government buildings.
   c. Schools/educational institutions.
   d. Hospitals.
   e. Office, retail, assembly, and mixed use buildings 100,000 square feet (gross) or larger.
   f. Residential buildings with at least 100,000 square feet (gross) or 100 dwelling units.

2. Main Entrance. A Grand Entry frontage element must serve as the main and most prominent entrance to the building for pedestrians. At least one primary entrance shall be provided which leads to a lobby or other internal gathering area which provides access to any ground-level suites and upper stories. (R*)

3. Architecture. A Grand Entry should consist of architectural features which are prominent and intended to attract users to the main entry. These features may extend above the height of the Frontage Zone. Examples are: porticos/columns, large sets of steps; significant structural shade; extensive and imaginative use of colors, textures, windows, and/or lighting; prominent exterior works of art; and monuments. Signage may also contribute if otherwise in compliance with applicable sign regulations. (R*)

4. Pedestrian Accessibility. Pedestrian access to the primary entrance must be visually obvious, preferably by use of materials and colors. The access route should be greater in width than any minimum required for ADA accessibility and commensurate in scale with the architectural features of the Grand Entry. Pedestrian routes may cross vehicular areas but must otherwise be segregated from vehicular traffic. (R*)

5. Passenger Loading. A passenger loading zone, including a porte-cochere, may be part of a Grand Entry and located within the Frontage Zone if it complies with all of the following: (R*)

    a. It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
    b. It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

6. Valet Parking. A valet parking station and valet parking zone, including a porte-cochere, may be incorporated within a Grand Entry if it complies with all of the following: (R*)

    (1) It is a permitted accessory use per the Land Use Matrix;
    (2) It is constructed in accordance with Section 1206.G.
    (3) It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
    (4) It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

7. Trash and recycling containers, service areas, and commercial loading areas are not permitted to be incorporated within a Grand Entry, or within the adjacent Streetscape or Frontage Zones. Mechanical equipment and transformers/utility equipment may be provided only if located within a building or subterranean ground vault. (R*)

8. Minimum building frontage requirements. If a Grand Entry incorporates pedestrian plazas, outdoor dining, outdoor liquor service, or other improved public gathering areas which are deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the gathering areas shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage

Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

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## Section 1206. Parking, Loading, and Vehicular Access

A. **Applicability.** All provisions of Section 702, "Off-Street Parking and Loading" apply to properties located within Downtown, unless specifically modified by this Chapter.

1. For additional Buffer Alley regulations, see Section 1207.L.

2. For additional Arts, Culture, Small Business Area regulations, see Section 1207.M.

B. **Automobile Parking Requirements.** Parking for automobiles shall be provided as follows:

1. Residential units.

   a. Minimum: 1 space per dwelling unit.

   b. Maximum: 2 spaces per dwelling unit, plus 1 space per 1,000 sf of gross square footage for leasing/residential management office and Shared Amenity Areas.

2. Non-residential uses.

   a. Minimum: 1 space per 1,000 square feet of gross building square footage, except in the Business Core and Warehouse character areas, where no minimum parking is required.

   b. Maximum: 4 spaces per 1,000 square feet of gross building square footage.

3. Parking reductions identified in Section 702.E are not applicable within Downtown. However, parking reductions and other modifications may be earned by the application of sustainability bonus points, per the provisions of Section 1223.

4. Location of automobile parking.

   a. Lots having only one or two dwelling units (no mixed uses): required spaces may not be provided within any Frontage Zone. An on-site driveway leading to designated parking spaces may be provided within a Frontage Zone if not in excess of 18 feet wide and if otherwise permitted by this Chapter. (R*)

   b. Multi-family, mixed use, and non-residential developments: no surface parking is allowed within any Frontage Zone. Drive aisles may cross a Frontage Zone when access from the adjacent street is otherwise permitted. (R*)

   c. Parking located within structures, including underground parking, is subject to the requirements of Section 1207.J.

   d. Off-site parking. Off-site parking not located within a public right-of-way may account for up to 50% of the required automobile parking, with approval of a use permit and compliance with all the provisions of Section 702.E.9.

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C. **Maneuvering**. All maneuvering for automobile parking spaces, passenger loading, and service/goods loading shall be provided on-site, subject to the following:

1. Maneuvering within a public right of-way shall be allowed as follows:

   a. Maneuvering within a public alley is permitted by right if the alley is a minimum 20 feet wide, and then only if access to the alley is permitted per other City regulations; or

   b. Maneuvering in public right-of-way may be permitted with approval of a Technical Appeal which demonstrates that adequate space is being provided for the safe maneuvering of vehicles within the right-of-way. Additional requirements, such as but not limited to dedications, pavement widening, and/or removal of utility poles may be stipulated as part of the Technical Appeal approval. (T)

D. **Electric Vehicle Charging.** The following development regulations apply to electric vehicle charging (EVC) spaces provided within parking areas within Downtown:

1. EVC spaces may be counted as part of the required minimum number parking spaces. (R)

2. EVC spaces shall not be counted as part of required maximum number of parking spaces. (R)

3. All EVC spaces, charging stations, and associated transformers or other mechanical equipment, shall be provided on site and not in any required landscape setback, required landscape area, or Frontage Zone. ~~**(R)**~~**(R*)**

E. **Bicycle Parking.** Parking and amenities for bicycles shall be provided as follows:

1. Multi-family residential development shall provide shared bicycle parking at the rate of 0.25 space per dwelling unit, with a maximum requirement of 50 spaces.

2. All nonresidential uses over 5,000 gross square feet shall provide 1 bicycle space per 25 vehicle parking spaces provided or portion thereof, with a maximum requirement of 25 spaces.

3. All nonresidential uses 100,000 gross square feet or larger shall provide 1 bicycle space per 25 vehicle parking spaces or portion thereof, with a maximum requirement of 50 spaces. In addition, a minimum of 2 shower stalls and 10 personal lockers that are available for use by the building's occupants shall be provided.

4. Restaurants and bars totaling less than 5,000 gross square feet on one site shall provide a minimum of 4 bicycle spaces in the Frontage Zone. If automobile parking spaces are provided, 1 additional bicycle space for every 25 vehicle parking spaces as required for the restaurant and bar uses shall be provided.

5. Bicycle parking shall not be located within a required public sidewalk or accessible route.

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F. **Service/Goods Loading Areas.** The following requirements apply to short-term loading and unloading of service vehicles with goods or equipment.

1. On-site loading shall be required for all developments per the following table:

| Required Loading and Service Bays | | | | | |
|---|---|---|---|---|---|
| Use | Gross square footage of buildings (per site) | | | | |
| | 25,000 – 40,000 sf | > 40,000 – 160,000 sf | > 160,000 – 320,000 sf | > 320,000 – 500,000 sf | > 500,000 sf |
| Multi-Family Residential | 0 | 1 per 150 dwelling units or portion thereof | | | |
| Lodging | 0 | 1 per each 300 rooms or portion thereof | | | |
| Retail, Commercial, and Office Uses | 0 | 1 | 2 | 3 | 4 + 1 per additional 180,000 sf above 500,000 |
| Industrial, Manufacturing, Storage, and Wholesaling Uses | 1 | 2 | 3 | 4 | 5 + 1 per additional 180,000 sf above 500,000 |

Mixed-use developments shall provide the required loading spaces per each use category shown in the table above.

2. Loading bays shall be a minimum of 10 feet in width and 30 feet in length. (T)

3. Location of Service/Goods Loading Areas.

a. Service/goods loading areas may not be located within a Frontage Zone adjacent to a Pedestrian Street. (R*)

b. Service/goods loading areas may not be located within a public street right-of-way unless compliance with all of the following occurs: (R)

(1) An encroachment permit has been obtained from the Street Transportation Department for the design and/or structures provided as part of the loading area (dock, loading ramp, etc.).
(2) The loading area does not reduce the required Streetscape Zone and does not preclude the provision of required street trees and shading requirements.
(3) The loading area does not interrupt the required public sidewalk or other dedicated pedestrian walkways.
(4) The loading area does not interrupt a designated bicycle lane.

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(5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

c. Service entrances, loading areas, and trash/recycling pickup should be located internal to the site or building, or adjacent to a Side Street or alley whenever possible. (P)

*Rationale: Pedestrian Streets should create a safe, secure, and welcoming atmosphere for pedestrians, and should not have uses or functions which discourage pedestrian use. Noxious uses and conflicts with service vehicles should be minimized along Pedestrian Streets. Side Streets and alleys (which are not designated Buffer Alleys) are preferred access points for service and delivery functions.*

G. **Valet Parking.** The requirements of this Section apply only for sites which are allowed valet parking as an accessory use per Section 1203.D.30.

1. Location of Valet Parking Facilities.

a. A valet transfer zone (where vehicles are dropped off and picked up) should be located internally to the building whenever possible. (P)

*Rationale: Views of standing automobiles, and conflicts with pedestrians, should be minimized.*

b. A valet transfer zone may be provided within a Frontage Zone adjacent to a Side Street, so long as it does not preclude compliance with other Streetscape and Frontage Zone standards, including driveway access and placement. A valet transfer zone may be combined with a service/goods loading area when located adjacent to a Side Street. (R*)

c. A valet transfer zone may be provided within a Frontage Zone adjacent to a Pedestrian Street, subject to the following: (R*)

(1) Compliance with the driveway and vehicular access regulations of Section 1206.H is demonstrated.
(2) Compliance with other applicable Frontage Zone and Streetscape Zone requirements for Pedestrian Streets (including shading, provision of street trees, and minimum building frontage) is demonstrated.
(3) Valet facilities may not be located within the minimum street setback area.

d. Valet parking spaces (where cars are parked after being dropped off) may be located off-site if in accordance with the provisions of Section 1203.D.

e. A valet transfer zone should have primary access from a street, rather than an alley. (P)

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*Rationale: Whenever possible, vehicles should be dropped off and picked up from a more intuitive location associated with the street address, particularly if the parking is for patrons and visitors, rather than occupants of the building or site.*

f. Valet parking facilities, including the valet transfer station, valet transfer zone, and valet parking spaces, may not be located within a public right-of-way unless compliance with all of the following occurs: (R)

(1) An encroachment permit has been obtained from the Street Transportation Department for the Valet Parking Facilities.
(2) The Valet Parking Facilities do not reduce the required Streetscape Zone and do not preclude the provision of required street trees and shading requirements.
(3) The Valet Parking Facilities do not interrupt the required public sidewalk or other dedicated pedestrian walkways.
(4) The Valet Parking Facilities does not interrupt a designated bicycle lane.
(5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

g. Public right-of-way may be used to move vehicles between the valet transfer zone and the valet parking spaces, if the valet parking spaces are located on a different property, as otherwise permitted by this Chapter.

2. Design requirements for valet parking facilities.

a. A valet transfer zone shall comply with the following: (T)

(1) A minimum length of 60 feet.
(2) A minimum width of 10 feet.
(3) A maximum width of 16 feet.

b. A valet transfer zone must include an accessible vehicle pull-up space constructed in accordance with federal requirements. (T)

c. A valet transfer zone shall not be used all or in part for any vehicle parking. Short term vehicle standing of up to 30 minutes is permitted during hours of operation of the valet parking facilities. (T)

H. **General Driveway and Access Regulations.** This section regulates driveways and access from streets to private property. Access from any street to a property must be in compliance with the provisions of this Section.

1. Properties with HP designation. Driveways for properties with HP zoning or designation may be located, designed, constructed, or reconstructed in a historic manner and dimensions as approved in writing by the Historic Preservation Officer.

2. Arterial Streets.

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a. Access for automobile parking, valet parking facilities, passenger loading zones, and Service/Goods Loading Areas is permitted from the following arterial Pedestrian Streets, regardless of other site frontages or regulations of this Chapter:

(1) 7th Street
(2) 7th Avenue
(3) McDowell Road
(4) Van Buren Street
(5) Buckeye Road

b. Maximum driveway width: 40 feet, or wider as approved by Street Transportation when requiring islands for restricted turns. (T)

c. All other provisions for Pedestrian Streets apply.

3. Pedestrian Streets. Driveways and access to private property from Pedestrian Streets are subject to the following:

a. Automobile Parking. Access is permitted from a Pedestrian Street only when one of the following applies: (R*)

(1) The development site has no other frontage on an alley or side street; or
(2) The parking area has at least one additional access point from an alley or side street.

b. Service/Goods Loading Areas are not permitted access from a Pedestrian Street unless the loading area is located completely within the building; within a parking garage, or screened from view from the street. Screening may consist of the following: (R*)

(1) Green screen.
(2) Dense landscaping which provides screening starting from the time of initial installation.
(3) Underground utility vaults.
(4) Buildings.

c. Passenger loading zones are permitted access from a Pedestrian Street.

d. Maximum driveway width: 30 feet. When a site has only Pedestrian Street frontages, additional width may be granted through approval of a Technical Appeal (T).

e. Minimum separation between driveways: 30 feet. (T)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)

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(2) Other City policies and ordinances regulating the design of driveways, including but not limited to required visibility, restricted turn movements, and distances from intersections may require a greater separation than 30 feet. (T)

4. Side Streets. Driveways and access to private property from Side Streets are subject to the following:

   a. Access for all types of vehicular uses is permitted from a Side Street.

   b. Maximum driveway width: 40 feet. (T)

   c. Minimum separation between driveways: 20 feet. (R*)

      (1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
      (2) Other City policies and ordinances regulating the design of driveways, including but not limited to: required visibility, restricted turn movements, and distances from intersections may require a greater separation than 20 feet. (T)

5. Alleys. Driveways and access to private property from alleys are subject to the following:

   a. Access is not permitted from a Buffer Alley, unless in compliance with Section 1207.L. (R)

   b. Automobile Parking. Access is permitted from an alley, subject to the following:

      (1) The alley pavement must be (or be widened to) a minimum 20 feet wide and unobstructed for the length of the property; (T)
      (2) If the parking area has more than 100 spaces, the alley pavement is a minimum 20' wide and unobstructed for the full length of the block, unless otherwise approved through a Technical Appeal. (T)

   c. Passenger loading zones should not have primary access provided from an alley. (P)

      *Rationale: Rideshare and personal delivery vehicles should be able to access a development from a more intuitive location associated with the street address.*

   d. Maximum driveway width: as determined by PDD and Street Transportation for safety and visibility. (T)

   e. Minimum separation between driveways: as determined by PDD and Street Transportation for safety and visibility. (T)

I. **Driveway Design Guidelines.**

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1. Appropriate visibility triangles and/or lines of sight shall be provided for driveways. The visibility triangles shall provide for visibility of pedestrians on the public sidewalk, as well as vehicles in the street. (T)

   *Rationale: Vehicles exiting from a site or parking garage should be able to see cars on the street, as well as pedestrians on the sidewalk (and vice versa). Alternatives, such as mirrors, pedestrian safety signage, etc. may be approved as part of a Technical Appeal when standard visibility requirements cannot be met.*

2. Specialty paving, striping, bollards, or similar as approved by PDD staff should be provided where a driveway crosses a sidewalk. (P)

   *Rationale: Where vehicular routes interface with pedestrian routes, warnings to both the vehicles and the pedestrians should be visually indicated.*

3. Shared access and driveways serving more than one development should be provided whenever possible. (P)

   *Rationale: The number of driveways crossing sidewalks and bicycle routes should be minimized to avoid conflicts and collisions. However, consideration and flexibility should be applied when a primarily residential development is adjacent to a non-residential development.*

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## Section 1207. General Development Regulations.

A. **Applicability.** This section contains development regulations specific to Downtown. If a conflict occurs between any specific Character Area regulations and the regulations of this Section, the Character Area regulations shall apply.

B. **Historic Preservation Development Regulations.** Structures with historic preservation designation are considered to be conforming and may be maintained, restored and/or rebuilt at each structure's historic setbacks and height subject to the provisions of Chapter 8, Historic Preservation.

C. **Projections.**

1. Projections within the Streetscape Zone are regulated by Section 1204.B.2.

2. Projections within the Frontage Zone are regulated by Section 1204.C.3.

3. Projections within required yards adjacent to interior lot lines are not permitted, except as follows: (R)

   a. Roof overhangs, but not including covered porches, patios, or carports, are permitted so long as no portion of the overhang is closer than 2 feet from the property line.

   b. Other projections, when explicitly allowed by other sections of this Chapter.

D. **Wall/Fence Requirements.**

1. **Historic Preservation designated properties.** For residential properties designated HP and HP-L, fences or freestanding walls in the front yard (the area between the structure and the street right-of-way line) may not exceed a maximum height of three feet. This height limitation extends three feet back from the front façade into the side yard(s).

2. Within Frontage Zones, the following apply:

   a. Walls/fences are limited to 40 inches in height, except as may be specifically modified by other provisions of this Chapter. (R*)

   b. Within a Frontage Zone which abuts a side property line (e.g. a "street side"), a wall or fence up to 6 feet tall may be permitted if all of the following also apply: (R)

      (1) The wall encloses a private residential side yard and/or rear yard on a lot with no more than two dwelling units (and no other primary uses).

      (2) No structure on the property exceeds two stories and 30 feet in height.

      (3) No portions of the wall over 40 inches in height are located within a Frontage Zone applicable to any other street frontage.

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(4) No portions of the wall over 40 inches in height (36 inches if in an HP Overlay) are located closer than 3 feet behind the front façade of the structure.

3. Walls/fences provided for screening of mechanical equipment shall comply with the provisions of Section 1204.E.7.

4. Walls located adjacent to interior property lines or other locations outside of the Frontage Zones shall comply with the regulations stated in the applicable Character Area.

5. Retaining walls located within Streetscape and Frontage Zones are regulated by Section 1204.D.

E. **Height Transition Standards.** For all new development adjacent to lots located in a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities. This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. Along an interior property line or a designated Buffer Alley which separates properties of two different height zones, the minimum required setback shall be increased by 10 feet for all portions of the building taller than the maximum height of the adjacent (lower) height zone. (R)

   *Example: a building located on a property with a maximum height of 140 feet and a 10 feet minimum interior setback, sharing a property line with a property with a 65 feet maximum height, has a 20 feet setback required for all portions of the building taller than 65 feet. The portions of the building less than 65 feet tall may be located at the standard 10 feet setback from the property line.*

2. A stepback shall not be required in the following circumstances unless specifically required by the applicable Character Area standards:

   a. The proposed building is no more than 20 feet taller than the maximum permitted height of the adjacent height zone.

   b. The proposed building is adjacent to a height zone with a maximum permitted height of 65 feet or greater.

3. The proposed building should respect the scale of existing buildings located on adjacent properties and serve as an orderly transition to a different scale. Stepbacks, changes in massing, or changes in materials and color starting at the height of the adjacent existing building are highly encouraged. (P)

   *Rationale: Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.*

F. **Landscape Standards.** Landscape shall be provided in accordance with the following:

1. Landscape requirements of Section 703.E, as well as Section 507 Tab A, apply unless specifically modified by this section or other provisions of this Chapter.

   a. See Section 1207.M for special regulations applicable to the Arts, Culture, Small Business Area.

2. Landscape within the Streetscape and Frontage Zones shall comply with the requirements of Section 1204.G.

3. Landscape shall be provided for surface parking areas as follows:

| **Surface Parking—Landscape Standards** | |
|---|---|
| Interior surface area (exclusive of perimeter landscaping and all required setbacks) | Minimum 10% (R*) |
| Landscaped planters | At ends of each row of parking and approximately every 110 feet (P) |
| Landscaped planters, single row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of parking space. (T) |
| Landscaped planters, double row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of both parking spaces. (T) |
| Additional parking lot landscape areas | As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. (P) |
| Required trees | Minimum requirement: one per 100 sf of landscape area (T)<br>Planter (single space depth): one tree. (P)<br>Planter (double space depth): two trees (P)<br>All other areas: 20 feet on center or equivalent groupings (P). |
| Required tree sizes: | Minimum 2-inch caliper (60% of trees) (T)<br>Minimum 1-inch caliper (40% of trees) (T) |
| Required shrubs: | Minimum 5 shrubs per tree. (P) |
| Required shrub size: | Minimum 5-gallon. (T) |

*Rationale: Parking lot landscaping and shade should be provided in a similar manner as required for other commercial areas outside of Downtown. However, flexibility can be exercised regarding installation of landscape materials in order to address on-site conflicts, such as lighting, mechanical equipment, sight lines, required pedestrian walkways, or similar. Requests to provide smaller than required planting areas, trees, or shrubs may only be approved through a Technical Appeal.*

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4. All on-site pedestrian walkways shall be 75% shaded by trees and/or structural shade. (R*)

5. All remaining areas of a site which are not Frontage or Streetscape Zones, surface parking, pedestrian walkways, or amenities specifically permitted by PDD which do not typically include shade (i.e. pools and pool decks), must be landscaped to provide 50% shade. Properties having only residential uses, not exceeding two dwelling units, are exempt from this requirement. (R*)

G. **Multifamily Development Design Requirements.**

1. The provisions of this section apply to all sites which include five or more dwelling units. The provisions of Section 703.B, Landscaping and Open Areas in Multiple-Family Development, do not apply to properties located within Downtown. (R*)

2. Where dwelling units are provided at the ground level adjacent to a Pedestrian Street, an appropriate residential Frontage Element (such as Patio, Stoop/Doorwell, Porch, or Forecourt) should be utilized to allow for individual dwelling unit access to the street. (P)

   *Rationale: Individual entrances promote more "eyes on the street", due to greater use of patios and other outdoor areas. Individual entrances also encourage pedestrian use by creating more interest, as well as a feeling of smaller-scale design.*

3. Shared Amenity Areas for the residents of multi-family dwelling units shall be provided on-site, as follows:

   a. The minimum Shared Amenity Area provided shall be per the following table (R*):

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| Minimum Shared Amenity Areas for Sites with Multifamily Dwellings | |
|---|---|
| Up to 100 units | None required. |
| 101-300 units | Minimum 2500 square feet |
| 301+ units | Minimum 5000 square feet |

b. Shared Amenity Areas shall consist of the following types of spaces (R*):

(1) On-site open space provided in accordance with the provisions of Section 1207.H.

(2) Roof-top decks which are occupiable and do not exceed height requirements for the applicable Character Area.

(3) Conditioned suites with amenities/shops/services.

c. All areas used to count toward the minimum Shared Amenity Area requirements must be accessible to all users, in accordance with FHA and ADA standards. (T)

d. Uses open to the public, such as retail stores, restaurants, commercial gyms, bars, etc. may be used to meet no more than 50% of the Shared Amenity Area requirement. (R)

e. A minimum of two of the following amenities shall be provided within the Shared Amenity Areas (P):

(1) Swimming pool and/or hot tub.

(2) Fitness center/sport court or facility.

(3) Tot lot/playground.

(4) Barbecue/picnic/common kitchen area.

(5) Gathering area with focal feature (fountain, firepit/fireplace, television, game tables, kitchen etc.)

(6) Pet exercise area.

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*Rationale: Shared Amenity Areas should include a variety of amenities which may be used by multiple residents, but are not shared with non-residents (such as an on-site store, restaurant, or bar). Staff may approve additional types of amenities similar to those listed above and meeting this intent. Two separate amenities in the same category may also be approved.*

H. **Open Space Development Regulations.** Open space, when provided for sustainability bonus credits per Section 1223 or as part of a multi-family Shared Amenity Area requirement, shall comply with the following:

1. Open Space shall be provided at ground level. Roof tops, areas inside structures, or areas placed underground cannot be counted as open space. Outdoor areas provided under a building overhang are permitted so long as they are fully open to at least one Frontage Zone. (R*)

2. Each Open Space area shall abut and include a Frontage Zone. The area of the Frontage Zone may be included in the minimum area and dimensions required for qualifying Open Space areas. (R*)

3. Each Open Space area shall be a minimum of 500 square feet with a minimum dimension of 20 feet in any direction. (R*)

4. All Open Space areas are subject to the design requirements for Frontage Zones, with the following modifications: (R*)

    a. No automobile uses (parking, loading, etc.) of any type may be provided within an Open Space area.

    b. Open Space areas with a dedicated public access easement may not be fenced or walled off from the street except for low walls not exceeding 40 inches in height, unless the height of the wall is further restricted by the Frontage Zone or Frontage Element requirements.

I. **Enhanced Corner Requirements.** Developments located on Enhanced Corners (per map in Section 1202.D) should be integrated with and oriented toward the corner, as follows:

1. A primary entrance that faces both streets and that serves as a main entry for the building shall be provided at each Enhanced Corner. An entrance to a single commercial suite or residence does not meet this requirement. (R*)

2. Additional building articulation, architectural features, signage, pedestrian amenities, and/or art that emphasizes the corner and draws attention to the Enhanced Corner entry of the building shall be provided. (P)

    *Rationale: An Enhanced Corner should be visually obvious and comfortable for pedestrians to use as the building's primary entrance.*

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3. If an Enhanced Corner entry plaza is provided which is deeper than the applicable Frontage Zone depth(s), the building frontage along the corner entry plaza shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

J. **Structured Parking/Parking Garage Design Guidelines.**

1. Where parking structures are visible from a street or neighboring property, they should utilize approved Frontage Elements, art/murals, decorative materials, imaginative use of colors and patterns, and/or permitted signage to fully screen vehicles from view and to create interest at the ground level. (P)

   *Rationale: Parking structures, particularly ones with exterior unfinished concrete masonry or panels, do not engage or create interest for pedestrians. The side of a parking garage should never appear to be "blank".*

2. Parking structures shall be designed so that light from vehicle headlights, when parked head-in in a parking space, is fully screened from view from all perimeter streets. (R*)

3. Parking structures should be integrated with the form and materials of the main site structures, or the scale, form, color and materials of the immediately adjacent area. (P)

   *Rationale: Parking structures should not be a dominant feature of the building design, and creative solutions should be integrated and/or complement the design elements of other buildings on site or within the surrounding context area.*

4. Rooftop lighting on a parking garage should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and be mounted no higher than 12 feet above the roof deck. (P)

   *Rationale: The direct source of light should not be visible from lower levels or adjacent uses.*

5. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). Pedestrian routes should always be separated from vehicular traffic, except where required crossings can be provided safely. (T)

6. Pedestrian entrances to parking garages should be separate from vehicular entrances. (P)

7. Garage openings should be enhanced with specialty lighting, artwork, or materials to visually notify vehicle drivers that pedestrians may be crossing, and vice versa. (P)

   *Rationale for J.7 and J.8: Safety at pedestrian and vehicular crossings should be addressed with design.*

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8. Underground parking may extend to a height of five feet above finished grade, provided that the garage perimeter wall does cause the Frontage Element assigned to that portion of the building façade to become non-compliant with other required development standards. (R*)

K. **General Design Guidelines.**

1. All building facades adjacent to interior property lines (i.e. not abutting or within a Frontage Zone) should have a level of trim and finish equivalent with and complementary to the Frontage Zone façade(s). (P)

   *Rationale: Most buildings within Downtown are of heights that they are visible from quite a distance. Facades visible from the street or other properties should be of a quality similar to that required for facades facing streets, and should never appear to be unfinished or "blank".*

2. All buildings over 10 stories tall should be designed with a base that is visually differentiated from the remainder of the building. The base may be between one and four stories in height. (P)

   *Rationale: All buildings should be scaled at the base to relate and connect to pedestrian uses.*

3. Windows and balconies in near proximity that face each other should receive special design treatment to increase privacy for existing adjacent residential uses by providing one (or a combination) of the following, or similar as approved by PDD staff: (P)

   a. Louvers;
   b. Privacy screens;
   c. Windows that start a minimum of six feet above respective finished floor;
   d. Frosted or tinted window treatments.

   *Rationale: Existing residential units close enough to be impacted by new development should be able to maintain their level of existing privacy. Incorporating methods of screening with windows and balconies on new development can help provide the means for maintaining this privacy.*

4. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking areas. (P)

   *Rationale: Safety and security for pedestrians should be addressed by design. Hidden and obscures spaces can encourage illicit activity.*

5. Building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels. (P)

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*Rationale: Building accents and detailing should be high quality and durability and not of materials which can fade or deteriorate over time.*

6. Architectural details such as exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting should contribute to creating a coherent architectural concept. (P)

   *Rationale: While buildings should not appear too monolithic or monotonous, they should also not appear to be an assemblage of many materials or designs without a common theme.*

7. Architectural elements. Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting). (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary architectural styles and accents.*

8. Building materials. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices, arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings. (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary building materials.*

9. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that complements and blends with the surrounding context. (P)

   *Rationale: Corporate identity may be utilized to create a unique identity that can be recognized. However, the overall architectural theme should be the predominant feature of the building.*

10. All electric lines 12 KV and smaller, communications and cable television lines, and all on-premise wiring shall be placed underground in developments where visible from streets or adjoining properties. (T)

    *Rationale: Overhead utility lines are in many cases visually objectionable; can cause issues with proximity to balconies; can obstruct direct pedestrian and vehicular routes and visibility; and can restrict the ability to install required trees and other shading methods.*

11. Freestanding detached monument signage should be integrated with the building architecture. (P)



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*Rationale: Monument signs should incorporate elements of the building architecture through use of similar colors, materials, and/or forms.*

L. **Buffer Alley Development Regulations.** The following regulations shall apply to properties adjacent to Buffer Alleys identified in Section 1202.E, in addition to any other requirements of the Downtown Code:

1. Access to and vehicular maneuvering within a Buffer Alley is not permitted, except for developments meeting at least one of the following criteria: (R)

   a. Abutting properties that currently have legally established access to the Buffer Alley and are not subject to the applicability requirements of Sections 507.B.2 or 507.B.3.

   b. Abutting properties on which there are no more than two dwelling units and no other primary uses.

   c. Abutting subdivisions developed in accordance with Section 1203.D.27.

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m., unless a use permit is obtained. This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)

3. A stepback equal to the minimum required building setback, plus 10 feet, is required for all portions of buildings taller than 30 feet when adjacent to a Buffer Alley. Additional stepbacks may be required by Section 1207.E. (R)

4. For non-single-family developments, a minimum five-foot wide landscape area and minimum 6-foot high solid wall on the alley side of the landscape area must be provided along the property line abutting a Buffer Alley. The wall must be consistent with the material, design and character of the primary building. (R)

5. All new mechanical equipment, including roof mounted equipment, must be fully screened from view from a Buffer Alley. Solar panels and/or solar water heaters are exempt from this requirement. (R)

6. All trash/recycling containers must be fully screened from view from a Buffer Alley, unless alley collection services are provided by the City of Phoenix. (R)

7. Parking lot and security lighting, including building-mounted lighting, shall not exceed 15 feet in height, including lamp, pole, and base, for properties abutting a Buffer Alley. Light fixtures fully screened by a building or other structure, and not visible from the Buffer Alley, are exempt from this requirement. (R)

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8. Decorative lighting (including but not limited to illuminative gases, fiber optics, or LED fixtures) and lighted signage shall not be installed where visible from an adjacent Buffer Alley. (R)

9. Windows, balconies, and rooftop decks on properties abutting a Buffer Alley should be designed to protect the existing privacy of adjacent single-family residential uses. (P)

   *Rationale: These building features should ideally be oriented away from the Buffer Alley. However, if provided, they should be mitigated with things like louvers, screening, frosted/tinted window treatments, and relative window height (i.e. at least 6 feet above the floor).*

M. **Arts, Culture, Small Business Area Development Regulations.**

1. Applicability. The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.F is subject to the following regulations. In the event of a conflict with other provisions of this Chapter, the more permissive regulation shall apply. The development regulations of Section 669 (Arts, Culture, and Overlay District (ACOD) do not apply to properties zoned Downtown Code.

2. Intent. The Arts, Culture and Small Business Overlay is intended to allow greater flexibility in land uses and standards that will contribute to the vitality of Downtown and will enhance community events.

3. Outdoor public events and performances. Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage are permitted, subject to the following: (R)

   a. The outdoor event or performance must be staffed by an employee of an existing business on the property and must comply with all applicable codes and ordinances.

   b. The business' items that are available for purchase during normal business hours may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

   c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only.

   d. Friday and Saturday events or performances shall be limited to the hours between 10:00 a.m. and 12:00 a.m. No amplified music or loudspeakers may be used outside after 10:00 p.m.

   e. Sunday outdoor events or performances shall be limited to the hours between 10:00 a.m. and 10:00 p.m. No amplified music or loudspeakers may be used after 8:00 p.m.

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f. Hours and days of outdoor events or performances may be extended subject to obtaining a use permit in accordance with the standards and procedures of the Zoning Administrator section of the Zoning Ordinance.

g. Outdoor events or performances in Downtown shall be a minimum of 300 feet from an adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.F and from any single-family zoning district outside of Downtown.

4. Accessory uses.

a. Home occupations are permitted subject to the following:

(1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of Section 307.A.7.

(2) No more than 50 percent of the dwelling unit may be used for any home occupation.

b. The following accessory uses are permitted:

(1) Outdoor dining as accessory to a restaurant is permitted subject to the following:

(a) The outdoor dining area shall be a minimum of 30 feet from the boundary of an adjacent Character Area not included in the Arts, Culture, and Small Business Area depicted in Section 1202.F and from any single-family zoning district outside of Downtown.
(b) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter.
(c) The outdoor dining area shall not be more than 25 percent of the primary building's ground level gross floor area. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.
(d) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation.
(e) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area.

(2) Outdoor crafting of art associated with the business inside the building when the subject parcel abuts an arterial or collector street is permitted and subject to the following:

(a) Storage of materials associated with the crafting area shall not exceed eight feet in height and be limited to the rear and side yard.
(b) Storage area shall be fully screened with a solid wall or landscaping.
(c) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit.

5. Signs.

a. A-frame signs are permitted on private property, subject to the following: (R)

(1) No off-site advertising is permitted.

(2) A maximum of one A-frame sign is permitted per 25 feet of street frontage.

(3) A maximum of six square feet of signage per side of the A-frame sign is permitted.

(4) There shall be a maximum height of three feet from natural grade.

(5) All signs shall be removed daily at the close of business or event.

b. Shingle signs are permitted subject to the following: (R)

(1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade.

(2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided.

(3) A maximum of five square feet in area shall be permitted per side.

(4) No backlit or cabinet signs are permitted.

c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: (R)

(1) Wall signs.

(a) The maximum square footage permitted per Section 705.D may be increased by 25 percent.
(b) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign.

(2) Window signs. The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building.

6. Parking, yard and area requirements for nonresidential uses or mixed uses containing nonresidential uses.

a. For parking, yard and area requirements for structures existing as of May 1, 2008: (R)

(1) Regardless of change of use or occupancy no additional parking or landscaping shall be required.

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(2) Structures may be increased a total of either 500 gross square feet or 25 percent of the existing structure, whichever is greater, without requiring additional parking or landscaping.

(3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays.

(4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning requirements, excluding those with Historic Preservation Overlays.

b. Outdoor dining that does not exceed 25 percent of the primary building's ground level gross floor area shall not require any additional parking. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.

c. Unless subject to Buffer Alley regulations (Section 1207.L), vehicles are permitted to maneuver in the alley when dustproofing/paving, adequate maneuvering space, and visibility are approved by the Planning and Development Department.

d. Unless subject to Buffer Alley regulations (Section 1207.L), when vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley.

N. **Taylor Street Pedestrian Paseo Regulations.**

1. **Intent.** The Taylor Street Paseo is intended to primarily serve pedestrians, connecting the Van Buren Character Area to the commercial, educational, and cultural resources and institutions located in the central portion of Downtown (generally east of First Avenue). The Paseo will provide a mid-block east-west route alternative located generally along the alignment of Taylor Street, to help mitigate the unusually long block lengths between Fillmore and Van Buren Streets.

2. **Applicability.** The properties abutting the alignment indicated on the map below are subject to the following special development regulations:

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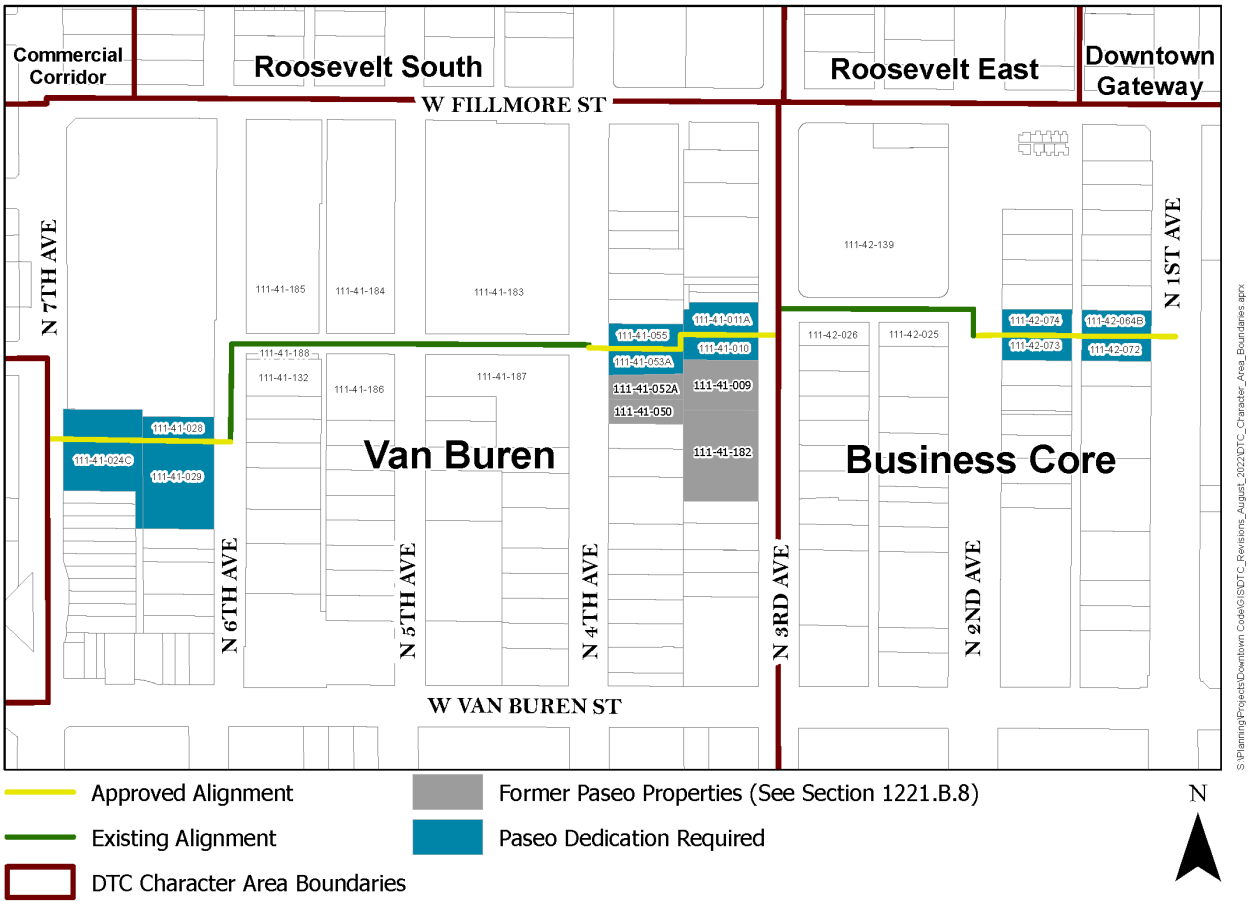
## Taylor Street Paseo




3. **Easement dedication.** Properties abutting the Paseo alignment are required to dedicate a public pedestrian easement (hereafter referred to as "Paseo") per the alignment as shown on the map provided in this Section.

   a. The minimum width of the Paseo, and the public pedestrian easement to be dedicated at the time of development is 20 feet, subject to the following:

      (1) Where the Paseo runs between different properties, the dedication may be split between the properties so long as the Paseo dedications from all properties are made concurrently.

      (2) If the Paseo is dedicated within or abutting a public street, the public pedestrian easement dedication within the adjacent Frontage Zone shall be wide enough to provide a minimum of 20 feet from back of curb to back of easement.

   b. The Paseo may be provided as a pedestrian-only corridor between private lots, or within and/or adjacent to a public street, so long as it is in compliance with all of the applicable design standards and guidelines provided below.

4. **Deviation from approved alignment.** The alignment of the Paseo may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

    a. The deviation should not result in a misalignment of more than 90 feet.

    b. A north or south connector Paseo, designed in accordance with this section, should be provided on site when a deviation results in more than 20 feet of misalignment within the block.

    c. The revised easement location shall be dedicated prior to final site plan approval.

    d. The deviated alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

5. **Paseo Streetscape and Frontage Zone standards**

    a. Streetscape and Frontage Zone standards apply as stated in the applicable Character Area Streetscape and Frontage Zone Matrix.

    b. Streetscape Zone development regulations, per Section 1204, apply when the Paseo is located within or abutting a dedicated street.

    c. Frontage Zone development regulations, per Section 1204, apply within the portion of the Paseo located on private property unless such regulations conflict with other regulations specific to development of the Paseo stated in this Section.

    d. If the Paseo is provided within or adjacent to a public street, the street should be designed with on-street parking adjacent to the Paseo. (P)

    *Rationale:* On-street parking provides a buffer from through traffic lanes, as well as creating an environment encouraging the use of the Paseo as the main access point to residential units or commercial suites fronting the Paseo.

    e. A minimum of 50% of the ground floor abutting the Paseo should consist of active uses and/or residential uses providing primary entrances from the Paseo. (P)

    f. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance to the Paseo. (P)

    ***Rationale for e and f:*** The Paseo should attract pedestrians and be a safe place for persons to walk and gather.

6. **Paseo Design Regulations**

    a. An ADA compliant sidewalk a minimum of 8 feet in width and clear of obstructions shall be provided within the Paseo. (T)

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b. The Paseo should be a straight as possible and avoid meanders. (T)

c. The Paseo sidewalk should be a minimum of 75% shaded. If trees are used to provide shade, the percent shading shall be calculated based upon tree canopy at maturity. Structural shade may also be used to comply with the shading requirement. (P)

d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo when located on private property. (P)

e. The Paseo should be clearly separated from vehicular maneuvering areas. (T)

f. Automobile access to on-site parking areas or garages should not cross the Paseo, unless the Paseo is located within or abutting a dedicated street. At all such crossings, a crosswalk a minimum of 20 feet wide consisting of paint or contrasting pavement should be provided. (T)

g. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and on-site vehicular traffic lanes. (T)

h. Paseo segments that cross surface parking areas should be designed with the following elements: (P)

   (1) A minimum 8-foot wide grade separated walkway.

   (2) A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

i. The following lighting treatment should be provided within the Paseo: (P)

   (1) 15-foot maximum height of lighting fixtures. When adjacent to a street, taller streetlights may be provided in addition to the pedestrian-level lighting.

   (2) A minimum of one foot-candle illumination should be maintained over the Paseo sidewalk.

   (3) Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.

   (4) Lighting within the Paseo should be illuminated from dusk until dawn.

j. One of the following identifying markers should be provided at each street entrance to the Paseo: (P)

   (1) Bollard path light.

   (2) Public art.

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(3) Decorative directional signage.

k. Temporary security gating—In the event that a block's Paseo is not fully developed, and the Paseo is not located along a dedicated street, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions: (P)

(1) A pedestrian gate is provided that is unlocked during business hours.

(2) A revocable permit is obtained.

(3) The fencing is removed upon completion of the block's Paseo.

***Rationale for a through k:*** *the design of the Paseo should encourage use by pedestrians. Safety, security, and accessibility should work into all design elements, as well as uses which engage and attract pedestrians.*

O. **Lot Coverage.** When 100% lot coverage is permitted by right, or obtained by sustainability bonus points, the following apply: (R*)

1. Interior property line setbacks may be reduced or eliminated.

2. Frontage Zone depths and minimum street building setbacks may be reduced as approved by the Design Review Committee per Section 1224.A.

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## Section 1208. Biomed.

**A. Intent.** The Biomed character area, which is home to the biomedical campus, should be a lively urban district with medical workers, researchers, and students. Restaurants and shops on Garfield Street, Roosevelt Row, and Arizona Center are all located within a short walk and development should be designed to reinforce pedestrian convenience to these areas through a consistent pattern of shaded sidewalks. Small plazas and courtyards are encouraged to be located along streets, typically near building entrances, providing gathering places and "cool pockets" on hot days. Landscaped courtyards interior to the campus should serve as mid-block pedestrian connections. Views of the landscaped courtyards should be visible from the street, enriching the street environment.

**B. Development Regulations.** The following development regulations apply to properties located with the Biomed character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** No maximum.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.
        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

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**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| *Streetscape and Frontage Zone Matrix--Biomed* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Garfield Street<br>4th St. to 6th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| McKinley Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| Pierce Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Fillmore Street<br>5th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Van Buren Street<br>5th St. to 9th St. | 0' | 20’ | 75% | ALL | 6' | 12’ |
| 4th Street<br>Garfield St. to Fillmore St. | 5' | 20’ | 75% | SD, PO, S, GA, FC | 6' | 14’ |
| 5th Street<br>Garfield St. to Fillmore St. | 0' | 20’ | 75% | S, GA, FC | 10' | 20’ |
| 5th Street<br>Fillmore St. to Monroe St. | 0' | 20’ | 75% | S, GA | 10' | 20' |
| 6th Street<br>Garfield St. to Fillmore St. | 5' | 25’ | 75% | SD, PO, S, GA, FC | 10' | 20’ |
| 7th Street<br>McKinley St. to Monroe St. | 0' | 20’ | 75% | ALL | 5' | 15’ |

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***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1209. Business Core.

**A. Intent.** The Business Core character area should function as a strong regional center for employment, entertainment, conventions, tourism, and cultural institutions, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this character area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit.

**B. Development Regulations.** The following development regulations apply to properties located with the Business Core character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus (north of Madison Street): None.

    b. Bonus (south of Madison Street, within the 80 feet base height category only): Maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: None.

3. **Maximum lot coverage:** No maximum.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:**

    a. Minimum:

        (1) Residential uses: governed by Section 1206.
        (2) Non-residential uses: None.

    b. Maximum: Governed by Section 1206.

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c. Bonus:

(1) Increase: Maximum 100%
(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Taylor Street Paseo**. Certain properties within the Business Core are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N. The affected properties are shown on the map provided within that Section.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>3rd Ave. to 5th St. | 5' | 25’ | Minimum 50% | ALL | 5' | 11' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Taylor Street<br>1st St. to 3rd St. | 5' | 20' | Minimum 75% | S, GA, GR | 8' | 14' |
| Polk Street<br>Central Ave. to 2nd St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Van Buren Street<br>3rd Ave. to 5th St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |

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| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Monroe Street<br>5th Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, GR | 10' | 16' |
| Adams Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | ALL | 5' | 13' |
| Adams Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Adams Street<br>3rd Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>8th Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>2nd St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>8th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>3rd Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Jefferson Street<br>5th St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>5th Ave. to 1st St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>4th Ave. to 1st Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |

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| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Jackson Street<br>1st St. to 4th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Buchanan Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14’ |
| Lincoln Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 8th Avenue<br>Adams St. to Madison St. | 5' | 23' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Avenue<br>Adams St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 6' | 14' |
| 7th Avenue<br>Jefferson St. to Harrison St. alignment | None Required | None Required | None Required | ALL | 6' | 14' |
| 6th Avenue<br>Adams St. to Washington St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Jefferson St. to Harrison St. alignment | 5' | 25' | Minimum 50% | ALL | 8' West<br>5' East | 14' West<br>10' East |
| 4th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |

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| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 4th Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 10' | 16' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | ALL | 8' | 14' |
| 3rd Avenue<br>Van Buren St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 3rd Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 2nd Avenue<br>Fillmore St. to Monroe St. | 5' | 25' | Minimum 75% | ALL | Per plans approved by Street Transportation Department. | |
| 2nd Avenue<br>Monroe St. to Adams St. | 5' | 25' | Minimum 75% | ALL | 10' | 16' |
| 1st Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 1st Avenue<br>Madison St. to Jackson St. | None Required | None Required | None Required | ALL | Per plans approved by Street Transportation Department. | |
| Central Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 1st Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |

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| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Street<br>Fillmore St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 3rd Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 4th Street<br>Jefferson St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 5' | 10' |
| 4th Street<br>Jackson St. to Lincoln St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Van Buren St. to Jefferson St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 6th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 7th Street<br>Monroe St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Street<br>Jefferson St. to Lincoln St. | None Required | None Required | None Required | ALL | 8' | 14' |

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***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**D. Signage Regulations.**

1. Signage in the Business Core Character Area shall be governed by the regulations applicable to signs for commercial land use as established in Section 705. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs.

    a. Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall:

        (1) Identify only one on-site business.

        (2) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.

        (3) Project no more than three feet into the public right-of-way.

        (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).

    b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

    c. Signs painted on the building surface or letters mounted directly to the building surface shall:

        (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet.

        (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

2. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.

3. The foregoing requirements shall not apply to signs exceeding 56 feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705.D.3.i of the Zoning Ordinance.

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4. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area.

5. Second-story or basement business fronting the public right-of-way may only use a sign in a second-story window or use a wall sign. Awning signs shall not be permitted on second-story windows.

6. Corner buildings shall be allowed signage on each street frontage.

7. Freestanding or ground signs may be allowed to a maximum of 40 square feet in area if the primary building is set back 15 or more feet from the property line for more than 50 percent of the street frontage. Said sign shall be a maximum of three feet in height. Signs may be up to 20 feet in height and 100 square feet in area if a comprehensive sign plan is approved and if the project covers a full block or more.

8. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than 25 percent of the area may be devoted to business identification.

9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area.

10. Signs, banners, balloons, flags, guidons, and similar devices may be erected subject to a use permit in conjunction with special promotional events to be held within Downtown of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identity. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.

11. For master planned developments covering one or more downtown blocks (300 feet by 300 feet minimum), signs, banners, and flags may be erected subject to a use permit in compliance with a comprehensive sign plan. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.

    c. The signs and other displays shall include only logos, graphics and project name of the master planned development.

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12. Wall signs on buildings in a designated historic preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

13. The following signs are prohibited:

    a. Signs placed above or on top of any portion of the roof or front parapet.

    b. Signs advertising goods or services not provided on the premises.

    c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.

14. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within Downtown.

    a. Sign types. In addition to other signs permitted in the Business Core Character Area and those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, the following sign types shall be permitted in a Master Planned Development Sign Plan: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic 0signs, and wayfinding signs.

    b. Master Planned Development Sign Plan application. A Master Planned Development Sign Plan application shall include the following elements:

        (1) Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

        (2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Ground signs. Ground signs, which may be multi-faced, shall not exceed 50 feet in height and no single face shall exceed 600 square feet. The overall height of ground signs, including sign embellishments, shall not exceed 67 percent of the height of the closest building.
(b) Building mounted signs. Aggregate area for building mounted signs shall not exceed 100 percent of the facade to which the signs are attached, including the building roof. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building.
(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.
(d) Temporary signs. Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability/anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move or stream.

c. Approval of a Master Planned Development Sign Plan. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. The Planning and Development Director or designee shall approve, approve with conditions or deny such application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians.

(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.

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(3) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan.

d. Detailed project sign plan application. An application for approval of a detailed project sign plan for a development within the boundaries of an approved Master Planned Development Sign Plan shall include the following documents or graphics:

(1) Site plans, building elevations or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure or site.

(2) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height.

(3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination.

(4) Proposed hours for illumination of the signs.

(5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan.

e. Approval of detailed project sign plans. An application for a detailed project sign plan shall be submitted to the Planning and Development Director or designee for review for conformance with the standards, restrictions and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions, or deny a detailed project sign plan application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the applicant demonstrates the following:

(1) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan.

(2) The scale, composition and manner of display of the signs, banners, flags or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan.

(3) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan.

(4) The durability of the materials proposed for the signs, banners, flags or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags or architectural lighting.

f. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding a Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment

Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.10.e.

g. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

h. Specific signs. Requests for approval of specific, individual signs with a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department.

15. For master planned developments for sports, entertainment or concert venues with a minimum of 4,000 seats, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan. The City may approve a Master Planned Development Sign Plan to allow signs that are larger and taller than are otherwise allowed within the Business Core Character Area within Downtown. All signage permitted under this section shall be reviewed and approved in accordance with the following:

a. Sign types. In addition to other signs permitted in the Business Core Character Area, the following sign types shall be permitted in a master planned development: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs.

b. Master Planned Development Sign Plan application. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. A Master Planned Development Sign Plan application shall include the following:

(1) Design guidelines. Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of the sign. This shall include delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall

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address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Building mounted signs. Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street and 10 percent on the other elevations, with the ability to transfer up to five percent from the arterial elevation to one other elevation. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. If the sign is placed at an angle to the building elevation, the applicant must specify to which elevation the sign area will be counted.
(b) Supergraphics. Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less.
(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.
(d) Temporary signs. Temporary signs may be allowed at the same sizes and heights as permanent signs. Temporary signs or graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability or anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream.

c. Approval of a Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions or deny such application. The Planning and Development Director or designee shall approve such application in writing only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance.

(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.

(3) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004.

d. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding the Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.15.c.

e. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

16. Signage may be increased by up to 25 percent if a comprehensive sign plan is approved as provided in Section 705.E of the Phoenix Zoning Ordinance.

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## Section 1210. Central Park.

**A. Intent.** Central Park has a strong historic single-family form and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in the primary structure and in appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure.

**B. Development Regulations.** The following development regulations apply to properties located with the Central Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

   c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 50%.

   a. Bonus: None.

   b. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Side: 5 feet.
      (2) Rear: 40 feet.

   b. Accessory structures:

      (1) Side: 3 feet.
      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

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5. **Required parking:** Governed by Section 1206.

   a. Bonus:

      (1) Increase: Maximum 50%.
      (2) Decrease: Maximum 50%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

      (1) Walls/fences taller than 40 inches may not be provided closer to the street than the front façade of the structure. This provision does not apply to street side yards.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Central Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Tonto Street<br>Alley west of 1st St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>Alley west of 1st St. to 1st St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>1st St. to 2nd St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>2nd St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, CE, S | 5' | 12' |
| 1st Street | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S | 5' | 12' |

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| *Streetscape and Frontage Zone Matrix—Central Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| South of Grant St. to north of Buckeye Rd. | | | | | | |
| 2nd Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| 3rd Street<br>South of Grant St. to north of Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 20' |
| 4th Street<br>South of Grant St. to Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1211. Commercial Corridors.

**A. Intent.** The commercial corridors should become attractive gateways into downtown. New wider and shaded sidewalks should provide safety and comfort, making it easier for pedestrians and transit riders to access services in the corridor. New mixed-use developments are envisioned to line 7th Avenue, with small restaurants, retail and other businesses serving the surrounding neighborhoods. Along Central Avenue, a street wall should be established that frames the street to create a gateway entrance into Downtown from the south.

**B. Development Regulations.** The following development regulations apply to properties located with the Commercial Corridors character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Accessory structures, including Accessory Dwelling Units: 20 feet.

   c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: None.

3. **Maximum lot coverage:** 50%.

   a. Bonus: Maximum 85% lot coverage.

   b. Additional lot coverage of 10% (total 60%) is allowed for an ADU.

4. **Minimum setbacks from interior property lines**:

   a. Primary building:

      (1) Side: 5 feet.
      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley.

5. **Required parking:** Governed by Section 1206.

   a. Bonus:

      (1) Increase: Maximum 50%.

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(2) Decrease: Maximum 50%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Commercial Corridors*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| ***7th Avenue Corridor*** | | | | | | |
| 7th Avenue Alley north of Roosevelt St. to Fillmore St. | 5' | 25' | Minimum 50% | ALL | 6' | 12' |
| Roosevelt Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 11' |
| McKinley Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' west of 7th Ave.<br>14' east of 7th Ave. |
| Pierce Street Alley west of 7th Ave. to 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |
| Fillmore Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| ***Central Avenue South Corridor*** | | | | | | |

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| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Avenue Grant St. to Hadley St. | 0' | 20' | Minimum 50% | S, GA, SD, PO,CE | 5' | 11' |
| Central Avenue Hadley St. to Buckeye Rd. | 0' | 20' | Minimum 50% | S, GA, SD, PO, CE | 5' | 10' |
| Grant Street 2nd Ave. to 2nd St. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| Sherman Street 2nd Ave. to 1st Ave. crossover | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 11' |
| Hadley Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Tonto Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Buckeye Road Alley west of Central Ave. to 3rd St. | 0' | 20' | Minimum 50% | S, GA | 5' | 12' |
| Buckeye Road Alley west of 3rd St. to 4th St. | 0' | 20' | Minimum 50% | S, GA | 7' | 12’ |
| 2nd Avenue Grant St. to Sherman St. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| 1st Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 50% | S, GA | 5' | 19' |
| 1st Avenue Hadley St. to Tonto St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 18' |
| 1st Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |

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| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 1st Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 2nd Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| 2nd Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 3rd Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 20' |
| 4th Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1212. Downtown Gateway.

**A. Intent.** The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

**B. Development Standards.** The following development regulations apply to properties located with the Downtown Gateway character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Bonus: None, except north of Garfield Street, McKinley Street and south of Portland Street where a 30% bonus is allowed.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 100%.

   a. Bonus: None.

4. **Minimum setbacks from interior property lines:** None.

5. **Required parking:** Governed by Section 1206.

   a. Bonus:

      (1) Increase: Maximum 50%.
      (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines:

      (1) When a fully dedicated alley is present, view fencing shall be provided for all portions of walls above 40 inches in height.

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(2) When not adjacent to an alley, maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Downtown Gateway*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Coronado Road<br>Central Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| McDowell Road<br>1st Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA, GR | 8' | 16' |
| Lynwood Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Willetta Street<br>Central Ave. to 1st St. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Culver Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Roosevelt Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |

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| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Garfield Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| McKinley Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Pierce Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Fillmore Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| 1st Avenue<br>Alley north of Almeria Rd. to McDowell Rd. | 5' | 25' | N/A | SD, PO | 8' | 16' |
| 1st Avenue<br>Roosevelt St. to McKinley St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| 1st Avenue<br>McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Coronado Rd. to Culver St. | 0', unless more needed to comply with Central Avenue | 20' | Minimum 75% | ALL | per adopted Central Avenue | per adopted Central Avenue |

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| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| | Development Standards | | | | Development Standards | Development Standards |
| Central Avenue<br>Culver St. to Roosevelt St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Roosevelt St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Alvarado Road<br>Coronado Rd. to McDowell Rd. | 5’ | 20’ | 50% | SD, PA, PO, S, GA | 8' | 16' |
| 1st St.<br>McDowell Rd. to Willetta St. (Cancer Survivor Park) | 0' | 20' | Minimum 75% | SD, PA, S | 8' | 16' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1213. East Evergreen.

A. **Intent.** The East Evergreen Character Area centers on its incorporation of a historic residential district along with residential offices and newer mixed-use/mid-rise developments. New developments should be compatible with the size of existing buildings, providing an alternative to high-rise housing and offices downtown. New mixed-use projects should be integrated with the historic character of the area by preserving the existing planting strips, palm trees, and landscaped yards on sites within or adjacent to the Historic District. Streets and pedestrian corridors should be inviting and conveniently link the neighborhood to services, parks, cultural facilities and public transportation.

B. **Development Standards**. The following development regulations apply to properties located with the East Evergreen character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

   c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: None.

3. **Maximum lot coverage:** 50%.

   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

   b. Additional bonus: None.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Sides: 3 feet; combined total of 10 feet required.
      (2) Rear: 10 feet.

   b. Accessory buildings:

      (1) Side: 3 feet.
      (2) Rear: 0 feet.

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5. **Required parking:** governed by Section 1206.

   a. Bonus: None.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—East Evergreen*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Lynwood Street West of 7th St. to 4th St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 10' North 9' South |
| Willetta Street West of 7th St. to east of 3rd St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |
| 5th Street South of McDowell Rd. to Interstate 10 Freeway | 5' | 20' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—East Evergreen.**

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1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. (P)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of East Evergreen, preferably by using historic materials and design elements already found within the Character Area.*

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## Section 1214. Evans Churchill East.

A. **Intent.** The primary intent of the Evans Churchill East Character Area is to be a continuously evolving arts-oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ASU campus to the south and Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus north of Garfield Street: None.

    c. Bonus south of Garfield Street: 10% maximum increase.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:**

    a. North of Garfield Street: 50%.

    b. South of Garfield Street: 90%.

    c. Bonus (both areas): Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**:

    a. Primary building:

        (1) Side: 5 feet.
        (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

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5. **Required parking: g**overned by Section 1206.

   a. Bonus:

      (1) Increase: Maximum 100%.
      (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street 3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Portland Street 3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Roosevelt Street 3rd St. to 7th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 7' | 17' |
| Garfield Street 4th St. to 6th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |

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| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Garfield Street 6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 12' |
| McKinley Street 6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| 3rd Street North of Moreland St. to Portland St. | 5' | 30' | Minimum 75% | ALL | 5' | 17' |
| 3rd Street Portland St. to Roosevelt St. | 5' | 30' | Minimum 75% | ALL | 5' | 15' |
| 4th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 15' |
| 5th Street Moreland St. to Roosevelt St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 5th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |

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| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | SD, PA, S, GA | 5' | 20' |
| 7th Street Moreland St. to McKinley St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1215. Evans Churchill West.

A. **Intent.** The primary intent of the Evans Churchill West Character Area is to serve as a transition between the mixed-use neighborhoods to the north and east, the Downtown Gateway Corridor to the west, and the Biomed Cluster to the south. Ideally the area should embrace architecturally innovative high-density residential buildings and offer a dynamic mix of commercial and retail uses. It is the home of the downtown public market and will develop into a destination for retail, restaurants and nightlife. Adjacency to major destinations creates the potential for this area to serve as a major pedestrian thoroughfare. New developments should reflect the innovation of the area and incorporate shade structures and landscaping to create comfortable and inviting pedestrian thoroughfares. Outdoor dining and retail shops will enhance the pedestrian experience and encourage exploration and patronage. Buildings oriented to the street with ample sidewalk space allow for pedestrian amenities in addition to the tree-shaded sidewalks in parkway-like strips.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill West character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus: For properties located between Pierce Street and Fillmore Street, a maximum additional 100-foot height bonus (in addition to the height permitted per Section 1202.B) may be permitted through a Sustainability Bonus approved by the Design Review Committee per Section 1224.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage:** 75%.

    a. Bonus: Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 100%.
        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill West*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>1st St. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, CE, S, GA | 5' | 20' |
| Portland Street<br>Alley east of Central Ave. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, PO, CE, S, GA | 5' | 20' |
| Roosevelt Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 12' | 18' |
| Garfield Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |

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| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Pierce Street<br>Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Fillmore Street<br>Alley east of Central Ave. to 1st St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' | 14' |
| Fillmore Street<br>1st St. to 2nd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' | 15' |
| Fillmore Street<br>2nd St. to 3rd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' North<br>8' South | 10' North<br>15' South |
| Fillmore Street<br>3rd St. to 5th St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' North<br>5' South | 15’ |

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| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 1st Street Moreland St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | Per plans approved by Street Transportation Department. | |
| 2nd Street Moreland St. to McKinley St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' |
| 2nd Street McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' East<br>25' West |
| 3rd Street Moreland St. to Portland St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' |
| 3rd Street Portland St. to alley north of Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' East<br>10' West |
| 3rd Street Alley north of Roosevelt St. to Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Street | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

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| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Roosevelt St. to Fillmore St. | | | | | | |
| 4th Street Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1216. McDowell Corridor.

A. **Intent.** The McDowell Corridor should create an attractive, pedestrian-oriented mixed-use street as a gateway to the historic neighborhoods and Downtown Phoenix. The mixture of professional offices and retail establishments should become more urban and pedestrian oriented. New structures should be built closer to the street and parking should be located behind buildings.

B. **Development Regulations.** The following development regulations apply to properties located with the McDowell Corridor character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 50%.

    a. Bonus: Maximum 85% lot coverage.

4. **Minimum setbacks from interior property lines**:

    a. Primary building:

        (1) Side: 5 feet.
        (2) Rear: 15 feet.

5. **Required parking:** governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.
        (2) Decrease: Maximum 25%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum height of 6 feet.

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7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—McDowell Corridor*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>West of 7th Ave. to east of 1st Ave. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, SD, PO, GA | 5' | 15’ |
| McDowell Road<br>3rd St. to 7th St. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, GA | 6' | 16' |
| Lynwood Street<br>East of 7th Ave. (north side only) | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 15' |
| Lynwood Street<br>5th St. to west of 7th St. | 15' | 30' | Minimum 75% | AFY, SD, PA, PO | 5' | 15' |
| 7th Avenue<br>Alley north of McDowell to Lynwood St. | 0’ | 20' | Minimum 75% | S, GA, CE | 7' | 17’ |

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| *Frontage and Streetscape Zone Matrix—McDowell Corridor* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 5th Avenue<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 16' |
| 3rd Avenue<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 75% | SD, S, PA, PO | 5' | North of McDowell: 10’<br>South of McDowell: as established |
| 3rd Street<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 50% | SD, S, GA, PA, PO, CE | 6' | 16’ |
| 5th Street<br>McDowell Rd. to Lynwood St. | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 15' |
| 7th Street<br>Alley north of McDowell to | 0' | 20' | Minimum 50% | ALL | 6' | 16', or as may be required by ADOT adjacent to |

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| *Frontage and Streetscape Zone Matrix—McDowell Corridor* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland St. | | | | | | freeway ramps |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1217. Roosevelt East.

A. **Intent.** The Roosevelt East Character Area is comprised of a mixture of historic buildings with larger blocks of land with high-rise entitlements. The area will serve as a transition zone from the smaller scale Roosevelt South and Roosevelt North Character Areas to the Downtown Gateway Character Area located to the east along the light rail.

B. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

      (1) Bonus: Maximum 25%.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage:** 75%.

   a. Bonus: Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Side abutting HP-zoned lot: 10 feet.
      (2) Side abutting lot not zoned HP: 0 feet.
      (3) Rear: 0 feet.

   b. Accessory buildings:

      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking: g**overned by Section 1206.

   a. Bonus:

      (1) Increase: Maximum 50%.

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(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Roosevelt East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>3rd Ave. to west of Central Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA, CE | As Established | As Established |
| Roosevelt Street<br>3rd Ave. to 1st Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA | As Established | As Established |
| McKinley Street | 0' | 25' | Minimum 50% | SD, PA, PO | 5' | 15' |

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| *Frontage and Streetscape Zone Matrix—Roosevelt East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Ave. to alley west of 1st Ave. | | | | | | |
| Fillmore Street 3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO, GA, CE | 5' | 15' North Side 21' South Side |
| 2nd Avenue Portland St. to Roosevelt St. | 0' | 25' | Minimum 75% | SD, S, PO, CE | 6' | 16' |
| 2nd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, PA, S, PO, FC, CE | As Established | As Established |
| 2nd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 75% | AFY, SD, S, PO, FC | As Established | As Established |
| 3rd Avenue Latham St. to Roosevelt St. | 0' | 25' | Minimum 50% | SD, PA, PO, S | 6' | As Established |
| 3rd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |
| 3rd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |

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***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—Roosevelt East.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

   ***Rationale:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt East, preferably by using historic materials and design elements already found within the Character Area.*

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## Section 1218. Roosevelt North.

B. **Intent.** Roosevelt North is part of the Roosevelt Historic District and it is comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. Properties generally have carriage houses or garages in the backyard that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt North character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

      (1) Bonus: None.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: None.

3. **Maximum lot coverage:** 40%

   a. Additional lot coverage of 15% (total 55%) is allowed for accessory structures.

   b. Additional bonus: None.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Sides: 3 feet; 10 feet combined total minimum.
      (2) Rear: 10 feet.

   b. Accessory structures:

      (1) Side: 3 feet.
      (2) Rear: 0 feet.

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5. **Required parking:** Governed by Section 1206.

    a. Bonus: None.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

    a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

    b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt North*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>7th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Latham Street<br>5th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 7'5" |
| Culver Street | 20' | 30' | None | AFY | 5' | 10' |

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| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Ave. to 300' west of Central Ave. | | | | | | |
| Willetta Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Lynwood Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| 7th Avenue<br>Lynwood St. to alley south of Portland St. | 20' | 30' | None | AFY | 6' | None Required |
| 5th Avenue<br>Alley north of Roosevelt St. to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Alley north of Roosevelt | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |

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| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| St. to Culver St. | | | | | | |
| 3rd Avenue Culver Street to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 6' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt North.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt North, preferably by using historic materials and design elements already found within the Character Area.*

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## Section 1219. Roosevelt South.

B. **Intent.** Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and dining along tree-lined streets creating a highly desirable, walkable neighborhood.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt South character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

        (1) Bonus: None.

    b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: 100%.

3. **Maximum lot coverage:** 50%.

    a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

    b. Bonus: Maximum 75% lot coverage.

4. **Minimum setbacks from interior property lines.**

    a. Primary building:

        (1) Side abutting HP-zoned lot: 10 feet.
        (2) Side(s) abutting lot not zoned HP: 3 feet; 10 feet combined total minimum.
        (3) Rear: 0 feet.

    b. Accessory structures:

        (1) Side: 3 feet.
        (2) Rear: 0 feet.

5. **Required parking:** Governed by Section 1206.

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a. Bonus:

(1) Increase: Maximum 50%.
(2) Decrease: Maximum 50%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt South*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Roosevelt Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 75% | AFY, SD, PO, PA, S | 5' | 6' |
| McKinley Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 10' |

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| *Streetscape and Frontage Zone Matrix—Roosevelt South* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 7'5" |
| 6th Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 6' |
| 5th Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 14' |
| 4th Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |
| 3rd Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt South.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt South, preferably by using historic materials and design elements already found within the Character Area.*

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## Section 1220. Townsend Park.

A. **Intent.** The primary intent of the Townsend Park Character Area is to transition between the mixed-use neighborhoods to the east, the McDowell Corridor to the north and the Downtown Gateway to the west. The area's special potential to connect these diverse adjacent areas can be realized through incorporating mixed-use/mid-rise developments that focus on office and cultural facilities. Given the proximity to the City's largest public library and the light rail corridor, a cultural focus in any new development is essential. As with any heavily accessed cultural area, the streetscape should contain inviting and comfortable parkway strips that offer easy links to nearby cultural facilities, parks and public transportation.

B. **Development Regulations.** The following development regulations apply to properties located with the Townsend Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

        (1) Bonus: Maximum 30%.

    b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: 100%.

3. **Maximum lot coverage:** 75%.

    a. Bonus: Maximum 100% lot coverage.

    b. Accessory buildings may not exceed 25% of the net lot area. This coverage is included within the overall permitted lot coverage.

4. **Minimum setbacks from interior property lines**:

    a. Primary building: 0 feet.

    b. Accessory structures:

        (1) Side: 3 feet.
        (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** governed by Section 1206.

    a. Bonus:

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(1) Increase: Maximum 50%.
(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Townsend Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>1st St. to east of 3rd St. | 0' | 20’ | Minimum 75% | S, GA, CE | 5' | 5’ |
| Willetta Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Culver Street<br>1st St. to 2nd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Moreland Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| 1st Street<br>McDowell Rd. to Willetta St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' East<br>7' West | 6' East<br>West—None Required |

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| *Streetscape and Frontage Zone Matrix—Townsend Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Street McDowell Rd. to Culver St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' | 25' |
| 3rd Street McDowell Rd. to Moreland St. | 5' | 30' | Minimum 75% | S, SD, PA, PO, GA | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1221. Van Buren.

**A. Intent.** The intent of the Van Buren Character Area is to establish a dense, vibrant, urban mixed-use area that is a center for commerce and high-rise urban living. This area comprises some of the tallest height entitlements within the City. The close proximity to government buildings and commercial offices makes this an ideal location for future hotels and iconic residential buildings with a strong urban focus. The active streetscape will connect the primarily residential neighborhoods to the north with the amenities and services provided within the Business Core and Van Buren Character Areas.

**B. Development Regulations.** The following development regulations apply to properties located with the Van Buren character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height.**

   a. Main building*:* Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

      (1) Bonus: None.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 50% increase.

   b. For properties which dedicate the Taylor Street Paseo, see below.

3. **Maximum lot coverage:** 55%.

   a. Bonus: Maximum 100% lot coverage.

   b. Accessory structures: Maximum 25% total lot coverage. This amount is included in the overall allowed lot coverage.

   c. For properties which dedicate the Taylor Street Paseo, see below.

4. **Minimum setbacks from interior property lines.**

   a. Primary building: 10 feet. No setback required if property line abuts an alley which is not a Buffer Alley.

   b. Accessory structures: None.

5. **Required parking:** Governed by Section 1206.

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a. Bonus:

(1) Increase: Maximum 50%.
(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 6 feet.

(1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

8. **Taylor Street Paseo**. Certain properties within Van Buren are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N., in addition to the modified standards stated above. The affected properties are shown on the map provided within that Section.

a. For properties that dedicate the Taylor Street Paseo, lot coverage and density are not restricted.

b. For properties formerly required to dedicate the Taylor Street Paseo prior to the Paseo realignment, lot coverage and density are not restricted if all of the following amenities are provided within the property frontage:

(1) A minimum 8-foot-wide sidewalk is provided for the length of the property.
(2) Two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.
(3) Open space at the ground level on private property (minimum 500 square feet and not less than 10 feet wide any direction), with a public access easement dedicated over all portions of the open space area.
(4) A minimum of three pedestrian amenities within the open space, such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet.

**C. Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

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| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>Alley west of 7th Ave. to 7th Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 7' |
| Fillmore Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Van Buren Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 5' | 5' |
| Woodland Avenue<br>9th Ave. to alley west of 9th Ave. | 12' | 30' | Minimum 75% | AFY, SD, PA, PO, S | 5' | 10' |
| Monroe Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S | 8' | 10' |
| Adams Street<br>4th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| Adams Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 5' |
| 9th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 50% | ALL | 5' | 20' |
| 7th Avenue<br>Fillmore St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |

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| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | East 5'<br>West 5' | East 8'<br>West 5' |
| 6th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | East 5'<br>West 5' | East 5'<br>West 8' |
| 5th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 4th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| 4th Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 5' | 5' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 65% | SD, PO, S, FC, GA | See Paseo Guidelines | See Paseo Guidelines |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

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## Section 1222. Warehouse.

A. **Intent.** The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. **Development Regulations.** The following development regulations apply to properties located with the Warehouse character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus (north of Lincoln Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

    b. Bonus (elsewhere within Character Area): 50%. Exception: any property within a base height category of 150 feet or greater shall not be permitted a height bonus, due to Airport Downtown Zone height limits.

    c. Additional height restrictions apply for properties subject to Section 1222.B.4.

2. **Maximum density**: Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage**: 100%.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines:**

    a. For sites not abutting a property located within the Central Park Character Area: 0 feet.

    b. For sites abutting a property located within the Central Park Character Area (not including properties separated by a fully dedicated alley or street), the following regulations apply:

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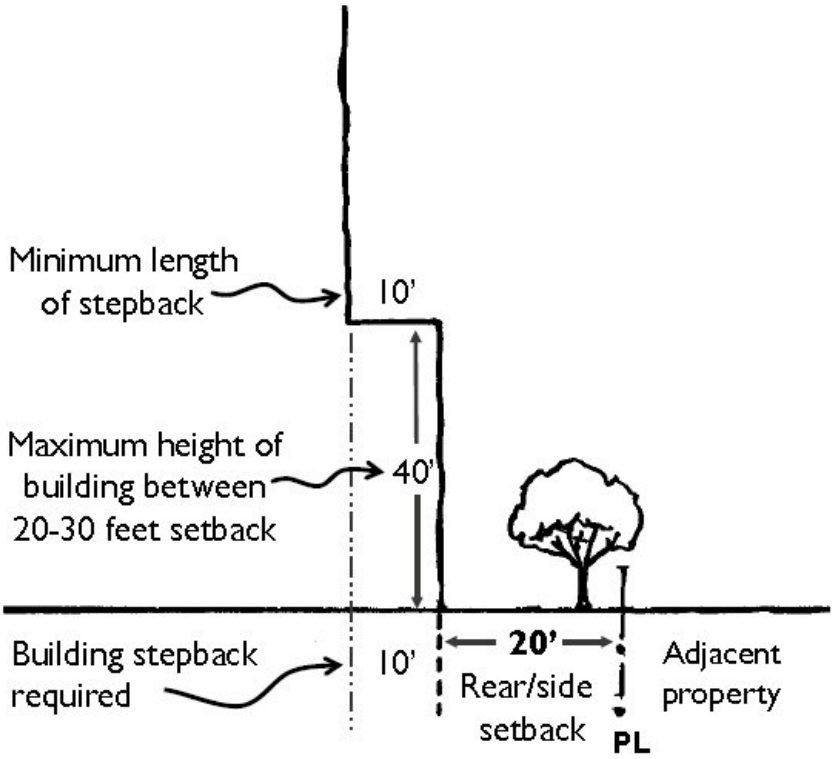
(1) Side or rear lot line: Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line.
(2) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line.
(3) A stepback shall be required unless the proposed new development is located ten or more feet beyond the required setback line. A minimum stepback of ten feet in depth for the length/width of the building that is adjacent to the Central Park Character Area is required. The stepback shall be measured from the required side or rear yard setback line.




5. **Required parking:**

a. Minimum:

(1) Residential uses: Governed by Section 1206.
(2) Non-residential uses: None.

d. Maximum: Governed by Section 1206.

e. Bonus:

(1) Increase: Maximum 100%.
(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 8 feet.

7. **Signage.** Signage in the Warehouse Character Area shall be governed by the regulations applicable to signs in the commercial districts of Section 705 of the Phoenix Zoning Ordinance.

   a. Signs projecting from the front of buildings shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall require a revocable permit administered by the City of Phoenix prior to issuance of the sign permit. Each sign shall:

      (1) Identify only one on-site business.
      (2) Provide a minimum eight-foot clearance.
      (3) Project no more than three feet into the public right-of-way.
      (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign).

   b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

   c. Signs painted on the building surface or letters mounted directly to the building surface should:

      (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. May have minimum of 40 square feet.
      (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

   d. Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area.

   e. Second-story businesses may only use a sign in a second-story window, or use a wall sign. Awning signs shall not be permitted on second-story windows.

   f. Corner buildings shall be allowed signage on each street frontage.

   g. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. The maximum height of said directional signs is three feet. No more than 25 percent of the area may be devoted to business identification.

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h. The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area.

i. Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2.a, b and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identification. In addition to the standards enumerated in Section 705.F, findings of approval of the use permit shall include:

(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
(2) When adjoining establishments participate in an event, a single request for a use permit may be filed.

j. Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

k. The following signs are prohibited:

(1) Those placed above or on top of any portion of the roof or front parapet or facade.
(2) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
(3) Freestanding signs or ground signs.

l. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in Section 705.E of the Phoenix Zoning Ordinance.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Warehouse*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Avenue South of the train tracks to Grant St. | 0’ | 20’ | None | ALL | 5' | 10’ |
| 7th Avenue | 0' | 20’ | Minimum 75% | S, GA, SD, CE | 5' | 10’ |

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| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Grant St. to Sherman St. | | | | | | |
| 6th Avenue Sherman St. to Grant St. | 0' | 20' | Minimum 50% | ALL | 5' | 12' |
| 5th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 4th Avenue Sherman St. to Grant St. | 0' | 20' | Minimum 50% | ALL | 5' | 12' |
| 4th Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 19' |
| 4th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 3rd Avenue Grant St. to Jackson St. | 0' | 20' | Minimum 75% | S | 5' | 20' |
| 2nd Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 23' |
| 2nd Avenue | 0' | 20' | Minimum 50% | S | 5' | 10' |

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| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Buchanan St. to Jackson St. | | | | | | |
| 1st Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S | 10' | 15' |
| Central Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S, GA, SD, CE | 8' | 15' |
| 1st Street Grant St. to Buchanan St. | 0' | 20' | Minimum 50% | ALL | 5' | 15' |
| 1st Street Buchanan St. to Madison St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 2nd Street Lincoln St. to alley south of Jackson St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 3rd Street South of Grant St. to Grant St. | 0' | 20' | Minimum 75% | AFY, SD, PA, PO, S | 6' | 20' |
| 3rd Street Grant St. south to Railroad Row | 0' | 20' | Minimum 75% | S | 6' | 14' |

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| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 4th Street<br>Grant St. south to Character Area boundary | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 10’ |
| 5th Street<br>Grant St. to Lincoln St. | 0' | 20’ | Minimum 50% | ALL | 6' | 14' |
| 6th Street<br>Lincoln St. to Buchanan St. | 0' | 20’ | Minimum 50% | ALL | 8' | 13' |
| 7th Street<br>Lincoln St. to south of Grant St. | 0' | 20’ | Minimum 75% | ALL | 6' | 14' |
| Madison Street<br>5th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Madison Street<br>1st Ave. to 1st St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Jackson Street<br>5th Ave. to 1st St. | 0' | 20’ | Minimum 75% | S | 8' | As Established with Tree Wells(1) |
| Buchanan Street | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |

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| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Ave. to 3rd St. | | | | | | |
| Lincoln Street 7th Ave. to 7th St. | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |
| Grant Street 6th Ave. to 2nd St. 3rd St. to 7th St. | 0' | 20’ | Minimum 50% | ALL | 5' | 19' |
| Grant Street 2nd St. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 19' |
| Sherman Street 7th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

D. **Additional Design Regulations--Warehouse.**

1. New construction from finished grade to 65 feet in height shall use concrete, brick or other quality exterior-facing materials found on the structures in the Warehouse Character Area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. (P)

2. Brick veneer and brick tile applications, when used, should give the appearance of structural brick by using wraparound corner and bullnose pieces to minimize a veneer appearance. (P)

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3. Stucco should not be used as a new element on an existing building. For new construction, stucco finishes should be limited to no more than 25 percent of all facades, and located where least visible from Streetscape Zones. (P)

   ***Rationale for D.1 – D.3:*** *The Warehouse Character Area has a unique and historic architectural context which current development should mimic or complement.*

4. The following design elements are only permitted for use within the Warehouse Character area if approved by the Design Review Committee as a Design Alternative per Section 1224 (R*):

   a. Metal or wood siding.
   b. Parabolic arches and other nongeometric forms.
   c. Backlit awnings or panels.
   d. Plastic and acrylic components used in awnings and other accessories.
   e. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms.
   f. Curtain-wall facades.

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## Section 1223. Sustainability Bonus.

**A. Applicability**. The Sustainability Bonus system is designed to provide additional entitlements to developments that exhibit enhanced and/or environmentally friendly design, or other performance elements as outlined in this Section or as approved by the Design Review Committee.

1. A Sustainability Bonus may only be awarded when allowed by the applicable Character Area development regulations.

2. Sustainability Bonus credits (as detailed in Section 1223.C) earned shall only apply to one category of bonus. If multiple bonuses are desired for one development (such as one for height increase, and another for parking increase), each bonus must earn the required bonus credits separately, unless specifically stated otherwise in this Chapter.

3. All items or improvements which are provided specifically to obtain a Sustainability Bonus shall be located on site, and not in public right-of-way, unless approved as a Technical Appeal demonstrating that all required Streetscape improvements, including shade, landscape, and minimum sidewalk width, will still be provided.

**B. Credit Categories.**

1. **Height Increase.** The allowed bonus is an increase in height calculated as a percentage of the base maximum height permitted per Section 1202.B. However, no building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

| **Height Increase** | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 50% |
| 60 | 40% |
| 50 | 30% |
| 40 | 20% |
| 30 | 10% |
| 20 | 5% |

2. **Density Increase**. The allowed bonus is an increase in the number residential units calculated as a percentage of the base maximum units permitted per Section 1202.C:

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| Density Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 100% |
| 60 | 80% |
| 50 | 60% |
| 40 | 40% |
| 30 | 25% |
| 20 | 10% |

3. **Increase of Lot Coverage**. The allowed bonus is the amount of additional lot coverage allowed in addition to the lot coverage permitted by the applicable Character Area; e.g. a development earning 20 bonus credits is allowed an additional 10% lot coverage.

| Increase of Lot Coverage | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 50% |
| 40 | 25% |
| 30 | 15% |
| 20 | 10% |
| 10 | 5% |

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4. **Increase of Maximum Parking.** The allowed bonus is an increase calculated as a percentage of the maximum parking allowed per Section 1206.

| Increase of Maximum Parking | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 100% |
| 40 | 75% |
| 30 | 50% |
| 20 | 25% |
| 10 | 15% |
| 5 | 10% |

5. **Decrease in Minimum Parking.** The allowed bonus is a decrease calculated as a percentage of the minimum parking required per Section 1206.

| Decrease of | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 25 | 100% |
| 20 | 75% |
| 15 | 50% |
| 10 | 25% |
| 5 | 10% |

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C. **Sustainability Bonus Credit Matrix.**

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 1. Provide a vertical mixed-use development which incorporates commercial suites at the ground level intended for patronage by the general public, and not associated with the operation of the overall development. Each suite shall have a primary entrance from the Frontage/Streetscape zone. | 25% of gross ground area of building | 5 |
| | 50% + of gross ground floor area of building | 10 |
| 2. Provide pedestrian amenities within the Frontage Zone (or Streetscape Zone if approved through a Technical Appeal and Street Transportation) such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. (Must be in addition to any required amenities.) | 3 Different Types of Amenities | 5 |
| | 6+ Different Types of Amenities | 10 |
| 3. Provide outdoor dining within the Frontage Zone. Also applies to outdoor dining provided within a Forecourt or a Gallery/Arcade, but only if the minimum sidewalk width required by the Character Area is maintained. | Minimum 400 sf | 5 |
| | 800+ sf | 10 |
| 4. Provide additional bicycle amenities (beyond any required), as follows in 4a and 4b: | | |
| 4a. For any use type, provide additional amenities such as a secured bicycle parking room; bicycle lockers, tire air-up facilities, and/or bicycle maintenance area or room. | Secured parking room for minimum 50% required bicycle parking | 5 |
| | Bicycle lockers for minimum 50% required bicycle parking | 5 |

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| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| | Tire air-up facility or bicycle maintenance area/room | 3 (each) |
| 4b. For non-residential uses, provide showers and/or personal lockers within changing rooms for use by the building's tenants. | Shower | 4 (each); maximum 20 points |
| | Personal lockers in changing room | 3 points for each 5 lockers, maximum 15 points |
| 5. Provide a public art installation within or on the building abutting a Frontage Zone. | Art installation (as approved by PDD) | 5 points per installation |
| 6. Provide on-site permeable paving, structured soil/grass, open grid paving or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The areas provided may include on-site pedestrian walkways, private driveways/aisles and parking stalls, but shall not include loading areas or hardscape located within public ROW. | minimum 250 sf area | 2 |
| | >250 sf to 500sf area | 4 |
| | >500 sf to 1000 sf area | 8 |
| | >1000 sf area | 15 |
| 7. Utilize non-potable gray water and/or rainwater to supplement required landscape irrigation water. | Either gray water or rainwater harvesting system provided | 3 |
| | Both systems provided (may be combined) | 6 |
| 8. Outperform the currently adopted energy code standard by the following percentages, measured by the percent (%) over required energy code standard. | 5%—9% | 5 |
| | 10%—14% | 10 |
| | 15%+ | 15 |

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| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 9. Provide on-site renewable energy for the entire building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. Based on the load of the service and the percent of load being provided by a renewable source. | | 1 point for each % of building energy usage being provided |
| 10. Provide a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. Measured by percent (%) of power purchased to meet the energy demand for the building. | 10%—35% | 5 |
| | 35%+ | 10 |
| 11. Provide a minimum 8 foot wide public sidewalk for the length of the property frontage (applicable only when the required minimum width is less than 8 feet). | | 5 per street frontage |
| 12. Provide two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk. | Second row trees matching Streetscape minimum requirements | 10 per street frontage |
| 13. Provide a minimum 30-year historic preservation conservation easement for the original footprint of a building on a property designated HP or HP-L, as approved by the Historic Preservation Officer. | Easement provided on a property located within Downtown | 20 |
| | Easement provided on a property located within same Character Area as development | 10 (in addition to the base 20 points) |

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| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 14. Rehabilitate a structure (including building stabilization) on a property zoned HP or HP-L located within Downtown, as approved by the Historic Preservation Officer. | | 30 |
| 15. Provide open space at the ground level on private property (minimum 500 sf and not less than 10 feet wide any direction), as follows: | Provide at least 5% of the gross site area. | 5 |
| | Provide at least 10% of the gross site area. | 10 |
| | Dedicate a public access easement over the full open space area used to qualify for bonus | 10 additional |
| 16. Provide affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department. | 10%—24% | 10 |
| | 25%—49% | 15 |
| | 50%+ | 20 |
| 17. Provide solar panels on the roof of the building(s), as follows: | At least 25% of the total roof area, up to 50% | 5 |
| | More than 50% up to 75% of the total roof area | 10 |
| | More than 75% of the total roof area | 15 |
| 18. Provide electric vehicle charging spaces with installed electric vehicle charging stations (maximum 30 points total). | For use by building owners or tenants only | 2 per EVC space |
| | For use by building visitors and/or general public | 4 per EVC space |

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| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 19. Provide below grade and/or lower level parking areas only.<br>(not applicable if no parking provided).<br><br>**not including required ADA spaces* | No parking provided above the ground floor level | 10 |
| | All parking* provided below finished grade | 20 |
| 20. Provide shade for a minimum of 50% of all occupiable roof areas. | | 5 |

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## Section 1224. Appeals.

**A. Design Alternative Appeals.** A Design Alternative appeal is a requested deviation from development regulations indicated with (R*), or an appeal of a decision by the Planning and Development Department regarding compliance with a presumption (P). Approval of a Design Alternative appeal shall result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area, as approved by the DRC, as follows:

1. A Design Alternative appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of development regulations as part of a Design Alternative appeal.

3. The DRC may impose conditions or stipulations with an approval of a Design Alternative appeal.

4. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R*), and (R), but not items indicated with (T). "Related" in this context means that relief from an item indicated by (P), (R*), or (R) is necessary to approve the proposed design alternative.

5. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. For properties with a Historic Preservation (HP) designation, a Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing the appeal and a copy submitted with the appeal application;

    b. A listing of each of the development regulations that are the subject of the proposed Design Alternative, including all additional items indicated with (P), (R*) and (R) which also require relief to attain the proposed Design Alternative;

    c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the applicable Character Area, and would satisfy the findings required for approval;

    d. Site plan;

    e. Building elevations;

    f. Context plan (per Section 507.E);

    g. Landscaping and shading plan;

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h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

i. Such other information as may be required by the Planning and Development Director or the DRC.

6. In order to approve a Design Alternative appeal, the DRC must make findings as follows:

a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, forms, and materials.
(2) Permeability and connectivity which enables people to move within, around and through the project with ease.
(3) That the design alternative would improve safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enable "eyes on the street."
(4) The design alternative will incorporate materials and design which enhance thermal comfort.

**B. Sustainability Bonus Appeals.** An applicant may appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223, to the Design Review Committee, as follows:

1. A Sustainability Bonus appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of specific bonus credits as part of a Sustainability Bonus appeal.

3. The DRC may impose conditions or stipulations with an approval of a Sustainability Bonus appeal.

4. Each Design Alternative appeal application shall include, at a minimum, the following:

a. A listing of the credits that are being utilized and any supporting documentation (to be sealed by a licensed professional);

b. Site plan;

c. Building elevations;

d. Context plan (per Section 507.E);

e. A narrative statement describing any deviation from the prescribed bonus credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows:

a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and

c. That the increased entitlements are consistent with the improved performance of the building(s).

**C. Variances/Zoning Adjustment.** A variance is a requested deviation from a development regulation designated as a requirement, or (R), and shall comply with the provisions of Section 307.A.9, in addition to the following:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request, unless the request is not design-related, as determined by the Design Advisor, or is regarding a sign regulation. The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:

a. Whether the request is consistent with the intent, goals, and polices stated for the applicable Character Area; and

b. Whether the request is consistent with the intended Streetscape design and shade requirements for the applicable Streetscape and Frontage Zones.

2. The applicant shall provide a written narrative for the DRC to review and address as part of its written recommendation regarding the variance request. The narrative shall, at a minimum, include the following items:

a. How much relief has, or could be obtained through application of a Sustainability Bonus;

b. A written explanation why a Sustainability Bonus cannot be applied or obtain the relief desired by the variance request; and

c. A written explanation of how the development and the variance request is consistent with the intent, goals, and polices stated for the applicable Character Area.

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**ATTACHMENT B**

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

# Staff Report
# Zoning Ordinance Text Amendment
# Z-TA-5-22-7-8
July 26, 2024

**Application No Z-TA-5-22-7-8:** Amend the following sections of the Phoenix Zoning Ordinance, as follows:

1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12 (Downtown Code):

   Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls).

2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee.

3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.

**Staff recommendation:** Staff recommends approval of Z-TA-5-22-7-8 as shown in the proposed text in Exhibits A and B.

## BACKGROUND

In 2010, City Council approved the Downtown Code (Chapter 12 of the Zoning Ordinance) as the City's first form-based code, which was a strategy of the 2008 Downtown Phoenix Urban Form Project (DPUFP). The goal of the DPUFP was "implementation of the community vision for an active, pedestrian-oriented and sustainable Downtown."

The original version of the Downtown Code (DTC) was created as a separate Chapter 12 of the Zoning Ordinance, which caused some challenges in understanding the Downtown Code's relationship with other provisions of the Zoning Ordinance. Several text amendments to better integrate Chapter 12 within the Zoning Ordinance have been adopted since 2010, the most extensive ones being Z-TA-3-12 (Ordinance G-5777, 2013) and Z-TA-10-13 (Ordinance G-6409, 2018).

In the 14 years since the original adoption of the Downtown Code, staff and various stakeholders (property owners, developers, residents) have identified challenges with requirements, processes, and conflicts with other portions of the Zoning Ordinance--many of which still exist. This text amendment seeks to address and remedy these challenges.

**PURPOSE**

The intent of the proposed text amendment is to update development requirements, fix process issues, eliminate ordinance conflicts, and clarify the language of the Downtown Code, while still implementing the vision of the Downtown Phoenix Urban Form Project. It does so by amending related sections of the Zoning Ordinance to work better with Chapter 12, as well as rewriting Chapter 12 entirely (based upon the existing language and format) for ease of understanding and layout. No changes to property entitlements (i.e. height, density, lot coverage) have been proposed with this text amendment, except for the correction of some identified errors and typos. However, some development standards and sustainability bonus points have been revised not only to eliminate conflicts and confusion, but also to better implement the pedestrian-oriented environment envisioned by the DPUFP. The proposed text amendment also creates a new Technical Appeal process for certain technical requirements, and clarifies and revises existing appeal processes with the goal of eliminating instances when requesting a modification to a single requirement that requires two separate and unrelated appeal processes.

**DESCRIPTION OF THE PROPOSED TEXT**

The proposed text amendment includes four main components: 1) clarification and revision of appeal processes; 2) redirecting focus on the pedestrian environment, specifically the Streetscape and Frontage zones, with clarifications and revisions to development standards and use of right-of-way, 3) revising other standards of Chapter 12 to address feedback received and clarify intent, and 4) making Chapter 12 easier to use and implement through grammatical and format revisions, as follows:

1. **<u>Clarification and Revision of Appeal Processes</u>:**

   The existing version of the Downtown Code has two appeal processes: zoning adjustment (“variance”, through public hearings), and Design Review Committee (“DRC”, through public hearings). The primary difference between the two is the basis of the appeal request: property hardship, or design conflict, respectively. However, many of the modifications requested using the current DTC language requires both a variance AND DRC approval—simply because of the way the DTC is written. This is awkward for both hearing bodies as well as the applicants.

   In addition, many of the requirements of the DTC are technical requirements, for which safety or performance is the actual concern, rather than a hardship or design intent. Requirements such as driveway visibility triangles, sidewalk construction

materials, pavement slopes, and existing utility conflicts generally require technical solutions for which neither the variance hearing officer nor the DRC are an appropriate review body.

Clarification of Appeal Routes

The proposed text amendment now clearly states the appeal route that applies to each regulation. It does so by utilizing the method established in Section 507.C, Design Review Principles and Guidelines. This method, established in 1998, indicates the type of application and appeal route, as follows:

Items indicated with:

(R) = Requirement, for which a hardship must be shown, zoning adjustment (variance) is required.

(R*) = Requirement which is design-centric, for which a DRC appeal hearing is required.

(P) = Presumption, for which some staff flexibility is permitted, but for which a DRC appeal hearing is required after staff negotiation.

(C) = Consideration. No appeal route because these are requests, not requirements.

**(T) = Technical Appeal (new per this proposed text amendment).** A safety or performance issue to be reviewed by technical staff through the Technical Appeal process to work out an acceptable alternative or solution.

Any items not indicated in Chapter 12 with any of the above indicators is considered an (R) by default (requiring hardship/zoning adjustment).

Technical Appeals Committee

This text amendment adds a new indicator, (T), which means the item may be modified through the Technical Appeal process, the first step of which is consideration by the new Technical Appeals Committee (TAC). The Technical Appeal process and TAC are both modeled on the existing Subdivision Committee, authorized per Chapter 32 of the City Code, and expected to function as one and the same appeal route and hearing body. This route is further appealable to the City Manager's Representative (CMR), and finally to the Development Advisory Board (DAB), through processes already established in the City Code.

Zoning Adjustment (Variance) vs. Design Review Committee

The proposed revisions to Chapter 12 clearly indicate which items are appealable as a variance hearing, or a DRC hearing. Variances are primarily for numeric items for which relief is sought, but without necessarily having an alternative (reduced setback, reduced sidewalk widths, etc.). The Zoning Adjustment Hearing Officer must find that a property hardship is present in order to approve a requested variance. A DRC hearing is required for items for which there is no need to

demonstrate a hardship, but there is a need to provide a design alternative to address the design guideline for which relief is requested (frontage element design standards for doors and windows, building materials, amount of shade, etc.). The DRC must find that the proposed design meets the intent of the actual design regulations while also furthering the goal of a pedestrian-oriented environment, while also finding that the proposed design alternative will also be complementary to the Character Area.

Chapter 12 has been rewritten so that no item will require both a variance and DRC appeal. The existing version has instances where a regulation is written several times, with different appeal routes identified, or items which cannot be asked for separately, such as an alternative frontage type (DRC appeal) which also exceeds the maximum setback (variance). In the example provided, the DRC now has the authority to alter setbacks if requested as part of an approval of an alternative frontage design for a building, so an additional variance hearing would not be required.

One other important proposed change is the requirement for the applicant to first submit a variance request to the DRC for review and recommendation to the zoning adjustment hearing officer, prior to a variance hearing. The reason for this requirement is to allow the DRC to provide information on how the requested relief may or may not affect other design requirements, and how strongly the DRC feels about the request. The zoning adjustment hearing officer would not be bound by a DRC recommendation and would decide how to respond to the DRC's recommendation as part of the variance hearing process.

**2. <u>Focus on Pedestrian Environment/Streetscape and Frontage Zones</u>**

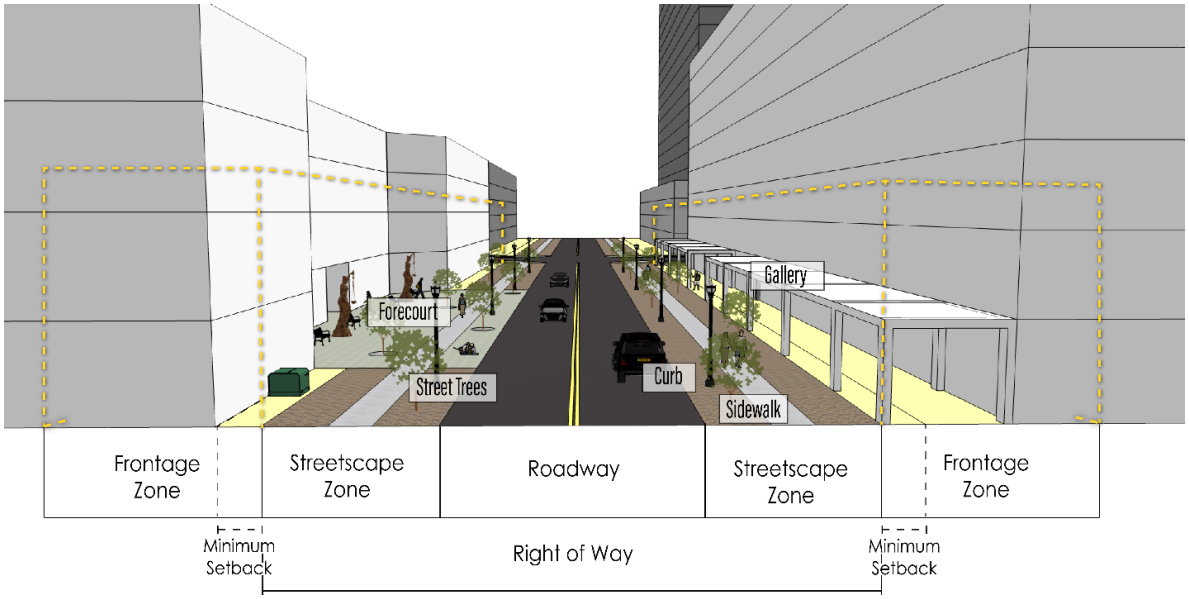
As stated earlier, the goal of the DPUFP was "implementation of the community vision for an active, pedestrian-oriented and sustainable Downtown." Stakeholders have provided much feedback regarding DTC development, and have identified areas where they feel that the existing code does not address items identified in the DPUFP, or that are not written in a manner which correctly implements such items. For that reason, Section 1204 has been proposed to be added to compile all of the Streetscape Zone (public right-of-way) and Frontage Zone (private property abutting streets) requirements into one section. Some of the regulations were moved from existing sections of Chapter 12; some have moved and been rewritten for clarity; and some have been added or revised based on feedback from stakeholders, including staff.

The proposed text amendment also clarifies that the Streetscape Zone exists inside the public right-of-way and is the area between the curb and the private property line. It also establishes a new zone, the Frontage Zone, which is the portion of private property directly adjacent to the Streetscape Zone and the portion which

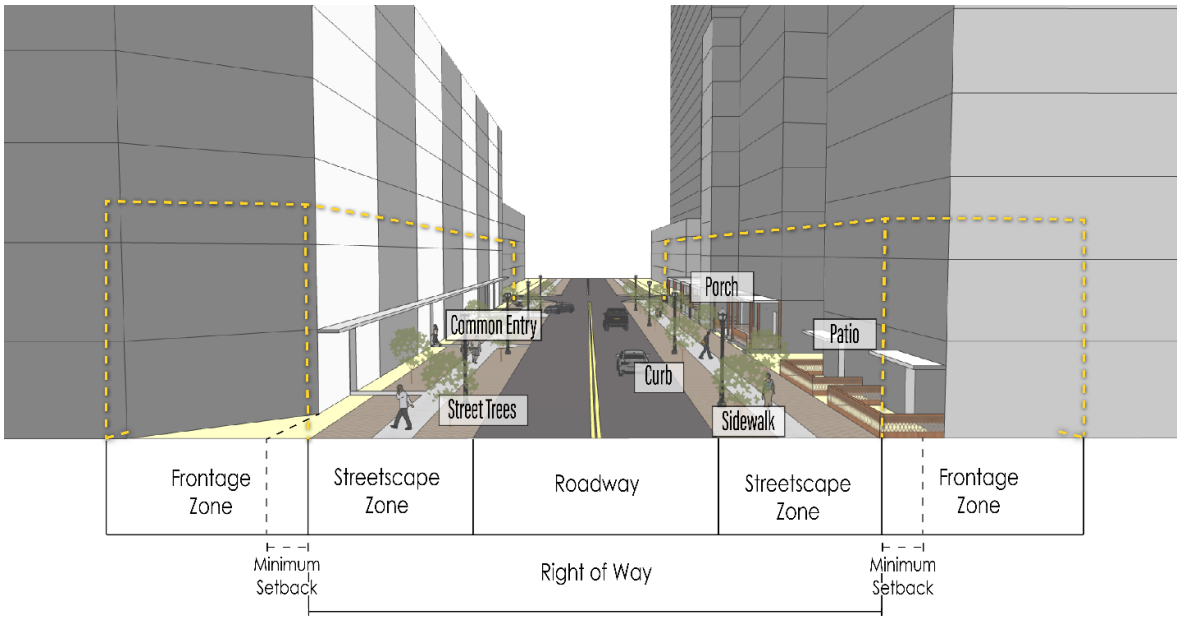
should be designed to encourage pedestrian use and interactions. The concept of the Frontage Zone comes through in the existing text of the DTC, however the provisions are now compiled in a more coherent and identifiable manner.

The following illustrations show how the Streetscape and Frontage Zones would be applied:

**Non-Residential Uses (typical)**




**Residential Uses (typical)**



The Frontage Zone replaces the “Maximum Setback” requirement in the DTC Character Area matrices, which clears up a long-standing confusion in the existing version of the DTC. Feedback from project reviewers and other stakeholders generally indicates that the maximum setback forces too much into too small of an area (stairs/steps, ramps, awnings, transformers), and does not allow enough room for the outdoor uses encouraged by the DPUFP and other sections of Chapter 12. The Frontage Zone has been created by adding 15 feet to most of the maximum setback requirements (less for some blocks with already deep maximum setbacks), but still allows building frontages to project into the Frontage Zone. However, it greatly eases the restrictions on stairs/steps, ramps, retaining walls, and allows more room in front of the building for active uses such as outdoor dining and public gathering areas. Surface parking is still prohibited in all Frontage Zones, though the requirement has been relocated to Section 1204 from Section 1206.

Frontage Elements vs. Frontage Types

The “Frontage Types” in the existing text have been renamed “Frontage Elements” and are addressed in Section 1205. Generally, the Frontage Elements remain the same except for clarified language and illustrations, with the following notable changes:

- Rename of “Dooryard” to “Patio” (consistent with the term in Chapter 13, Walkable Urban Code).
- Addition of “Grand Entry” as a new Frontage Element, to address larger developments with public or semi-public components (such as hotels, hospitals, large office buildings, government offices, and public assembly halls) which are difficult to design using any of the existing Frontage Types.



Phoenix Convention Center (example of possible Grand Entry)

- Addition of “Recessed Display Entry” as an entrance feature which can be used in conjunction with other Frontage Elements.




Example of Recessed Display Entry

- Revised language also fixes many conflicts about the permitted heights and locations of walls and fences in the Frontage Zone by clarifying that Section 1207.D regulates walls and fences, except for any modifications stated as part of a Frontage Element.

Sidewalks

Various regulations regarding public sidewalks have been revised or added. Of particular note:

- Sidewalks are proposed to be limited to a 6-inch elevation difference from curb, and/or 10:1 maximum slope between the curb and sidewalk. Development has occurred which has raised sidewalks in an almost “roller coaster” manner, in order to bring the public sidewalk up to building exits. This not only looks odd, but is difficult for pedestrians, particularly those with physical challenges. Combined with the revised regulations for Frontage Zones, which are proposed to allow more room for stairs, steps, and ramps before reaching the maximum setback, this regulation helps keep existing historic sidewalks in place; provide landscape areas which are more likely to support live trees and plants; allow easier access from the curb to sidewalk from on-street parking spaces; allow easier access to parking meters; and prevent the need for railings in the right of way next to steep drop-offs.

- Design presumptions have been proposed to be added which would require sidewalks to have fewer obstacles, jogs, and offsets, especially with respect to designated historic areas where the sidewalk and streetscape contribute strongly to the Character Area.

**3. Other revised development regulations:**

Other notable proposed revisions to development regulations are as follows:

Tree Species Matrix

- Revises the Tree Species Matrix, focusing on the shade trees required within the Streetscape and Frontage Zone.
- A species not in the matrix could be approved through the Technical Appeal process, which would involve review and approval by the TAC, including the PDD Landscape Architect.

Parking, Loading, and Vehicular Access Regulations

- Bicycle parking requirements have been made consistent with standards applied in the Walkable Urban Code (Chapter 13), and moved to Section 1206, together with automobile parking and other transportation and access regulations.
- Driveway standards have been updated to reflect actual practices while still prioritizing the pedestrian environment. While the existing version of the DTC appeared to almost prohibit driveways on designated Pedestrian Streets, this was not a standard which could actually support development or meet nonconforming rights, particularly when the site has existing driveways which are allowed to remain. The City's position historically has been that driveways which were already existing could remain in use. The proposed text is somewhat more flexible in allowing driveways on Pedestrian Streets, however, additional protections for driveway spacing, pedestrian visibility, pedestrian refuges, and driveway sizing/control for higher traffic streets have also been proposed.
- Maneuvering into parking spaces from the public right-of-way has been proposed to be permitted for alleys at least 20' wide, or upon approval of a Technical Appeal which demonstrates that the proposal is both possible and safe.
- Passenger Loading Zones, for use by rideshare, delivery vehicles, and private passenger pick up and dropoff, have been proposed as a use permitted within the Frontage Zone.
- Valet Parking has been proposed as an accessory use in the Land Use Matrix together with associated development standards proposed in Section 1206. The proposed standards are based upon Federal ADA regulations, as well as typical valet parking development standards imposed by neighboring jurisdictions.

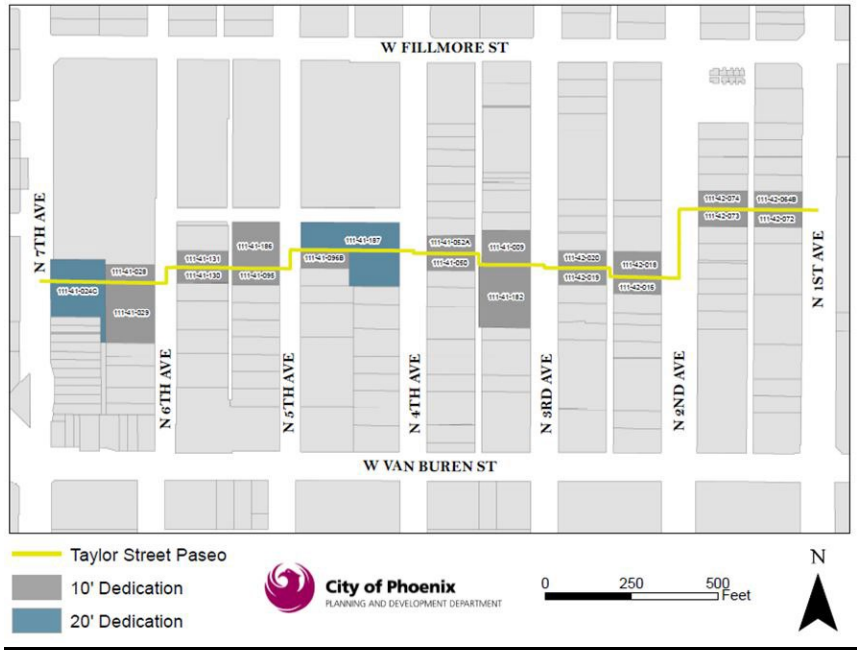
Historic Preservation

The relationship between HP and HP-L designated properties and the regulations of the Downtown Code has been revised and clarified, in all cases to strengthen Historic Preservation's role in approving development on designated historic properties. Examples are:

- Clarifying in Section 1201 that the provisions of Chapter 8, Historic Preservation, supersede any requirements of Chapter 12, Downtown Code, if they conflict.
- Clarifying that the Active Front Yard Frontage Element, used primarily for blocks having historic single-family homes, may be modified as approved through the HP review processes outlined in Chapter 8.
- Requiring sidewalks to remain in historic locations and elevations, with certain limited flexibility of application by staff.
- Clarifying how height bonuses may be earned in parts of the Business Core and Warehouse Character Areas through rehabilitation of a historic structure.
- Clarifying how sustainability bonus points may be earned for both preservation and rehabilitation of a designated historic structure.

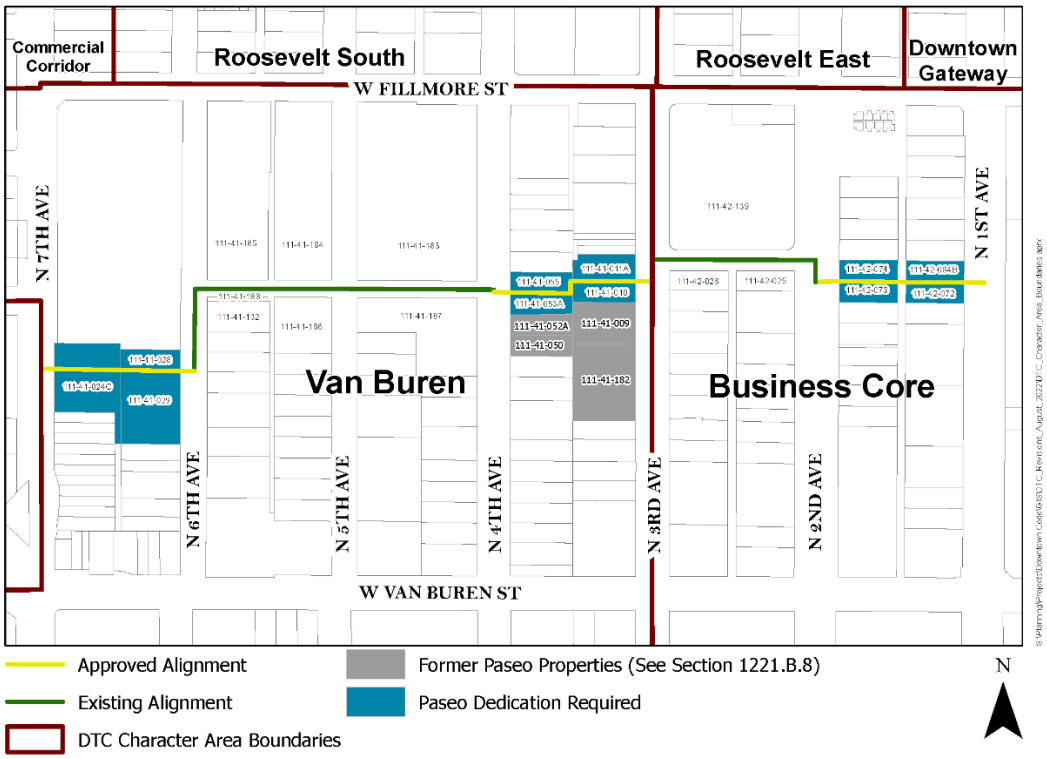
Taylor Street Paseo

The Taylor Street Paseo is a pedestrian corridor whose route between 7th Avenue and 1st Avenue, roughly in the Taylor Street alignment between Fillmore and Van Buren Streets, was established with the original adoption of the Downtown Code. Below is the existing Taylor Street Paseo map, which does not show revisions between 6th Avenue and 4th Avenue already officially made per provisions of Chapter 12, nor areas being used informally by pedestrians as Paseo connectors:



The map below is the proposed revised map of the Taylor Street Paseo, and also identifies properties within the Van Buren Character Area which were formerly subject to the requirements of the Paseo. Provisions to grant the additional density and lot coverage bonuses to the properties formerly subject to the Paseo regulations have been proposed in the revised Section 1221.B.8. The provisions require expansion of the public sidewalk and additional landscape and shading along street frontages.

Taylor Street Paseo




Additionally, the Taylor Street Paseo development regulations have been compiled in Section 1207.N, instead of being repeated (not always with consistent language) in both the Van Buren and Business Core Character Area regulations.

## 4. Grammatical and Format Revisions to Chapter 12

All of Chapter 12 was rewritten to create a more intuitive structure, provide better cross-references, use simpler and more consistent grammar, eliminate conflicts, and remove duplication of requirements. Examples are as follows:

- Clarifying the proportional application of the Downtown Code by referencing Section 507.B, which also was revised for clarity.

- Revising all of the Regulating Maps to show the existing and future Light Rail lines and remove any streets or alleys which have been abandoned.
- Revising the maximum height map to correct the permitted height on two properties, as researched by staff and approved by the City Attorney's office.
- Moving the Land Use Matrix to Section 1203, which was "Reserved", from Section 1204.
- Revising the Land Use Matrix in Section 1203 to better organize accessory uses, and to provide the conditions of approval after the Land Use Matrix table, instead of prior to it.
- Creating a new Section 1204 which addresses all Streetscape and Frontage Zone development standards.
- Revising all of the formatting in the Character Areas to read more clearly, as well as moving some of the common design elements to Section 1207, General Development Regulations.
- Revising all of the Streetscape and Frontage Zone standards in each Character Area matrix to show Frontage Zone standards, add Grand Entry Frontage Element permissions (along larger streets with existing commercial development standards), and to revise the Streetscape Zone dimensions to include the required sidewalk width.
- Revising Section 1221, Sustainability Bonus, to reformat the table of Sustainability Bonus Credits with numbers so that they may be referenced, in addition to clarifying language where there is existing confusion regarding implementation.
- Adding new Sustainability Bonus Credit qualifiers such as: providing a double row of shade trees, and providing below grade structured parking.
- Revising Section 1224, Appeals, to outline the revised zoning adjustment (variance) process with the required DRC recommendation.
- Revising the language regarding DRC appeal hearings to clarify submittal requirements, timeframes, and process.
- Revising the permissions granted to the DRC to remove the 35% restriction (most design items are not numerically measurable) and to grant the ability to allow modifications to items otherwise needing a variance, but only when part of a submitted Design Alternative Appeal.

**Conclusion:**
This proposed text amendment is quite extensive due to the many items identified by stakeholders needing clarification, revisions, or codification of standards in practice but not included in the current version of the Downtown Code. The intent of this amendment is to streamline Downtown development while still implementing the pedestrian-oriented vision of the Downtown Phoenix Urban Form Project.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Exhibits A and B.

**Writer**
C. DePerro
July 26, 2024

**Exhibits**

A. Proposed Revisions to Chapters 2, 3, 5, 6, and 7 (legislative edit).

B. Proposed Chapter 12 (as completely rewritten for replacement of the existing Chapter 12)

**EXHIBIT A**
**Text Amendment Z-TA-5-22-7-8**
**Downtown Code Updates (not including revised Chapter 12)**

**Proposed Language:**

**Amend Chapter 2, Section 201 (Rules of Construction) to add term "PDD":**

For the purpose of this ZONING Ordinance, certain terms and words are hereby defined as follows: Words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs, or associations. The following words or terms, when applied in this ZONING Ordinance shall carry full force when used interchangeably: lot, plot, parcel, or premises, used, arranged, occupied or maintained; sold or dispensed, construct, reconstruct, erect, alter (structurally or otherwise), but not the term maintenance. The terms "City" and "County" shall mean the City of Phoenix and County of Maricopa, respectively; "Board" shall mean Board of Adjustment; "Commission" shall mean City Planning Commission; "Council" shall mean City Council.; "PDD" SHALL MEAN PLANNING AND DEVELOPMENT DEPARTMENT.

***

**Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:**

***

*Alley, Buffer:* ~~An alley that is adjacent to a single-family residential use as identified on Map 1202.F, and in Sections 1207.O and P~~. AN ALLEY ABUTTING BOTH SINGLE-FAMILY AND COMMERCIAL USES, DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE).

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*CITY MANAGER'S REPRESENTATIVE (CMR):* SEE SECTION 32-3 OF THE CITY CODE.

*FRONTAGE ZONE:* THE PORTION OF A LOT OR PARCEL LOCATED DIRECTLY ADJACENT TO A STREET, OF A DEPTH REQUIRED BY THE APPLICABLE ZONING DISTRICT AND/OR CHARACTER AREA.

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~~*Off-Street Loading Spaces:* An on-site space for the standing, loading, and unloading of vehicles.~~

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~~*Off-Street Passenger Loading:* The provision of space off the street and adjacent to a building entrance for the loading and unloading of automobile passengers. The design of such space shall be subject to the approval of the Street Transportation Department.~~

***

*SERVICE/GOODS LOADING SPACE:* A DESIGNATED AREA WHICH IS PROVIDED FOR THE LOADING AND UNLOADING OF GOODS AND SERVICES FOR BUSINESSES AND COMMERCIAL USERS.

~~*Street, Front:* A street identified by an area plan towards which the front of buildings are oriented to minimize driveway cuts. If no area plan is adopted, all single-frontage lots adjoining a front street must orient the front of the building to the front street. For multi-frontage lots, the street with the most pedestrian activity is the front street. When lots adjoin two or more streets with an equal amount of pedestrian activity, both are front streets. Front streets are not necessarily the street adjoining the lot front.~~

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*Street, Pedestrian:* ~~Sidewalk, landscape, driveway and buildings are designed to create a safe, pleasant and enjoyable experience for pedestrians. Building openings are oriented toward the street and vehicular conflicts with pedestrians are minimized. Designated on Map 1202.E and individual character areas in Chapter 12.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH IS SUBJECT TO DEVELOPMENT REGULATIONS AND VEHICULAR RESTRICTIONS INTENDED TO ENHANCE THE PEDESTRIAN ENVIRONMENT.

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*Street, Side:* ~~A street identified by an area plan towards which the side of buildings are oriented. If no area plan is adopted, the street with the least amount of pedestrian activity is the side street for multi-frontage lots. Side streets are not necessarily the street adjoining the lot side.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH PERMITS A MIX OF USES AND TYPES OF ACCESS, SUCH AS (BUT NOT LIMITED TO) PEDESTRIAN, VEHICULAR, SERVICE, AND LOADING ACCESS.

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*STREETSCAPE:* THE LANDSCAPE, SHADE, STREET IMPROVEMENTS, SIDEWALK, AND OTHER AMENITIES PROVIDED DIRECTLY ADJACENT TO A STREET.

***

*Streetscape Zone:* ~~*The area located behind the right-of-way curb that has either landscaping per Section 1207 or public amenities (such as seating, artwork).*~~ THE PORTION OF A DEDICATED STREET PROVIDING STREETSCAPE IMPROVEMENTS AND LOCATED BETWEEN THE BACK OF CURB AND THE FRONTAGE PROPERTY LINE. THE STREETSCAPE ZONE MAY ALSO INCLUDE A PORTION OF ABUTTING PRIVATE PROPERTY, PER THE PROVISIONS OF CHAPTERS 12 AND 13.

***

**Amend Chapter 3, Section 307.A (Authority and duties of the Zoning Administrator) to add a requirement for the Design Review Committee to review and make a recommendation for variance applications within Downtown, as follows:**

A. **Authority and duties of the Zoning Administrator.** There is hereby created in the City Planning and Development Department a Zoning Administrator. The Zoning Administrator shall be appointed by the Planning and Development Director and shall be under ~~his~~ THEIR direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under ~~his~~ THEIR direction. The Zoning Administrator shall**:**

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9. Authorize upon application and hearing such variance from the terms of this ZONING Ordinance as will not be contrary to the public interest, when owing to special conditions, a literal enforcement of any provisions of the ordinance would result in unnecessary property hardship.

   A variance shall not be authorized unless the Zoning Administrator shall find upon sufficient evidence:

   a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district; and

   b. That such special circumstances were not created by the owner or applicant; and

   c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

   d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE MUST FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS FURTHER REFERENCED IN SECTION 1224.C.

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**Amend Chapter 3 to add a new Section 312 (Technical Appeals Committee) to establish a technical review committee to review and decide technical appeals:**

**SECTION 312. TECHNICAL APPEALS COMMITTEE**

A. **POWERS AND DUTIES.** THE TECHNICAL APPEALS COMMITTEE (TAC) SHALL HAVE THE POWER AND DUTY UNDER THE PROVISIONS OF THESE REGULATIONS TO HEAR SPECIFIC ITEMS APPEALED BY THE APPLICANT CONTESTING A DECISION ON A TECHNICAL ITEM OR INFRASTRUCTURE REQUIREMENT IMPOSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, OR A DEVELOPMENT REGULATION INDICATED AS (T) IN SECTION 507 TAB A AND ALL OTHER ZONING ORDINANCE REQUIREMENTS (INCLUDING OVERLAYS) WHICH USE (T) TO INDICATE TECHNICAL ITEMS.

B. **MEMBERSHIP.** THE TECHNICAL APPEALS COMMITTEE SHALL CONSIST OF THE SAME MEMBERS AS THE SUBDIVISION COMMITTEE AS SET FORTH IN CHAPTER 32 OF THE CITY CODE. THE PLANNING AND DEVELOPMENT DIRECTOR IS AUTHORIZED TO APPOINT AND REMOVE ANY MEMBER AT ANY TIME, WITH OR WITHOUT CAUSE, AND MAY ALSO APPOINT ADDITIONAL TECHNICAL CITY STAFF TO THE TAC, SUCH AS LANDSCAPE, FIRE PREVENTION/LIFE SAFETY, WATER/SEWER, AND BUILDING SAFETY.

**Amend Chapter 5, Section 507 (Development Review Approval) as follows:**

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B. **Applicability.**

1. Development review applies to all public and private facilities in residential, commercial and industrial developments in the City in all zoning districts. The only complete exceptions to compliance with this section are as follows:

   ~~a. Single-family and duplex dwelling units constructed prior to May 1, 1998;~~

   ~~b.~~ a. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;

   ~~c.~~ b. Nonstructural remodeling of facade treatment (SUCH AS PAINT);

   ~~d.~~ c. Sign permits for properties not otherwise subject to development review~~;~~

   ~~e. Development submitted for site plan approval prior to the effective date of this section.~~

2. Exterior structural remodeling ~~or~~ / new BUILDING facade treatment, ~~to buildings~~ AND/OR MODIFICATIONS TO EXISTING SITE IMPROVEMENTS (DRIVEWAYS, PARKING, SITE WALLS, LANDSCAPE, DRAINAGE FACILITIES, OR SIMILAR), OR PROPERTIES WITH ADDITIONS (INCLUDING NEW ACCESSORY STRUCTURES) OF UP TO 2000 SQUARE FEET, ~~without additional square footage is~~ ARE subject to development review approval as follows:

   a. ~~For properties located within the boundary of the Downtown Code, the following shall apply:~~ COMPLIANCE WITH DEVELOPMENT REGULATIONS APPLICABLE ONLY TO THE EXTERIOR PORTION OF THE BUILDING AND/OR SITE IMPROVEMENTS BEING MODIFIED, UNLESS OTHERWISE STIPULATED WITH A REZONING OR ZONING ADJUSTMENT ACTION.

      ~~(1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified.~~

~~(2) Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities.~~

b. ~~Reserved.~~ FOR SITES SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12) OR WALKABLE URBAN CODE (CHAPTER 13), PROVISION OF SHADE, LANDSCAPING AND SIDEWALKS IN ACCORDANCE WITH ADOPTED STREETSCAPE STANDARDS. UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES OR OTHER EXISTING SITE CONSTRAINTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. ~~Additions to buildings are subject to development review approval as follows:~~ CHANGE OF USE OR OCCUPANCY TYPE, OR INTERIOR STRUCTURAL REMODELING (“TENANT IMPROVEMENTS”), WITH OR WITHOUT ADDITIONAL SQUARE FOOTAGE, ARE SUBJECT TO THE FOLLOWING:

a. ~~An addition of two thousand square feet or less to an existing building may be required to submit a site plan to the Department of Planning and Development but shall not be subject to the design review principles and guidelines set forth in Tab A of Section 507 if the impacts of the addition are not significant, with the exception that new structures or additions of 500 square feet or greater on properties located within the boundary of the Downtown Code shall be required to meet the shading requirements in Section 1207.D. The Department of Planning and Development shall determine the significance of an addition’s impacts on adjacent properties based on noise, odor, lighting, glare, vibration, visibility from a public street, and removal of site amenities which are included in a design review principle or guideline. Surface parking as a primary use is subject to the provisions of development review if the use is determined to have impact on adjacent uses or visibility from a public street as determined by the Department of Planning and Development.~~ COMPLIANCE WITH CURRENT STANDARDS FOR REQUIRED AUTOMOBILE AND BICYCLE PARKING.

b. ~~When an addition of two thousand square feet or less to an existing building is determined by the Department of Planning and Development as having significant impacts, as described above, the addition shall be subject to full development review including the design review principles and guidelines.~~ SPECIFIC REQUIREMENTS RELATED TO THE USE OR OCCUPANCY AS OTHERWISE INDICATED IN THE ZONING ORDINANCE.

c. ~~When additions to a property after the effective date of this ordinance total more than two thousand square feet, the property shall be subject to full development review including the design review principles and guidelines.~~ REQUIREMENTS OF SECTION 507.B.2 IF EXTERIOR REMODELING AND/OR ADDITIONS UNDER 2000 SF ARE ALSO INCLUDED.

4. PROPERTIES WITH ADDITIONS OF 2000 SQUARE FEET OR LARGER, VACANT PROPERTIES, AND/OR PROPERTIES UNDERGOING FULL DEMOLITION AND REDEVELOPMENT ARE SUBJECT TO FULL DEVELOPMENT REVIEW, INCLUDING ALL APPLICABLE DESIGN REVIEW PRINCIPLES AND GUIDELINES, UNLESS STATED OTHERWISE WITHIN THIS ZONING ORDINANCE.

~~4.~~ 5. Subdivision plats are processed in accordance with Chapter 32 of the City Code. Preliminary subdivision plats have the additional requirement to be reviewed and approved in accordance with the provisions ~~of this section for context plan and the design review guidelines for subdivisions of~~ Section 507 Tab A (DESIGN REVIEW) AND ALL OTHER CODES AND POLICIES TO WHICH SUBDIVISIONS ARE SUBJECT. ~~II.C, "Subdivision design."~~

~~5.~~ 6. DEVELOPMENT WHICH EXISTED AT THE TIME OF ANNEXATION, OR FOR WHICH ALL REQUIRED PERMITS WERE ISSUED BY THE CITY, IS ASSUMED TO HAVE A VALID DEVELOPMENT REVIEW PLAN, EVEN IF NO APPROVED SITE PLAN EXISTS. A SITE PLAN MAY BE REQUIRED BASED ON THE SCOPE OF ANY PROPOSED REMODEL, REVISION, ADDITION, OR REDEVELOPMENT.
~~Existing legally constructed development with or without an approved site plan as of the date of this Ordinance is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~

~~6.~~ 7. ~~Implementation of single-family design review shall begin on May 1, 1998, for all subdivision applications which have not obtained preliminary development review approval. Any site plans or subdivision plats which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~
**ADAPTIVE REUSE.** DEVELOPMENT QUALIFYING AS ADAPTIVE REUSE MAY BE GRANTED FULL OR PARTIAL ADMINISTRATIVE RELIEF FROM ZONING ORDINANCE REQUIREMENTS IN ACCORDANCE WITH POLICIES ADOPTED BY CITY COUNCIL. IN SUCH CASES, THE RELIEF PROVIDED SHALL BE NOTED ON THE SITE PLAN, OR THE CONSTRUCTION PLANS IF NO SITE PLAN IS REQUIRED.

***

C. **Design Review Principles and Guidelines.** Design review principles~~,~~ and guidelines are listed in Tab A and other sections of ~~this~~ THE ZONING Ordinance. The principles reflect desired goals and policies for the City. The guidelines indicate specific implementation standards. The guidelines consist of requirements, presumptions and considerations.

1. **Requirements (R)**. Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature.

2. **Presumptions (P).** Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

    a. *Overcoming a presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate~~, unless the property is located within the boundary of the Downtown Code~~. The Planning and Development Department may approve an alternative that achieves the intent of the presumption.

        Appropriate reasons for overcoming a presumption include:

        (1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;

        (2) Showing that another design principle is enhanced by not applying the presumption;

        (3) Demonstrating an alternative method for achieving the intent of the presumption;

        (4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.

Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

b. *Appeals.* In the event that a presumption is not incorporated or overcome, AS DETERMINED BY PDD STAFF, ~~or if the property is located within the boundary of the Downtown Code an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) and requirements followed by an asterisk (R*) located in Tab A.II.C, "Subdivision design," shall be heard by the Design Review Committee.~~ THE APPLICANT MAY FILE AN APPEAL TO BE HEARD BY THE DESIGN REVIEW COMMITTEE PER SECTION 507.G.

~~c. *Purpose and intent of single-family design guidelines.* Notwithstanding the above, there are differences in the application of design guidelines for single-family development. In the R1-10 through R-5 zoning districts, the conventional development option establishes the baseline development conditions for single-family detached development. Deviations from these standards for the entire subdivision will require application of the planned residential development (PRD) option and the associated design guidelines found in subsection 507 Tab A.II.C. When applying these guidelines, staff will consider the unique conditions of each site, such as context area, lot size and shape, slope, natural vegetation, and drainage. In addition, staff will strive to ensure that affordable housing opportunities are not precluded. The PRD option is intended to encourage quality and creative design solutions through the use of flexible development standards. This design review structure is intended to foster a dialogue between staff and the applicant which facilitates creative responses to unique site conditions while being mindful of housing affordability.~~

3. **TECHNICAL ITEMS (T).** DEVELOPMENT REGULATIONS INDICATED BY (T) WITHIN THIS AND OTHER SECTIONS OF THE ZONING ORDINANCE ARE CONSIDERED TECHNICAL ITEMS. TECHNICAL ITEMS MAY BE APPEALED THROUGH THE TECHNICAL APPEAL PROCESS SPECIFIED IN SECTION 507.H.

~~3.~~ 4. **Considerations (C).** Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.

5. ITEMS WITHIN SECTION 507 TAB A AND OTHER SECTIONS OF THE ZONING ORDINANCE WHICH ARE NOT QUALIFIED BY AN (R), (R*), (P), (T) OR (C) SHALL BE TREATED AS REQUIREMENTS (R), UNLESS EXPLICITLY STATED OTHERWISE.

D. **Process.** The development review process includes the following steps:

1. Pre-application conference with the Planning and Development Department staff (see subsection E);

2. Preliminary review (see subsection F);

   a. Submittal of ~~design~~ DEVELOPMENT review documents by the applicant/property owner;

   b. Routing of documents to various departments and agencies for comment where needed;

   c. Staff review and consolidation of comments;

   d. Preliminary design review meeting with applicant and any interested citizen where needed;

3. Consideration of any DESIGN REVIEW appeals (see subsection G);

4. ~~Review~~ CONSIDERATION of ANY technical APPEALS ~~documents~~ (see subsection H);

5. Final document submittal responding to staff comments (see subsection I);

6. Final approval of development review documents (see subsection J);

7. Building permit issuance (see subsection J);

8. Site inspection and issuance of certificate of occupancy (see subsection J);

9. Follow-up inspection (see subsection J).

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~~G.~~ **~~Design Alternatives and Sustainability Bonus Appeals.~~** ~~A design alternative or sustainability bonus appeal is a deviation from the prescribed standards and design guidelines. Design alternatives and sustainability bonus appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject character area as approved by the DRC. Design alternatives apply to properties with Walkable Urban Code zoning, which would result in a furtherance of the goals and policies of Transit Oriented Policy Plans or other relevant policy plans.~~

~~1. Each design alternative application shall include, at a minimum, the following:~~

~~a. A Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing for any property with a Historic Preservation (HP) zoning designation;~~

~~b. A listing of the standard(s) or guideline(s) that are the subject of the proposed design alternative;~~

~~c. A narrative statement describing the justification for the design alternative and the manner in which the proposed design alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, Transit Oriented Policy Plans, or other relevant policy plans and would satisfy the findings required for approval;~~

~~d. Site plan;~~

~~e. Building elevations;~~

~~f. Context plan;~~

g. Landscaping and shading plan;

h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

i. Such other information as may be required by the Planning and Development Director or DRC.

2. Each sustainability bonus appeal application shall include, at a minimum, the following:

a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional).

b. Site plan;

c. Building elevations;

d. Context plan;

e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

3. Within 15 calendar days of the date of filing a design alternative or sustainability bonus appeal application, the applicant shall mail a notice by first class mail to all property owners within 150 feet of the subject site explaining the request and providing the date, time and location of the DRC meeting at which the application will be reviewed.

4. In order to approve a design alternative, the DRC must make findings as follows:

a. That the project is consistent with the intent stated for the subject character area in the Downtown Code;

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, form and materials.

Permeability and connectivity which enables people to move within, around and through the project with ease.

The project improves safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enables "eyes on the street."

The project incorporates materials and design which enhance thermal comfort.

Modifications from prescribed standards as per Section 1313; and

c. That the project demonstrates design excellence by addressing design alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the Transit Oriented Policy Plans or other relevant policy plans. The modifications must meet the standards set forth in Section 1313.

5. In order to approve a sustainability bonus appeal, the DRC must make findings as follows:

a. That the project is consistent with the intent stated for the subject character area;

b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and

~~c. The increased entitlements are consistent with the improved performance of the building(s).~~

~~6. In approving a design alternative or sustainability bonus appeal, the DRC may impose any reasonable conditions to ensure that the approval complies with the findings required above.~~

~~7. A design alternative or sustainability bonus appeal application will be reviewed at a public meeting within 30 calendar days from the date of submission of the application. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of the meeting.~~

~~8. A decision on the design alternative or sustainability bonus appeal application will be made by the DRC on the date of the public meeting unless continued at the discretion of the Committee and a certificate of approval shall be transmitted to the applicant in writing.~~

G. **DESIGN REVIEW APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION ON A DESIGN REVIEW ITEM TO THE DESIGN REVIEW COMMITTEE, WHO SHALL HEAR THE APPEAL PER SECTION 309, AS FOLLOWS:

   a. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH:

      (1) DESIGN REVIEW PRESUMPTIONS, WHICH ARE TYPICALLY INDICATED AS (P); OR

      (2) OTHER PRESUMPTIVE STANDARDS OR CRITERIA INDICATED BY THE WORD “SHOULD”.

   b. A DESIGN REVIEW REQUIREMENT INDICATED WITH AN (R*).

c. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH URBAN DESIGN PRINCIPLES, ADOPTED DESIGN REVIEW POLICIES, OR DESIGN DECISIONS WHICH ARE IMPOSED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

d. A DESIGN ALTERNATIVE APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12, OR IN THE WALKABLE URBAN CODE, CHAPTER 13.

e. A SUSTAINABILITY BONUS APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12.

2. **DESIGN REVIEW COMMITTEE HEARING PROCESS**. AN APPEAL TO THE DESIGN REVIEW COMMITTEE MUST BE SUBMITTED NO LATER THAN 30 CALENDAR DAYS AFTER A DECISION HAS BEEN ISSUED BY THE PLANNING AND DEVELOPMENT DEPARTMENT REGARDING THE SUBJECT DESIGN REVIEW ITEM.

a. APPEALS SHALL BE IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND SHALL INCLUDE ONLY THOSE ITEMS APPEALABLE TO THE DESIGN REVIEW COMMITTEE.

b. AN APPEAL SUBMITTAL MUST BE COMPLETE BASED UPON THE REQUEST AND REQUIREMENTS ON THE SUBMITTAL CHECKLIST BEFORE IT IS SCHEDULED FOR A HEARING. STAFF WILL REVIEW THE SUBMITTAL FOR COMPLETENESS AND PROVIDE A WRITTEN LIST OF ANY DEFICIENCIES TO THE APPLICANT WITHIN 15 CALENDAR DAYS OF RECEIPT OF THE SUBMITTAL.

c. ONCE DETERMINED TO BE COMPLETE, AN APPEAL WILL BE SCHEDULED FOR THE NEXT DESIGN REVIEW COMMITTEE HEARING, BUT NO SOONER THAN 15 CALENDAR DAYS FROM STAFF DETERMINATION THAT THE SUBMITTAL IS COMPLETE. BY MUTUAL CONSENT OF PDD STAFF AND THE APPLICANT, THE APPEAL MAY BE SCHEDULED FOR A LATER DRC HEARING.

d. NO LATER THAN 15 CALENDAR DAYS PRIOR TO THE SCHEDULED DESIGN REVIEW COMMITTEE HEARING, THE APPLICANT SHALL MAIL A NOTICE TO ALL PROPERTY OWNERS AND REGISTERED NEIGHBORHOOD ASSOCIATIONS WITHIN 150 FEET OF THE SUBJECT SITE EXPLAINING THE REQUEST AND PROVIDING THE DATE, TIME AND LOCATION OF THE DRC MEETING AT WHICH THE APPLICATION WILL BE REVIEWED.***

e. ANY PERSON WHO HAS BEEN OR WILL BE INVITED TO THE PRELIMINARY SITE PLAN REVIEW MEETING WITH THE APPLICANT SHALL BE INFORMED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE DATE, TIME AND LOCATION OF DRC APPEAL HEARING.

f. IN APPROVING AN APPEAL, THE DRC MAY IMPOSE ANY REASONABLE CONDITIONS TO ENSURE THAT THE APPROVAL COMPLIES WITH ANY FINDINGS REQUIRED.

g. A DECISION ON THE APPEAL WILL BE MADE BY THE DESIGN REVIEW COMMITTEE ON THE DATE OF THE HEARING UNLESS CONTINUED TO A FUTURE DRC HEARING AT THE DISCRETION OF THE DESIGN REVIEW COMMITTEE. THE DECISION SHALL BE TRANSMITTED BY PDD STAFF TO THE APPLICANT IN WRITING WITHIN 15 CALENDAR DAYS OF THE DECISION.

h. THE DECISION OF THE DESIGN REVIEW COMMITTEE IS FINAL AND NON-APPEALABLE.

~~H.~~ **~~Appeals.~~** ~~There are two distinct categories of review standards, design and technical:~~

1. **Appeal of design review decisions.** An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed to the Design Review Committee within 15 calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

    b. An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

    c. A decision on the appeal will be made by the Design Review Committee on the date of the hearing unless continued at the discretion of the Committee and shall be transmitted to the applicant in writing. The decision of the Design Review Committee shall be final.

2. **Appeal of technical requirements.** An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed within 15 calendar days to the City Manager's representative. The Planning and Development Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

b. An appeal will be heard within 15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

c. A decision on the appeal will be made by the City Manager's representative within five calendar days from the date of the hearing and transmitted to the applicant and interested parties in writing.

d. *Appeal to Development Advisory Board.* An appeal of the decision of the City Manager's representative may be made to the Development Advisory Board within 15 calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within 30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the Development Advisory Board and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The Development Advisory Board shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.

e. *Development Advisory Board action.* The Development Advisory Board may:

(1) Affirm the decision of the City Manager's representative;

(2) Remand the matter for further proceedings before the City Manager's representative; or

(3) Reverse or modify the City Manager's representative's decision.

The decision of the Development Advisory Board is final.

## H. **TECHNICAL APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION REGARDING A TECHNICAL ITEM, AN INFRASTRUCTURE REQUIREMENT IMPOSED BY THE DEPARTMENT, OR AN ITEM INDICATED AS (T) IN SECTION 507 TAB A, CHAPTER 12 AND OTHER SECTIONS OF THE ZONING ORDINANCE TO THE TECHNICAL APPEALS COMMITTEE (TAC) PER SECTION 312, AS FOLLOWS:

   a. ANY APPEAL SHALL BE FILED NO LATER THAN 15 CALENDAR DAYS FOLLOWING A DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

   b. THE TAC MAY GRANT AN APPEAL IF THE APPELLANT CAN DEMONSTRATE THAT THERE EXISTS EXTRAORDINARY CONDITIONS OF TOPOGRAPHY, LAND OWNERSHIP, OR ADJACENT DEVELOPMENT, OR OTHER CIRCUMSTANCES NOT PROVIDED FOR IN THESE REGULATIONS. THE TAC MAY MODIFY THE REQUIREMENT(S) IN SUCH A MANNER AND TO SUCH EXTENT AS MAY BE APPROPRIATE TO THE PUBLIC INTEREST SOUGHT TO BE PROTECTED BY THE REQUIREMENT(S) REQUESTED TO BE MODIFIED. IN MODIFYING THE REQIREMENT(S), THE TAC MAY MAKE SUCH ADDITIONAL REQUIREMENTS AS APPEAR NECESSARY TO SUBSTANTIALLY SECURE THE OBJECTIVES OF THE MODIFIED REQUIREMENT(S).

   c. IN ADDITION TO THE REQUIREMENTS OF H.1.B, REQUESTS FOR TECHNICAL APPEALS ARISING FROM DEVELOPMENTS SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), WALKABLE URBAN CODE (CHAPTER 13) AND ANY OTHER AREA-SPECIFIC TECHNICAL REQUIREMENTS SHALL BE APPROVED ONLY IF THE MODIFICATION IS CONSISTENT WITH ANY STATED RATIONALE, GOAL, OR INTENT SPECIFIC TO THE CHARACTER AREA AND APPLICABLE STREETSCAPE STANDARDS. THE TAC MAY IMPOSE STIPULATIONS TO ENSURE COMPLIANCE WITH SUCH RATIONALE, GOAL OR INTENT WHEN APPROVING A TECHNICAL APPEAL.

2. **APPLICATION.** TECHNICAL APPEALS SHALL BE FILED IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AS FOLLOWS:

   a. THE REQUEST SHALL ADDRESS ONLY THOSE ITEMS BEING APPEALED.

   b. THE REQUEST SHALL INCLUDE TECHNICAL INFORMATION AND A NARRATIVE RELATED TO THE APPEAL, CLEARLY EXPLAINING WHY THE PROPOSED ALTERNATIVE IS EQUIVALENT TO OR BETTER THAN THE TECHNICAL ITEM BEING APPEALED.

3. THE TAC WILL CONDUCT A REVIEW OF THE APPEAL AT THEIR FIRST REGULARLY SCHEDULED MEETING FOLLOWING A COMPLETE SUBMITTAL.

   a. THE TAC MAY CHOOSE TO DEFER ACTION ON THE APPEAL AND INSTEAD SEND THE APPEAL REQUEST DIRECTLY TO THE CITY MANAGER'S REPRESENTATIVE (CMR) FOR HEARING, AS OUTLINED BELOW.

   b. THE TAC MAY CHOOSE TO REQUEST ADDITIONAL INFORMATION PRIOR TO RENDERING A DECISION.

4. THE TAC SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, FORWARD FOR CMR HEARING WITHOUT RECOMMENDATION, OR CONTINUE TO A SUBSEQUENT TAC MEETING IF ADDITIONAL INFORMATION IS REQUIRED FOR REVIEW BEFORE RENDERING A DECISION.

5. A DECISION OF THE TAC SHALL BE CONSIDERED FINAL IF NOT APPEALED TO THE CMR WITHIN 15 CALENDAR DAYS OF THE DECISION.

6. **CITY MANAGER'S REPRESENTATIVE APPEAL HEARING.** A DECISION OF THE TAC MAY BE APPEALED TO THE CMR BY THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE WITHIN 15 CALENDAR DAYS.

a. SCHEDULING OF CMR HEARING. A TECHNICAL APPEAL WILL BE HEARD BY THE CMR WITHIN 30 CALENDAR DAYS FROM THE DATE OF FORWARDING FROM TAC. THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE DATE OF THE CMR HEARING NO LATER THAN SEVEN CALENDAR DAYS PRIOR TO THE HEARING.

***

b. CITY MANAGER'S REPRESENTATIVE'S DECISION. A DECISION ON THE APPEAL WILL BE MADE BY THE CMR AT THE HEARING. THE CMR SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, CONTINUE TO A SUBSEQUENT CMR HEARING FOR FURTHER CONSIDERATION, OR ISSUE A RULING AT A LATER DATE IN ORDER TO FIRST SEEK ADDITIONAL INFORMATION AND/OR PROFESSIONAL ADVICE. THE FINAL CMR DECISION SHALL BE TRANSMITTED IN WRITING TO THE APPLICANT AND ANY INTERESTED PARTIES WHO WERE IN ATTENDANCE AT THE HEARING.

7. **APPEAL TO DEVELOPMENT ADVISORY BOARD.** AN APPEAL OF THE DECISION OF THE CMR MAY BE MADE TO THE DEVELOPMENT ADVISORY BOARD, AS ESTABLISHED UNDER CHAPTER 2, ARTICLE IX OF THE CITY CODE. NOTWITHSTANDING THE PROCESS OUTLINED IN CHAPTER 2, ARTICLE IX, SECTION 2-172, AN APPEAL UNDER THIS PROVISION MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF THE CMR DECISION.

***

**Amend Chapter 6, Section 669 (Arts, Culture, and Small Business Overlay District) as follows:**

***

B. **Applicability.** The Arts, Culture and Small Business Overlay may be applied to land bounded by Interstate 10 Inner Loop (Papago Freeway) on the north, 20th Street to the east, Buckeye Road to the south and 19th Avenue to the west. ~~The application of the overlay on specific parcels will occur subject to approval by City Council through the rezoning process in accordance with zoning map amendment section of the Zoning Ordinance. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts or other overlay districts, except as expressly modified by the following regulations and as regulated by other provisions of City Code. Where there is a conflict with other Zoning Ordinance provisions, the more permissive shall apply.~~

1. FOR PROPERTIES NOT ZONED DOWNTOWN CODE (DTC), THE APPLICATION OF THE OVERLAY ON SPECIFIC PARCELS WILL OCCUR SUBJECT TO APPROVAL BY CITY COUNCIL THROUGH THE REZONING PROCESS IN ACCORDANCE WITH SECTION 506.B. THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS OR OTHER OVERLAY DISTRICTS, EXCEPT AS EXPRESSLY MODIFIED BY THE FOLLOWING REGULATIONS AND AS REGULATED BY OTHER PROVISIONS OF CITY CODE. WHERE THERE IS A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.

2. FOR PROPERTIES ZONED DOWNTOWN CODE (DTC), APPLICATION OF THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEVELOPMENT REGULATIONS ON AFFECTED PROPERTIES SHALL BE AS SPECIFIED BY SECTION 1207.M.

***

**Amend Chapter 7, Section 702 (Off-Street Parking and Loading) to correct a numbering error for Section 702.B (Off-Street Loading Spaces), which immediately follows Section 702.G, and to make other minor changes to terms used.**

~~B.~~H. **~~Off-Street~~ SERVICE/GOODS Loading Spaces.**

1. **General provisions, requirements for space size.** ~~Off-street~~ SERVICE/GOODS loading spaces shall be not less than ten (10) feet in width and thirty (30) feet in length, exclusive of access aisles and maneuvering space.

2. ~~**Off-Street**~~ **SERVICE/GOODS loading spaces required.** The following shall apply to all developments, except for single family developments and vehicular parking areas.

   a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   b. Office development less than 60 feet in height shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   c. Multi-family residential development shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   d. Commercial or office developments (excluding multi-family) over 60 feet in height and all hotel or resort developments shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

3. ~~The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve.~~ SERVICE/GOODS LOADING SPACES SHALL BE LOCATED ON-SITE UNLESS SPECIFICALLY PERMITTED ELSEWHERE BY THE ZONING ORDINANCE. In no case shall the required off-street loading space be ~~part of the area~~ USED to satisfy ~~the~~ off-street parking requirements ~~of this Ordinance~~.

***

**Amend Chapter 7, Section 703 (Landscaping, Fences and Walls) to correct a provision regarding when a Certificate of No Effect or Certificate of Appropriateness is required for a wall/fence.**

A. **Height of Fences and Retaining Walls.**

***

2. The following shall apply to all residence districts:

a. For lots fronting on a public street, private accessway or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches, provided:

(1) ~~For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.~~
**HISTORIC PRESERVATION DESIGNATED PROPERTIES.** FOR PROPERTIES DESIGNATED HP AND HP-L, FENCES OR FREESTANDING WALLS IN THE FRONT YARD (THE AREA BETWEEN THE STRUCTURE AND THE STREET RIGHT-OF-WAY LINE) SHALL NOT EXCEED A MAXIMUM HEIGHT OF THREE FEET. THIS HEIGHT LIMITATION EXTENDS THREE FEET BACK FROM THE FRONT FAÇADE INTO THE SIDE YARD(S).

# EXHIBIT B
# Chapter 12
# DOWNTOWN CODE

**Section 1201.** **Code Administration.**
**Section 1202.** **Regulating Maps.**
**Section 1203.** **Land Use Matrix.**
**Section 1204.** **Streetscape and Frontage Zones.**
**Section 1205.** **Frontage Elements.**
**Section 1206.** **Parking, Loading, and Vehicular Access.**
**Section 1207.** **General Development Regulations.**
**Section 1208.** **Biomed.**
**Section 1209.** **Business Core.**
**Section 1210.** **Central Park.**
**Section 1211.** **Commercial Corridors.**
**Section 1212.** **Downtown Gateway.**
**Section 1213.** **East Evergreen.**
**Section 1214.** **Evans Churchill East.**
**Section 1215.** **Evans Churchill West.**
**Section 1216.** **McDowell Corridor.**
**Section 1217.** **Roosevelt East.**
**Section 1218.** **Roosevelt North.**
**Section 1219.** **Roosevelt South.**
**Section 1220.** **Townsend Park.**
**Section 1221.** **Van Buren.**
**Section 1222.** **Warehouse.**
**Section 1223.** **Sustainability Bonus Points.**
**Section 1224.** **Appeals.**

## Section 1201. Code Administration.

A. **Purpose and Intent.** The purpose of the Downtown Code is to implement the vision, goals and policies of the Downtown Phoenix Plan and provide the physical environment necessary to create a pedestrian-oriented, dynamic urban center with an authentic sense of place. The intent of the Downtown Code is to address design that impacts the public realm by establishing standards and guidelines that will allow projects to develop over time in a scale and character consistent with the Downtown Phoenix Plan and with the vision and goals of PlanPHX.

B. **Applicability**. The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.A and generally bounded by McDowell Road on the north, 7th Street on the east, Buckeye Road on the south, and 7th Avenue on the west. This boundary shall be hereafter known as “Downtown”. The “Downtown Code” may be abbreviated as “DTC”.

1. Historic Preservation**.** Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event of a conflict between the provisions of Chapter 8 and Chapter 12, the provisions of Chapter 8 shall prevail.

2. If a conflict occurs between requirements of the Downtown Code and other provisions the City of Phoenix Zoning Ordinance (not including Chapter 8), the requirements of the Downtown Code shall prevail.

3. Development review of sites located within Downtown shall be in conformance with the provisions of Section 507.B, unless specifically stated otherwise within this Chapter.

C. **Approval Requirements.** Each structure and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements:

1. The land use or function must be allowed by the Use Matrix in the Character Area where the site is located, unless subject to the provisions of Chapter 9, Nonconformities.

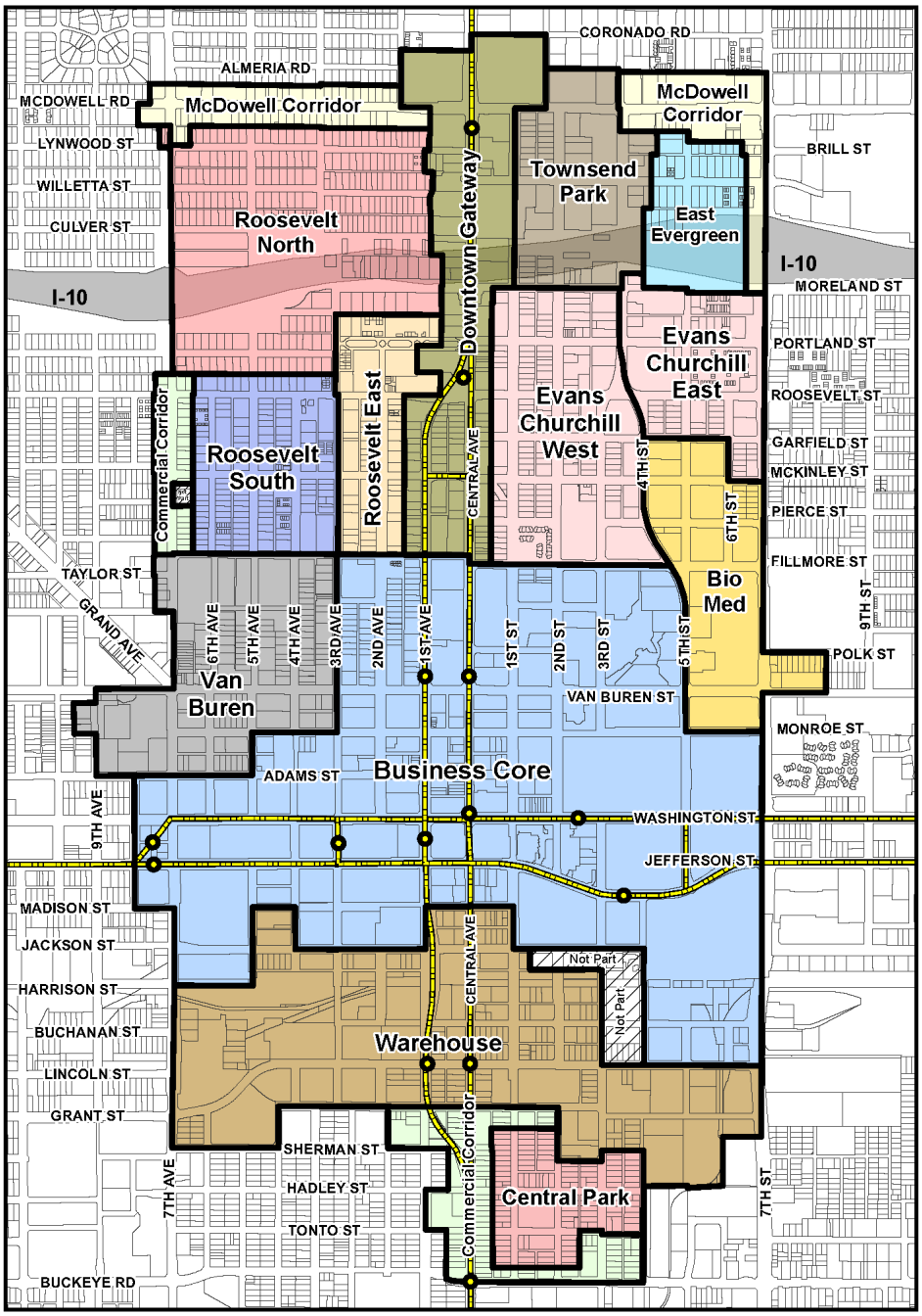
2. Development review approval shall be obtained in accordance with the procedures outlined in Section 507, Development Review Approval.

3. Guidelines, standards, and requirements in this Chapter indicated with the markers (R), (R*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in

Section 507. Items not indicated with an (R), (R*), (P), (T), and (C) shall be treated as (R).

## Section 1202. Regulating Maps.

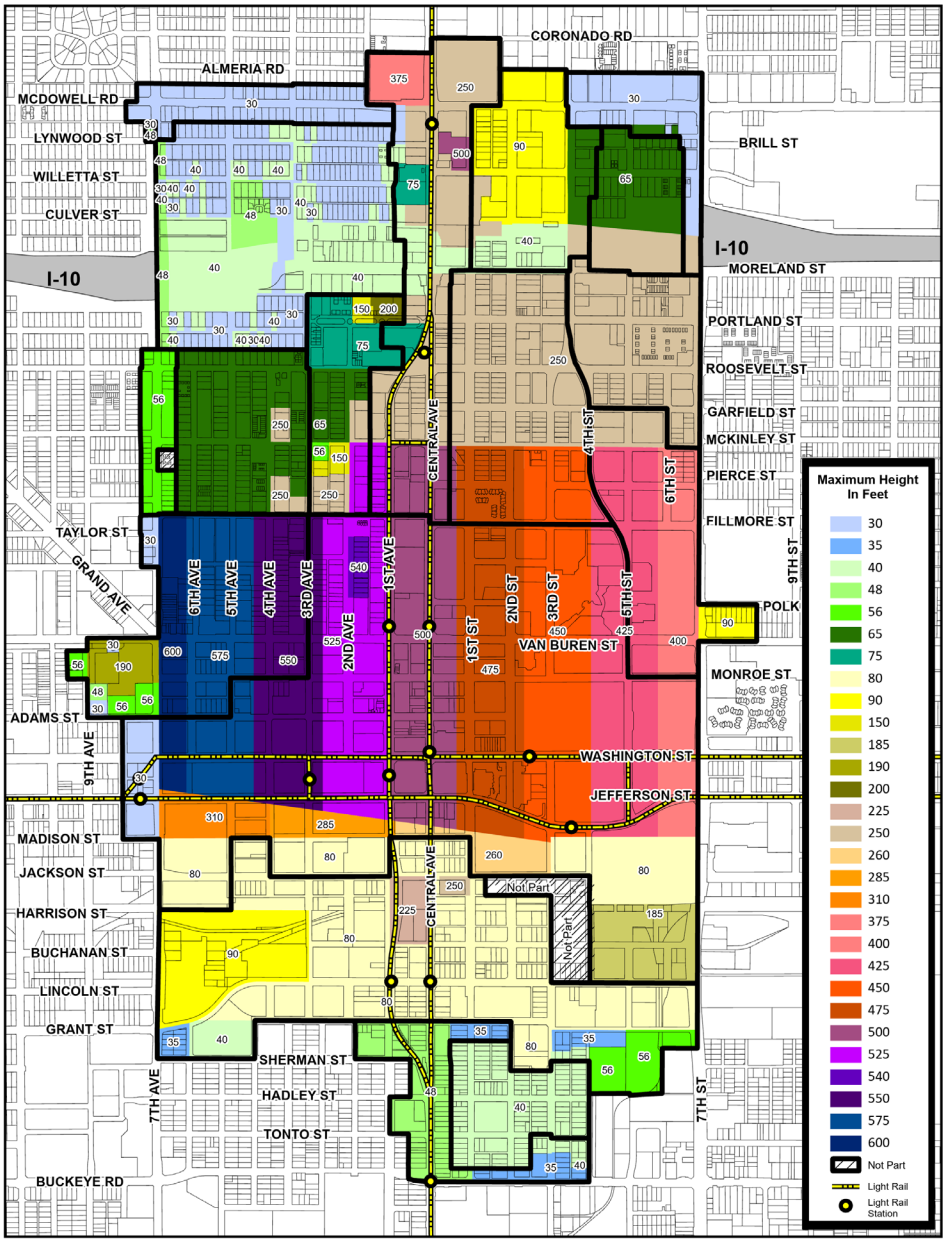
A. **Character Areas.** This map designates the Character Area boundaries for the Downtown Code:



B. **Maximum Building Height.** This map designates maximum building heights within Downtown.

1. The height limits shown on the following map are the base requirements and do not include any height bonuses which may be allowed per other sections of this Chapter. Additional setbacks may apply at the boundary between different height zones, per Section 1207.E.

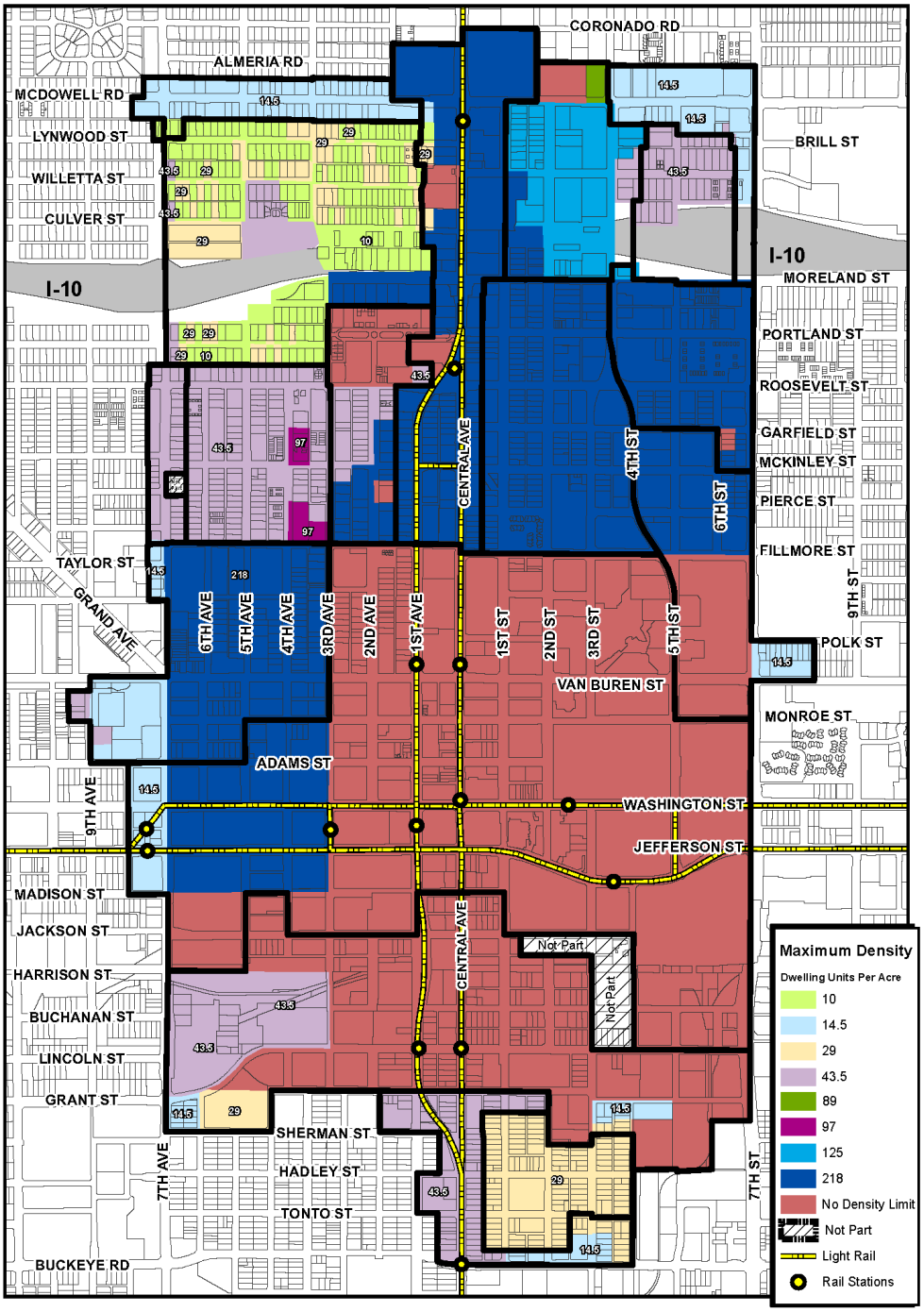
2. No building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.



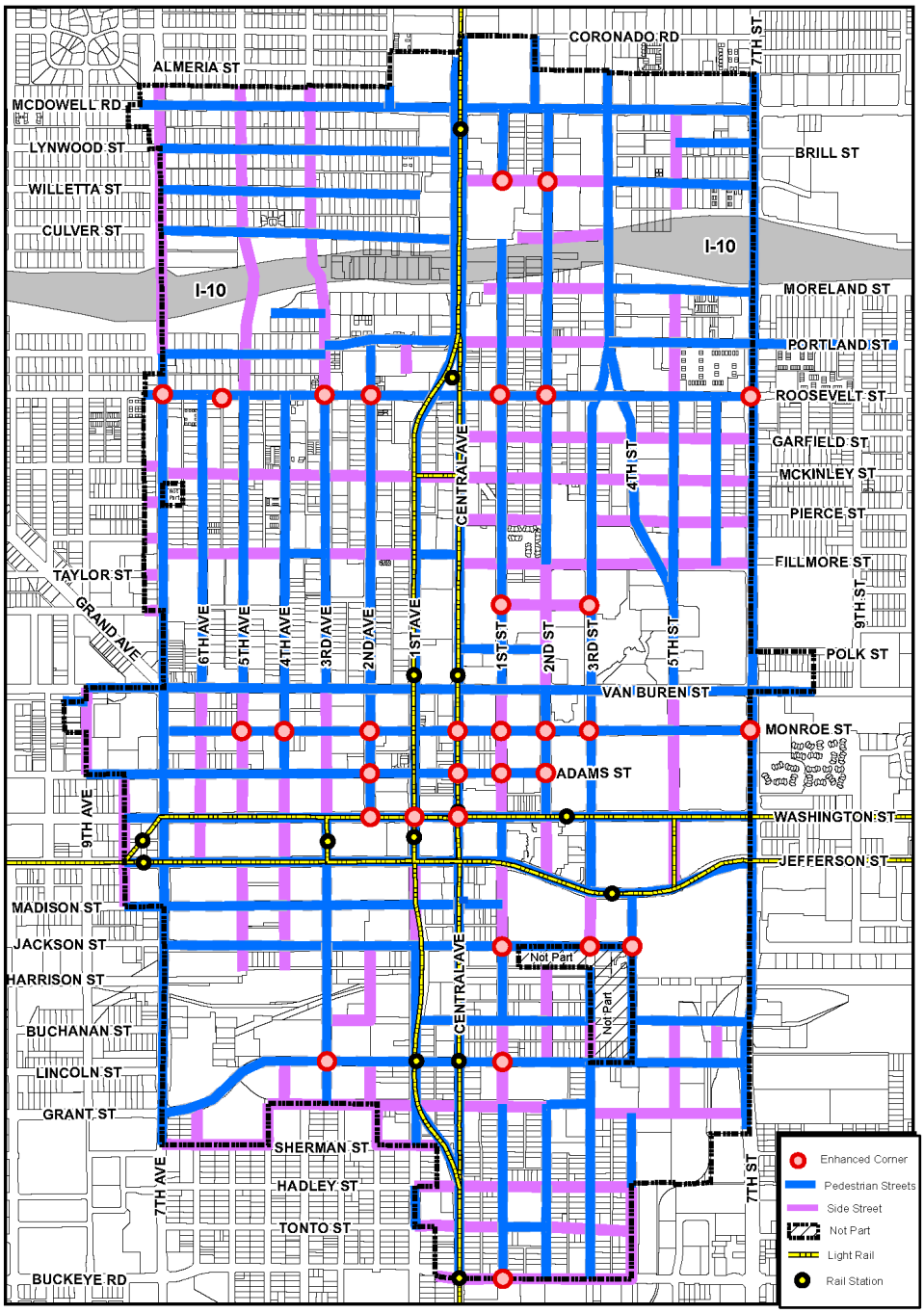

WHERE THERE EXISTS A CONFLICT BETWEEN THE HEIGHT LIMITATION PRESCRIBED IN THE CHAPTER AND ANY OTHER REGULATIONS IN CHAPTER 4 OF THE PHOENIX CITY CODE, THE LOWER LIMITATION SHALL GOVERN AND PREVAIL. (SEE PHOENIX CITY CODE SEC. 4-247)

C. **Maximum Density.** This map designates maximum density limits within Downtown.

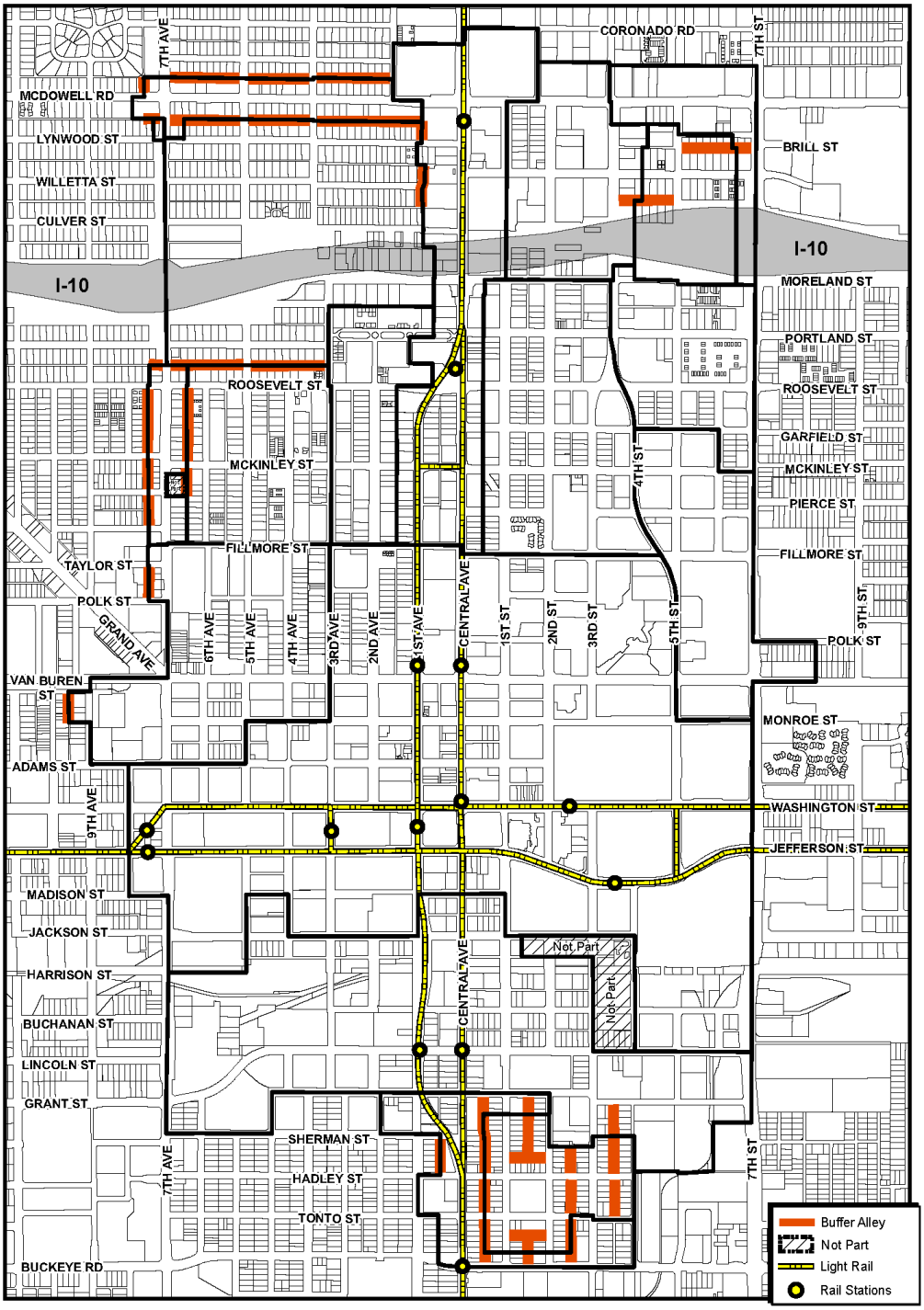
1. The density limits shown on the following map are the base requirements and do not include any density bonuses which may be allowed per other sections of this Chapter.



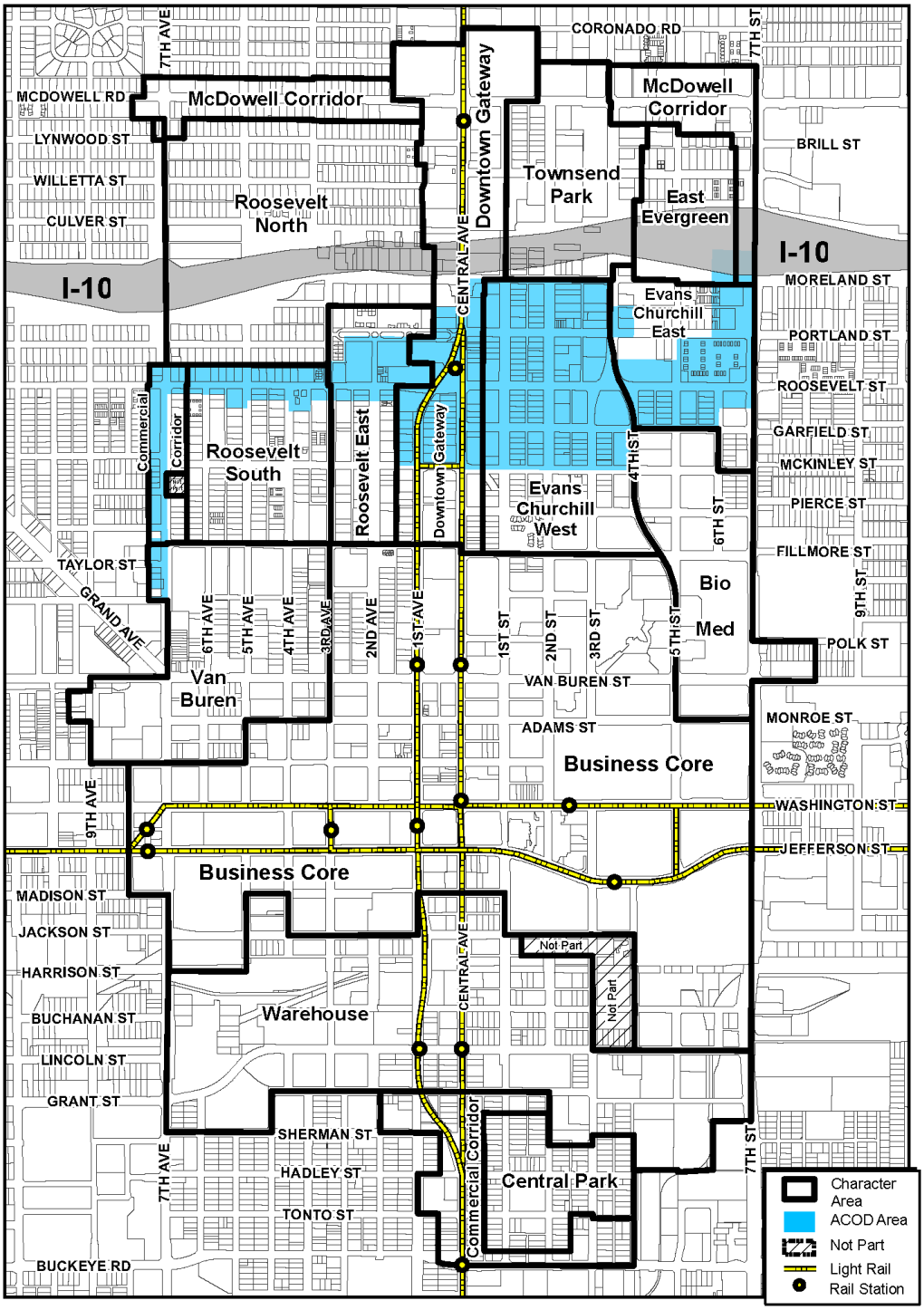
D. **Pedestrian Streets, Side Streets, and Enhanced Corners.** This map designates the streets within Downtown that are either Pedestrian or Side Streets, as referenced elsewhere within this Chapter. The map also designates Enhanced Corner locations as referenced elsewhere in this Chapter. Public streets not designated on this map shall be considered Pedestrian Streets.



E. **Buffer Alleys.** This map designates Buffer Alleys for which abutting properties must conform to the requirements outlined elsewhere in this Chapter.



F. **Arts, Culture and Small Business Area.** This map designates the Arts, Culture, and Small Business Area referenced elsewhere in this Chapter:



## Section 1203. Land Use Matrix.

A. **Applicability.** The Land Use Matrix regulates all permitted uses within Downtown.

B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1203.C, and Land Use Conditions in Section 1203.D:

1. Any use not specifically listed in the Land Use Matrix shall not be permitted.

2. All uses indicated with “p” are permitted with the applicable Character Area.

3. All uses indicated with “pc” are permitted with conditions within the applicable Character Area. The conditions are described in Section 1203.D, Land Use Conditions, by the associated condition number (e.g. “pc15” is described under Section 1203.D.15).

4. All uses indicated with “up” are permitted within the applicable Character Area only upon approval of a Use Permit per Section 307.A.7.

5. All uses indicated with “sp” are permitted within the applicable Character Area only upon approval of a Special Permit per Section 504.1.

6. All uses indicated with “np” are not permitted within the applicable Character Area.

**C. Land Use Matrix.**

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| **RESIDENTIAL USES** | | | | | | | | | | | | | | | | |
| Boarding House | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Community Residence Home | | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 |
| Dwelling Unit, Multi-Family | | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| Dwelling Unit, Single-Family, Detached (including Duplex and Triplex uses) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Dwelling Unit, Single-Family Attached | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Group Home | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Group Foster Home | | p | p | up | p | p | p | p | p | p | p | up | up | p | p | p |
| Live-Work | x | p | p | pc11, 15 | p | p | p | p | p | p | p | np | p | p | p | p |
| Subdivision, Single-Family Infill | | np | np | pc27 | pc27 | np | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | np |
| ***Accessory to Residential Uses Only:*** | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | | np | np | pc31 | pc31 | np | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | np |
| Home Occupations | | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 |
| **ASSEMBLY USES** | | | | | | | | | | | | | | | | |
| Assembly, General | x | p | p | np | p | p | up | p | p | p | up | np | np | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Day Care (Adult Day Care Center and Child Care), Nursery School | x | p | p | pc13, 15 | p | p | pc13, 15 | p | p | p | p | pc13, 15 | pc13, 15 | p | p | p |
| Religious Assembly | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School, Commercial | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| **GENERAL RETAIL SALES AND RELATED SERVICE USES** | | | | | | | | | | | | | | | | |
| Artist Studio/Gallery | x | p | p | pc4, 6, 17 | p | p* | pc4, 6, 17 | p* | p* | p | pc4, 6, 17* | np | pc4, 6, 17* | p | p | p |
| Bakery | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Commercial Recreation | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Farmers Market | x | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 |
| Garden Center, Plant Nursery | x | np | np | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Pawn Shop | x | up | np | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Pet Care Facility | x | up | up | np | up | up | up | up | up | up | up | np | np | up | up | up |
| Pet Day Care Facility | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Pet Grooming | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Retail Sales | x | p | p | np | pc10 | p | pc7 | pc9 | pc10 | pc10 | pc9 | np | pc9 | pc8 | p | p |
| Second Hand/Used Merchandise Sales | x | pc21 | pc21 | np | pc10, 21 | pc21 | pc7, 21 | pc9, 21 | pc10, 21 | pc10, 21 | pc9, 21 | np | pc9, 21 | pc8, 21 | pc21 | pc21 |
| **FOOD SERVICE AND ENTERTAINMENT** | | | | | | | | | | | | | | | | |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Bar | x | up | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| *(ac) Outdoor Liquor Service* | *x* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *up* |
| Liquor, Retail Sales | x | up | up | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Dance Hall | x | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Restaurant | x | p | p | np | p* | p* | pc7 | p* | p* | p | p* | np | pc2* | p | p | p |
| Brew Pub, Microbrewery, Winery | x | up24 | up24 | np | up24 | up24 | up24 | up24 | up24 | up24 | up24 | np | up24 | up24 | up24 | p24 |
| ***Accessory Only To Restaurant/Brew Pub/Microbrewery/Winery:*** | | | | | | | | | | | | | | | | |
| *(ac) Outdoor Liquor Service* | *x* | *up* | *p* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *p* |
| *(ac) Outdoor Cooking* | *x* | *up* | *pc4, 16* | *np* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *np* | *np* | *up* | *up* | *up* |
| *(ac) Outdoor Dining* | *x* | *p* | *p* | *np* | *pc3** | *p** | *np* | *p** | *p** | *p* | *p** | *np* | *pc3** | *p* | *pc3* | *p* |
| *(ac) Patron Dancing* | *x* | *p* | *p* | *np* | *p* | *p* | *np* | *p* | *p* | *p* | *p* | *np* | *np* | *p* | *p* | *p* |
| **LODGING** | | | | | | | | | | | | | | | | |
| Bed and Breakfast | x | p | p | up | p | p | p | p | p | p | p | np | p | p | p | p |
| Hotel/Motel | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **HEALTH AND SUPPORT SERVICES** | | | | | | | | | | | | | | | | |
| Clinic, Medical or Dental | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| Community Residence Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospice | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospital | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *ACTIVE USE* | *BioMed* | *BC* | *Central Park* | *Commercial Corridors* | *Dntn Gateway* | *East Evergreen* | *Evans Churchill East* | *Evans Churchill West* | *McDowell Corridor* | *Roosevelt East* | *Roosevelt North* | *Roosevelt South* | *Townsend Park* | *Van Buren* | *Warehouse* |
| Laboratory, Medical, Dental or Clinical | | p | p | np | up | p | up | p | p | up | up | np | up | up | up | up |
| Laboratory, Research | | p | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| Medical or Dental Office | x | p | p | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Nursing Home or Assisted Living Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Veterinary Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **INDUSTRIAL AND MANUFACTURING USES** | | | | | | | | | | | | | | | | |
| Building Materials | | np | np | np | np | np | np | np | np | np | np | np | np | np | up | p |
| Contractor's Yards | | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Manufacturing - Artisan | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - Light | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - General | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | p |
| Manufacturing - Heavy | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| **OFFICE AND PROFESSIONAL USES** | | | | | | | | | | | | | | | | |
| Financial institutions | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| General Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| Professional Office | x | p | p | np | p | p | p | p | p | p | p | pc19 | p | p | p | p |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **SERVICES** | | | | | | | | | | | | | | | | |
| Appliance Repair | x | pc4, 6, 17 | np | np | pc4, 6, 17 | pc4, 6, 17 | np | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | np | np | pc4, 6, 17 | p | p |
| Business Services | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Personal Services | x | p | p | np | p | p | np | p | p | p | p | np | p | p | p | p |
| Tattoo/Body-Piercing Studio | x | p | p | np | p | p | np | p | p | p | sp | np | np | np | p | p |
| **STORAGE AND WHOLESALING USES** | | | | | | | | | | | | | | | | |
| Self Service Storage Facility | | sp | np | np | p | sp | np | np | sp | sp | sp | np | np | np | p | p |
| Storage/Warehousing (indoor) | | np | np | np | sp | np | np | np | np | np | np | np | np | np | sp | sp |
| Wholesale Sales | | np | np | np | up | np | np | np | np | np | np | np | np | np | up | up |
| **UTILITY AND TRANSPORTATION USES** | | | | | | | | | | | | | | | | |
| Motor Vehicle Rentals | x | up | pc12 | np | up | pc12 | np | sp | sp | sp | sp | np | np | sp | up | up |
| Motor Vehicle Sales (New) and Leasing | x | sp | pc12 | np | pc12 | pc12 | np | sp | sp | sp | sp | np | np | sp | pc12 | pc12 |
| Motor Vehicle Service Station, Fuel Sales | x | np | sp | np | up19 | np | np | np | np | up19 | np | np | np | np | sp | np |
| Motor Vehicle Service and Repair, Minor | x | np | np | np | np | np | np | np | np | np | np | np | np | np | sp | np |
| Motor Vehicle Washing | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| Bus Terminal | | np | sp | np | np | np | np | np | np | np | np | np | np | np | np | sp |
| Public Utility Buildings and Facilities | | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 |
| **ACCESSORY USES AND FACILITIES** | | | | | | | | | | | | | | | | |
| Accessory Structure (not ADU) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Adult Day Care Home | | up | p | up | p | p | p | p | p | p | p | up | p | p | p | p |
| Dependent Care Facility | | up | p | up | p | p | pc14 | p | p | p | p | up | pc14 | p | p | p |
| Drive-Through | | np | np | np | pc19, 20 | np | np | np | np | pc19, 20 | np | np | np | np | np | np |
| Helistop/Heliport | | sp | sp | np | sp | sp | np | np | sp | sp | sp | np | np | np | sp | sp |
| Home Occupation as per Section 608.E.27 | | p | p | p | p* | p* | p* | p* | p* | p* | p* | p | p* | p | p | p |
| Outdoor Crafting of Art | | up | up | up | p22* | up* | up | p22* | p22* | p22 | p22* | up | np | up | up | p22 |
| Outdoor Display/Sales | x | up | up | np | p | up | up | up | up | up | up | np | up | up | p | p |
| Outdoor Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Outdoor Entertainment | x | up | pc4, 16, 23 | np | up* | pc5, 16, 18, 23* | up | pc5, 16, 18, 23* | pc5, 16, 18, 23* | up | up* | np | up* | up | pc4, 16, 23 | pc4, 16, 23 |
| Pocket Shelter (Accessory to Religious Assembly Only) | | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 |
| Repair and/or Storage Facilities (Accessory to Public Utility Building and Facilities Only) | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Valet Parking | | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 |
| **Local Food Production** | | | | | | | | | | | | | | | | |
| Community Garden | | up | up | up | up | up | up | up | up | up | up | np | up | up | up | up |
| Home Produce Stand | x | np | np | up | np | np | up | np | np | np | np | np | up | np | np | up |
| **Interim Uses** | | | | | | | | | | | | | | | | |
| Interim Vacant Land Uses | | p | p | p | p | p | p | p | p | p | p | up | p | up | p | p |
| Environmental Remediation | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Surface parking | | up | up | np | np | up | np | up | up | np | up | np | np | np | up | up |
| Civic Event | | p | p | np | np | np | np | np | np | np | np | np | np | np | np | p |

***LAND USE KEY:*** *p=permitted use, pc=permitted with conditions (see numbered footnote for conditions), up=use permit, sp=special permit, np=not permitted*

** = For properties within the Arts, Culture, and Small Business Area (see map in Section 1202.G), please refer to the additional regulations outlined in Section 1207.C. If a regulation of Section 1207.C conflicts with the provisions of this Land Use Matrix, the more permissive regulation shall apply.*

*Note: Alcohol sales and service on properties within an Entertainment District designated by the City Council pursuant to Section 4-207, Arizona Revised Statutes, must also comply with Section 307(A)(17) of the Zoning Ordinance.*

D. **Land Use Conditions.** The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1203.C:

**Spacing:**

1. No use shall be located on a lot with a property line within 1,320 feet of the same type of use as measured in a straight line in any direction of the lot line of another such use.

**Separation:**

2. The use shall not be located within 50 feet of a Buffer Alley as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the Buffer Alley.

3. The use shall not be located within 25 feet of a Buffer Alley as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley.

**Environmental Quality:**

4. Noise, odor, dust, gas, heat, smoke, glare or vibration shall not be emitted at any time by the use that exceeds the general or ambient level by uses immediately off site as compared at the parcel boundary.

5. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained.

6. The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval.

**Maximum Size:**

7. The use shall not exceed 2,500 square feet of building area.

8. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained.

9. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained.

10. The use shall not exceed 25,000 square feet of lot area.

11. The use shall not exceed 25 percent of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50 percent of the total under roof area.

12. The use shall not include more than ten display vehicles.

**Maximum Persons:**

13. The use may not be conducted for more than ten persons.

14. The use may not be conducted for more than 12 persons.

15. The use may not employ more than one nonresident person.

**Hours of Operation:**

16. The use is limited to Fridays, Saturdays and Sundays only.

17. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m.

18. The use may only be conducted between the hours of 10:00 a.m. and 12:00 midnight on Fridays and Saturdays and between 10:00 a.m. and 10:00 p.m. on Sundays, unless a use permit is obtained to extend the hours.

**Location:**

19. The use may only occur on a site that is adjoining an arterial street which is not a light-rail street.

20. Drive-through windows shall not be located within a Frontage Zone, nor drive-through queuing lanes, which also must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee.

21. Used/second hand merchandise cannot be received or processed at a site in Downtown for sale at another site. No outdoor sales or displays allowed.

22. Outdoor crafting of art subject to the following:

    a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street.

    b. Storage of materials associated with the crafting area shall not exceed eight feet in height and shall be limited to the rear or side yard.

    c. Storage area shall be fully screened with a solid wall or landscaping.

    d. Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance.

23. Outdoor entertainment, subject to the following:

    a. Outdoor event or performances are open to the public.

    b. The outdoor event or performance must be presented by an existing business on the property.

    c. The business's regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

24. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.

25. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services.

26. Farmers markets, subject to the following:

    a. Obtaining an administrative temporary use permit (ATUP) in accordance with the provisions of Section 708 if no food or beverage is dispensed from a vehicle.

    b. Obtaining a use permit in accordance with the provisions of Section 307 if food or beverage is dispensed from a vehicle.

    c. On-site operational conditions and improvements may be stipulated as a condition of an ATUP or use permit approval.

27. Single-family infill subdivision, per Section 608.F.6 and Section 614, Table 614.B, except as modified below:

    a. Historic Preservation designated properties or properties in historic districts cannot use the single-family infill development option.

    b. Maximum height: as per height map, Section 1202.B.

    c. Maximum density:  as per density map, Section 1202.C.

    d. Maximum lot coverage: 100 percent per townhome lot; overall subdivision lot coverage per applicable Character Area.

e. Frontage Requirements: as per the applicable Character Area; or if lots front on a something other than a Frontage Zone, per the regulations of Section 608.F.6 and Section 614, Table B, Column D.

f. Setbacks:

(1) Perimeter setbacks (interior and street frontage): per the applicable Character Area; or if lots front on a dedicated alley with no Frontage Zone, minimum 10 feet setback.
(2) Individual lot front (not on a perimeter): 0 feet.
(3) Individual lot side and rear: 0 feet or the required perimeter setback, whichever is greater.

g. Allowed uses: single-family attached dwelling units and home occupations per Section 608, except that units fronting a perimeter street (not an alley) may have additional uses as permitted per the applicable Character Area. Single-family detached units are permitted for no more than 20% of the units in an SFI development to allow for variety and efficiency of design.

h. Parking and loading: per Section 1206, except that one space per dwelling unit is required to be covered.

i. Design: units adjacent to perimeter streets shall provide primary entrances facing and accessible from the street. No garages or carports are allowed to face perimeter streets. (R*)

j. All subdivisions must comply with the requirements of the Subdivision Ordinance (Chapter 32 of the City Code), as may be modified by the Subdivision Committee to further the goals of this Chapter and the applicable Character Area.

28. Public utility buildings and facilities shall be fully screened and subject to the following:

a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R*)

b. All public utility buildings and facilities subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a Design Alternative Appeal, per the provisions of Section 1224.A.

c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property owners and to neighborhood associations registered with the City pursuant to the DRC process handout.

d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.

e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:

(1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.
(2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.
(3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:

A minimum of two of the following installations:

(a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.
(b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
(c) Shade trees or shade structures.
(d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

(e) A local public art component and/or wall displays for local public arts organizations.
(f) An educational component that describes the history or setting.
(g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.
(h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.

f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other Frontage and Streetscape Zone regulations, including those indicated as (R).

**Dispersal and Establishment of a Registered Use:**

29. Community residence homes, subject to the following:

a. The home has no more than five residents, not including staff (unless permitted by Section 36-582(A), Arizona Revised Statutes); or

b. For a home with six to ten residents, not including staff, the following conditions shall apply:

(1) Such home shall be registered with, and administratively verified by, the Planning and Development Department Director's designee as to compliance with the standards of this section as provided in Section 701.
(2) No community residence home shall be located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another community residence home that has been registered with six to ten residents.
(3) Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.

**Accessory Uses:**

30. Valet Parking, subject to the following:

a. Valet parking is permitted by right if accessory to a permitted use or a use permitted with conditions, so long as all of the conditions are complied with. For primary uses subject to approval through a use permit or special permit, valet parking is permitted as an accessory use only if the valet parking is specifically approved as part of the use permit or special permit.

b. Valet parking spaces for a use located on a different site than for which the parking is to be provided is allowed only if the following three conditions are met:

(1) Both the site where the parking is to be located, and the site for which the parking is provided, are allowed the use(s) for which the parking is to be provided. For sites with uses permitted by use permit or special permit, compliance with Section 1203.D.30.a is required.

(2) The site on which the valet parking is to be provided also has a primary use, or is otherwise permitted to have valet parking.

(3) The site where the valet parking is to be located has provided parking spaces in excess of any required minimum parking for the subject site. This provision does not grant permission to provide more parking spaces than the maximum parking spaces allowed for uses located on the site.

c. Valet parking facilities, when provided, must comply with the additional development regulations of Section 1206.G.

31. Accessory Dwelling Unit (ADU). Two ADUs are permitted on a lot which has only one other single-family detached dwelling unit. A third ADU is permitted only when at least one ADU qualifies as low-income housing and the net lot size is a minimum of 43,560 square feet.

32. Home Occupations, subject to the provisions of Section 608.E.27. Properties subject to the provisions of Arts, Culture, and Small Business Area have additional permissions, as outlined in Section 1207.M.

## Section 1204. Streetscape and Frontage Zones.

### A. Applicability.

1. **Streetscape Zone.** This is the area located between the curb and the property line located within a dedicated street, of a minimum depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The minimum depth required is inclusive of sidewalk provided within the Streetscape Zone.

2. **Frontage Zone.** This is the portion of a private lot or parcel located directly adjacent to a Streetscape Zone, of a depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The depth of the Frontage Zone is measured from and perpendicular to the property line abutting the street.

    b. If the Street Transportation Department allows a sidewalk easement to be dedicated in lieu of required ROW based upon the adopted Street Classification Map, and/or a public utility easement is dedicated, the Frontage Zone depth shall be measured from the back of the easement. If both easements are dedicated over the same area, the setback shall be from the larger easement.

    c. Frontage Zones and associated development regulations apply only to the first 25 feet of the development as measured vertically above the finished grade.

    d. Frontage Zones do not apply where parcels abut dedicated alleys.

3. **Combined Dimensions of Streetscape Zone and Frontage Zone.**

    a. In cases where the existing Streetscape Zone does not meet the minimum depth required, the Frontage Zone depth shall be increased by the same amount as the deficiency in the Streetscape Zone depth, unless the Streetscape Zone can be brought into compliance within the existing ROW, or by dedication of additional ROW as approved by the Street Transportation Department.

    b. When the minimum Frontage Zone depth is 15 feet or greater, Planning and Development staff have the authority to reduce the Frontage Zone depth by up to 5 feet so long as the Streetscape Zone is increased by the same amount.

    c. Additional easement dedications may be required if public sidewalks, public utilities, or other public amenities are provided within the Frontage Zone. (T)

***Figure 1204.1 Non-Residential Streetscape and Frontage Zone (example)***

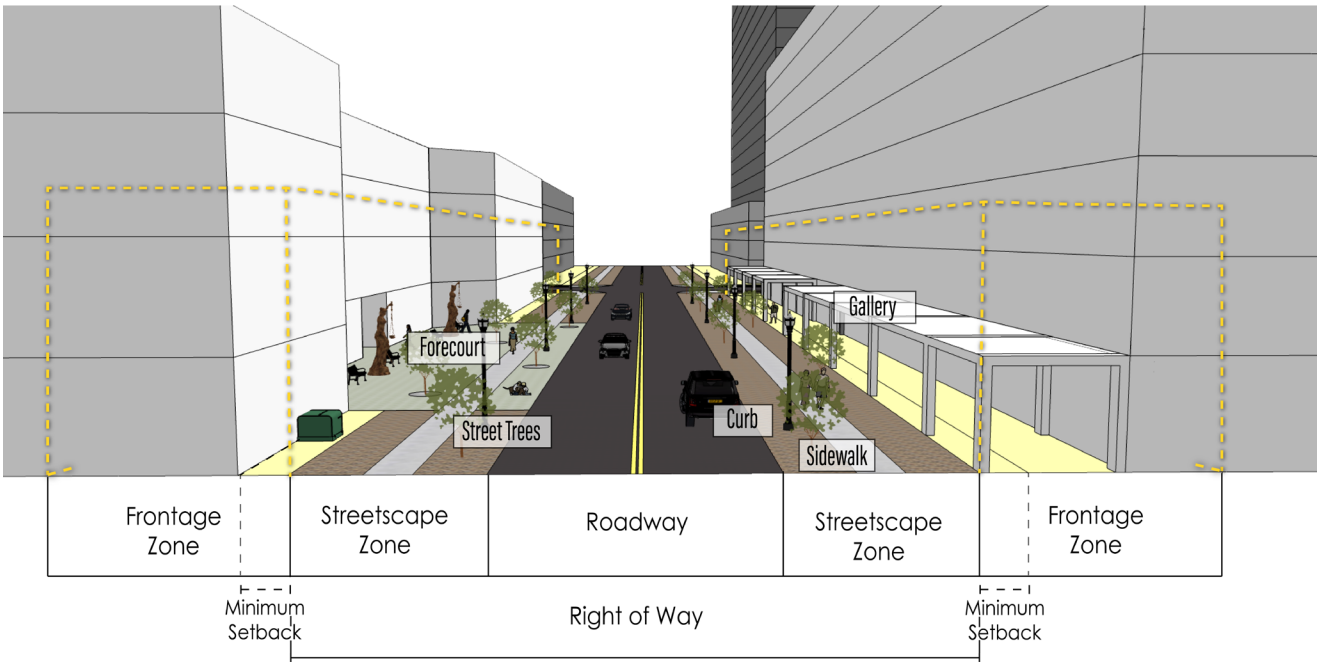
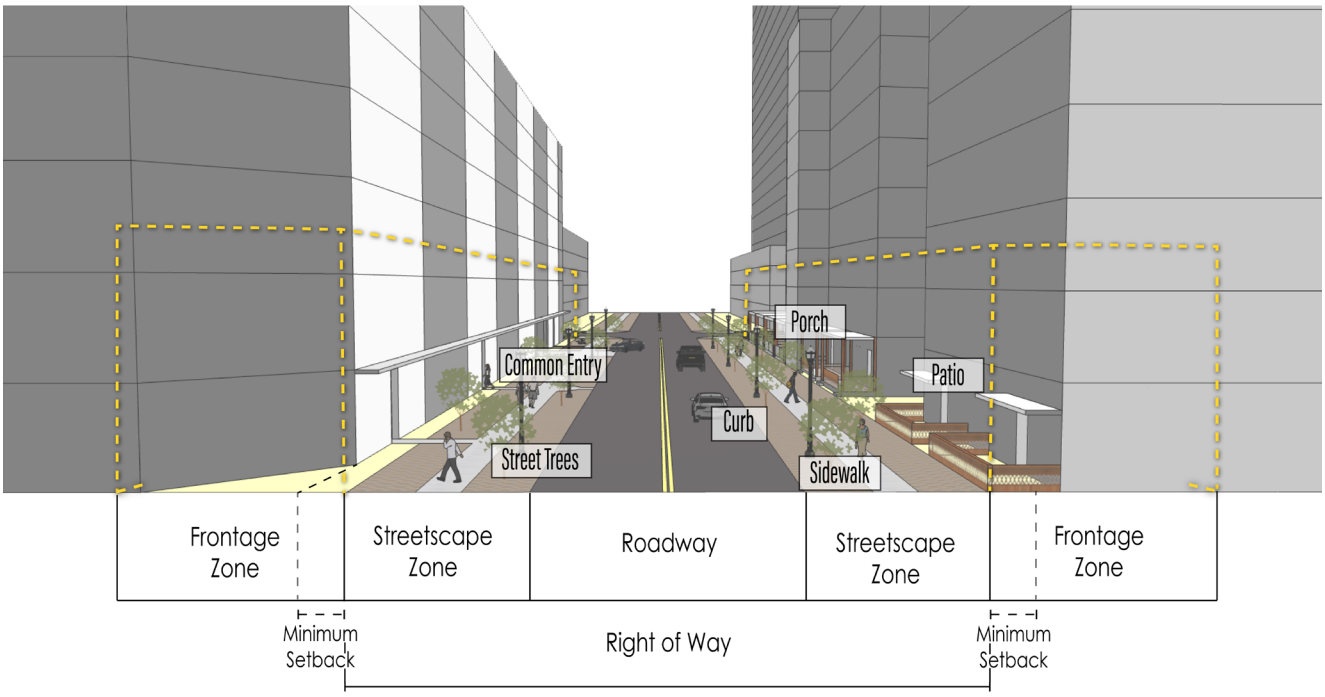



***Figure 1204.2 Residential Streetscape and Frontage Zone (example)***



**B. Streetscape Zone Standards.**

1. **Intent.** The Streetscape Zone is the public realm, and the area from which the public may access private properties via multiple transportation modes.

    a. Along Pedestrian Streets, the Streetscape Zone area should be designed primarily for pedestrians, providing shade, easy access to building entrances, and complementary landscaping.

    b. Along Side Streets, the Streetscape Zone area is expected to have automobile access, parking and loading access, as well as service areas adjoining them, while still serving pedestrians.

2. **Structures and Projections within the Streetscape Zone.** Structures shall not be constructed or provided within the Streetscape Zone, except where specifically permitted within this Chapter. Any allowed structural projections into public rights-of-way may only be installed upon issuance of an encroachment permit as administered by the City of Phoenix, and if applicable, approval from affected public utility companies. (T)

    a. Cantilevered structural shade elements projecting from the building are not subject to minimum setback requirements and are allowed to project into the public right-of-way (with approval of an encroachment permit) so long as the structures do not preclude the installation of required street trees. The shade elements shall be removable, unless otherwise approved in writing by all affected City departments and utilities. (T)

    b. Stairs/steps/accessible ramps to building entrances (other than those required for public street crossings or existing grade differentials within the public right-of-way) are not permitted within the Streetscape Zone. Retaining walls within the Streetscape Zone are regulated by Section 1204.D. (T)

    c. Transformers and other mechanical equipment are not permitted to be located within the Streetscape Zone. (T)

3. **Uses permitted within the Streetscape Zone**. No uses are permitted with the Streetscape Zone unless specifically permitted by other provisions of this Chapter, with the following exceptions:

    a. Development regulations for uses permitted within the Streetscape Zone shall be the same as those provided for the adjacent Frontage Zone, unless specific regulations for the use or structure located within the Streetscape Zone are provided elsewhere within this Chapter.

b. Uses which are permitted by right or with conditions for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department, if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The proposed use complies with the development regulations required of the use when located within the adjacent Frontage Zone.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

c. Uses which are permitted with approval of a use permit or special permit for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The use of the right-of-way is specifically shown and reviewed as part of the use permit or special permit approval.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

4. Private pedestrian and bicycle amenities being provided for residents or on-site users should not be located within the public right-of-way. (P)

*Rationale: Non-structural amenities (such as benches, lit bollards, bicycle racks, or public art) should not cause obstructions to pedestrian routes, prevent proper installation or clearances for required landscape, or private utility lines in the Streetscape Zone. Amenities should instead be provided within the Frontage Zone whenever possible. This does not apply to amenities specifically provided for public use.*

5. In the Roosevelt North, Roosevelt South, and Roosevelt East character areas, where there is an existing Streetscape Zone larger than required by the applicable Character Area, a private development shall not reduce the Streetscape Zone by moving the curb and widening the street to provide new on-street parking, loading, or drop off areas: (R*)

*Rationale: The Roosevelt Character areas retain a significant number of historic single-family homes, and many blocks have large areas between the curb and the sidewalk historically used for landscaping. These areas should not be reduced for vehicle parking, passenger loading, or good/services loading, unless approved by both Street Transportation and the Design Review Committee.*

6. On-Street Parking. When on-street parking is provided abutting a site, a minimum 4-foot wide concrete walkway may be provided adjacent to the raised curb in addition to the required sidewalk, so long as it does not preclude installation of required street trees. The walkway shall provide paved connections at reasonable intervals to the public sidewalk, and be constructed to the same standards as the public sidewalk. (T)

   *Rationale: Persons exiting a car parked adjacent to a curb should not have to step into a landscape or other areas unsuitable for pedestrians.*

7. **Sidewalks.**

   a. Location. The required public sidewalk shall be located within the Streetscape Zone, subject to the following:

      (1) On a Side Street, the sidewalk may be attached to the curb, unless it is a designated Arterial Street. (T)
      (2) On a Pedestrian Street, the sidewalk shall be detached from the curb and the required street trees located between the curb and sidewalk, unless a Technical Appeal is approved to allow an attached sidewalk when abutting on-street parking. (T)
      (3) When a required sidewalk is approved to be attached to the curb, the sidewalk shall be a minimum of 8 feet wide, regardless of the Character Area requirement. (T)

   b. Elevation. The required public sidewalk should be constructed no higher than six inches above the immediately adjacent street top of curb. Additional elevation may be permitted without a Technical Appeal when the area between the back of curb and sidewalk has a slope no steeper than 10:1 and no retaining walls are provided. (T)

      *Rationale: Most of the sidewalks in Downtown are existing and historic. Sidewalks reconstructed higher than 6" above the adjacent top of curb can make access from on-street parking difficult; can provide challenges with ADA compliance; can cause steep slopes within adjacent landscape areas which encourage erosion and discourage the growth of plants and trees; and can interrupt the visual and historic continuity of the neighborhood. If the finished floor of the building(s) are higher than six inches above the top of curb, ramps and/or steps should be provided from the*

*sidewalk to the building entries, rather than raising the sidewalk, unless it can be done in a very gradual manner.*

c. Planning and Development staff may allow a decrease in the minimum required sidewalk width of up to one foot in the case of conflicts with existing utilities other existing obstacles which cannot otherwise be avoided. (T)

d. The required sidewalk shall be clear of all obstacles for the full minimum required sidewalk width. Approved amenities and landscaping (including tree grates) shall only be allowed within portions of the sidewalk wider than the minimum required. (T)

e. Sidewalks located within the public right-of-way shall be constructed using materials and methods approved by the Street Transportation Department. (T)

f. Where setback sidewalks exist on a block face where there is an HP designated property, the sidewalk should remain within the historic alignment for that block face and not be offset by more than one foot. (P)

*Rationale: Historic streetscapes are generally defined by a consistent sidewalk and landscape area along a single block face. These streetscapes are an important part of the Downtown Phoenix character and should be maintained whenever possible.*

g. The required sidewalk should not have jogs and offsets, and should be in a straight line unless navigation around existing conflicts in the Streetscape Zone is unavoidable. (P)

*Rationale: Pedestrians of all capabilities should be able to navigate sidewalks easily and not have unnecessary diversions around landscape, amenities, transformers, or similar potential obstructions.*

**C. Frontage Zone Standards.**

1. **Intent.** The Frontage Zone is the interface between the public and the private realm, and the area where public amenities (including but not limited to pedestrian and bicycle amenities, outdoor dining, public courtyards, public art, etc.) should be located.

2. **Structures within the Frontage Zone.** Structures shall not be constructed within the Frontage Zone, except where specifically permitted by this Chapter.

a. For wall/fence requirements, refer to Section 1207.D and any applicable Frontage Element regulations.

b. For retaining wall requirements, refer to Section 1204.D and any applicable Frontage Element regulations.

3. **Amenities and Projections within the Frontage Zone.** The following items may project or be constructed within the Frontage Zone, but no closer than the minimum setback as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area, unless specifically permitted elsewhere in this Chapter: (R*)

   a. Frontage Elements, as allowed by the Character Area.

   b. Exterior stairwells constructed as part of the building and not part of the hardscape.

   The following items are permitted anywhere within the Frontage Zone and are not required to meet minimum setbacks, so long as they do not preclude installation of required street trees and shading requirements:

   c. Outdoor dining patio or bar area, covered or open (if a permitted use).

   d. Bicycle parking and amenities.

   e. Pedestrian amenities.

   f. Exterior art installations.

   g. Passenger loading zones.

   h. Valet parking facilities, subject to the provisions of Section 1206.G.

   i. Drainage facilities.

   j. Mechanical equipment/systems, so long as a minimum 5 feet separation from the public sidewalk is provided.

   k. Basements/utility vaults.

   l. Parking spaces within structured parking and/or located internal to the building and screened from view of the Frontage Zone.

   m. Cantilevered awnings/shade structures.

   n. ADA ramps/pathways.

4. **Minimum Building Frontage Requirements.**

a. The length of each building façade constructed within or abutting the Frontage Zone shall be no less than required by the Streetscape and Frontage Zone Matrix for the applicable Character Area and street section, unless otherwise approved by the DRC as a Design Alternative per Section 1224.A.

b. The minimum building frontage requirement shall be calculated as a percentage of the length of the frontage property line, and the façade shall be measured by a line parallel with the frontage property line. For the purposes of this calculation only, the following may be subtracted from the length of the frontage property line:

(1) The width of driveways at the frontage property line, so long as the driveways are otherwise compliant with this Chapter.
(2) The portion of required visibility triangles which are deeper than the applicable Frontage Zone depth.

c. All portions of the building façade abutting or located within the Frontage Zone, including Frontage Elements, may be used to calculate the required minimum building frontage. Certain Frontage Elements may provide additional flexibility in calculating the required minimum building frontage, as stated elsewhere in this Chapter.

d. Underground structures cannot be counted toward meeting minimum building frontage requirements.

5. **Hardscape Guidelines—Frontage Zones.**

a. Alternative paving materials should be used when possible within the Frontage Zone to reduce the urban heat island effect, and to allow natural drainage and filtration. (T)

b. Permeable paving, porous concrete or similar material should be installed adjacent to tree wells. The design should ensure adequate watering and root growth. (T)

c. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on private walkways and patio/gathering areas. (T)

**D. Grading and Drainage Requirements—Streetscape and Frontage Zones.**

1. The maximum slope of any landscape or non-hardscape area located within the Streetscape Zone is 10:1. (T)

2. The maximum grade differential of the Frontage Zone from the adjacent Streetscape Zone is 30 inches, unless specifically permitted elsewhere in this Chapter. (T)

3. Retaining walls are not allowed within the Streetscape Zone. (T)

4. Retaining walls up to 36 inches in height are allowed within the Frontage Zone, unless greater height is specifically permitted elsewhere in this Chapter. (T)

5. If the required finished floor elevation is at a height which will require stairs or ADA ramps to connect building entries with the sidewalk, or will require a retaining wall exceeding heights permitted for Streetscape and Frontage Zones, the depth of the Frontage Zone may be increased to the depth required to avoid steps or ramps (if desired). (T)

**E. Design Requirements—Frontage Zones.**

1. Along Pedestrian Streets, buildings facades facing Frontage Zones shall incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 75% of the required building frontage for each Frontage Zone, unless a Design Alternative is approved by the Design Review Committee per Section 1224.A. (R*)

2. Along Side Streets, buildings facades facing Frontage Zones should incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 50% of the required building frontage for each Frontage Zone. (P)

   *Rationale: Appropriate Frontage Elements for have been determined through extensive staff analysis and community input for each Character Area, as well as the specific streets within each area. Facades located along designated Side Streets may be granted additional flexibility in application of this design requirement.*

3. The portion of a building facade adjacent to a Frontage Zone which does not comply with a Frontage Element design should have a level of trim and finish compatible with the quality and design of the remainder of the Frontage Zone façade(s). (P)

   *Rationale: The portion of facades not required to meet the minimum building frontage, or the portion which does project into the Frontage Zone should still consist of high quality materials, and be integrated with the design of the remainder of the façade. Unfinished surfaces and blank walls should not be provided where visible from a Frontage Zone.*

4. The areas of a Frontage Zone not adjacent to or occupied by Frontage Elements shall be improved as follows:

a. Landscape shall be provided in accordance with Section 1204.G. (T)

b. Seating should be provided. Seating may consist of installed benches or removable furniture. This shall not apply within the Roosevelt North, Roosevelt South, and East Evergreen character areas. (P)

*Rationale: Character areas consisting mainly of traditional single-family homes and historic designations should maintain the residential character of private front yards when possible.*

c. Other features which attract and engage pedestrians should be provided, such as (but not limited to) bicycle parking and amenities, exterior art installations, additional structural shade, etc. (P)

*Rationale: the area of a Frontage Zone not adjacent to a Frontage Element, where conflicts with primary entrances are less likely to occur, should have other features which encourage use by pedestrians and cyclists.*

5. Building entrances shall face toward the street in order to meet the intent of activating the public realm. Entrances from a permitted Frontage Element (such as Forecourt, Patio, Porch, or Stoop/Doorwell) are exempt from this requirement. (R*)

6. Public building entrances, residential patios/porches, windows, storefronts, outdoor dining, public gathering areas, exterior art installations, and other similar features should be located adjacent to Pedestrian Streets. (P)

*Rationale: On Pedestrian Streets, adjacent structures should be designed to provide easy and obvious pedestrian access to the buildings, to encourage pedestrian use.*

7. All on-site mechanical equipment, transformers, utility equipment, trash/recycling receptacles, or similar must be fully screened from view from the Streetscape Zone. Screening may consist of the following: (P)

a. Green screen.

b. Dense landscaping which provides screening starting from the time of initial installation.

c. Decorative walls or fences up to 40 inches in height if within the minimum setback area, or 72” if behind the minimum setback.

d. Underground utility vaults.

e. Along Side Streets only: decorative walls or fences up to 8 feet in height if located at or beyond the minimum setback.

*Rationale: The Streetscape environment should be aesthetically pleasing, and service equipment/areas should be screened from view whenever possible. If it is simply not possible, the visual impact should be mitigated by disguising equipment with paint or other treatments as approved by PDD and any affected utility company.*

8. Along Pedestrian Streets, all windows and doors counting toward required glazing should allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. (P)

9. Along Pedestrian Streets, commercial suites with windows or entrances to Frontage Zones should be constructed so that a public area of the suite (lobby, reception area, dining area, or similar) is adjacent to the Frontage Zone. Storage areas, private offices, kitchens, or other areas restricted to the public/customer use shall not be located adjacent to doors or windows facing a Pedestrian Street. (P)

*Rationale for E.8 and E.9: Frontage Zones along Pedestrian Streets should attract, engage, and interest pedestrians at the street level and encourage patronage of the businesses. Opaque or translucent/frosted windows, or views into employee or storage areas do not meet this intent.*

10. Building facades abutting or within a Frontage Zone should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the Frontage Zone and all additional stories. (P)

*Rationale: Large buildings should provide a transition to a pedestrian scale to make such areas feel comfortable for pedestrians, without causing a feeling of walking up to the base of a tall "cliff".*

11. Roof drains shall not be designed to drain across public sidewalks or other pedestrian walkways. (T)

**F. Shade Standards—Streetscape and Frontage Zones.**

1. Public and private pedestrian walkways should be shaded (minimum 75 percent at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

2. All Streetscape and Frontage Zones should be shaded (50% at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

*Rationale for F.1 and F.2: The design of pedestrian routes and gathering areas, such as public sidewalks, private walkways, courtyards, plazas, and transit stops, should be designed with appropriate shading for the health, safety, and welfare of pedestrians and to mitigate the heat island effect to enhance the pedestrian environment.*

3. Shade calculations shall be based on shade cast at the summer solstice at 12:00 noon. (T)

4. Shade cast from required shade trees, structural shade (canopies/awnings), or shade cast from a building may be used to comply with the shade requirements of this section.

**G. Landscape Requirements—Streetscape and Frontage Zones.**

1. Landscape shall be provided, subject to the following:

   a. Where there is an existing established streetscape theme, including street trees, additional trees shall be provided to replace removed or destroyed trees, and/or to comply with shade requirements. In such cases, the trees shall be of like kind and size to those provided with the existing streetscape, as approved by the PDD Landscape Architect. (T)

   b. Trees shall be provided for the full length of the Streetscape Zone at a minimum rate of 20 feet on center, or equivalent groupings as approved by the PDD Landscape Architect (T).

      (1) This requirement does not apply to properties with a maximum of two dwelling units and no other primary uses.

      (2) Trees provided within the Streetscape Zone may be used to comply with the shade requirements of Section 1204.F.

      (3) All trees planted to meet this requirement must be selected from the Tree Species Matrix, Section 1204.G.5, and allowed for use in the Streetscape Zone, or match the existing streetscape trees adjacent to the site.

      (4) If existing utility conflicts prevent the installation of trees within both the Streetscape Zone and the Frontage Zone, architecturally or artistically integrated structural shade may be requested for approval by filing a Technical Appeal.

   c. If necessary to avoid existing utility conflicts, required street trees may be provided within the Frontage Zone within 5 feet of the sidewalk, as approved by PDD. (T)

d. Trees shall be provided within a minimum 5 feet wide landscape area, unless tree wells (or equivalent) are provided outside of the required minimum sidewalk width to avoid conflicts with existing utilities or other existing street improvements. (T)

e. When two rows of trees are provided either side of the public sidewalk, the minimum planting area for each row should be 5' wide, unless tree wells are approved by the PDD Landscape Architect (T).

f. Where hardscape is not necessary for pedestrian connections to amenities, drop off/pickup zones, on-street parking, or similar, shrubs or groundcovers shall be installed in addition to trees to provide 75% live coverage. This percentage may be reduced to 50% if bioswales are approved for use within the Streetscape Zone. (T)

g. Unless prohibited by law, palm trees may be installed in the Streetscape Zone in areas where palm trees have historically been provided in the ROW, in addition to any required shade trees. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

h. In areas where turf has historically been provided within the Streetscape Zone, turf may be provided unless otherwise prohibited for use within the ROW by law. Alternatively, low growing, drought-tolerant green ground covers may instead be provided, as approved by the PDD Landscape Architect. (T)

i. Artificial turf is not permitted for use within public rights-of-way, and may not be used to comply with any on-site landscape requirements. It may be used for outdoor amenity areas which are not required to be landscaped. (T)

2. Tree wells, if permitted, shall be a minimum five feet by five feet, or a two-foot six-inch radius from the base of the tree. (T)

   a. A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. (T)

   b. The landscape plans shall demonstrate that the soil volume to be provided for each tree is sufficient for the healthy and successful maturity of type of tree chosen, as approved by the PDD Landscape Architect. (T)

3. All landscape areas located within the Streetscape Zone shall not exceed a 10:1 slope. (T)

4. New underground utility lines or equipment should not be installed where street trees are required unless other options are not technically feasible, as approved through a Technical Appeal. (T)

   *Rationale: The Streetscape and Frontage Zones should provide a pleasant and comfortable pedestrian experience, of which landscape and shade are of great importance. If a technical appeal is approved because there is no other technically feasible option, the appeal should address how required landscape and shade requirements will still be met.*

5. **Tree Species Matrix**. The following is a list of shade trees permitted for use within Streetscape and Frontage Zones, as indicated below. Additional tree types may be requested for approval by filing a Technical Appeal. All trees used within public rights-of-way must be low-water use/drought-tolerant as approved by the Arizona Department of Water Resources. (T)

| Tree Species Matrix (Streetscape and Frontage Zones) | | | |
|---|---|---|---|
| *Botanical Name* | Common Name | Allowed locations | |
| | | Public right of way (Streetscape Zone) | Private property (Frontage Zone) |
| | | | |
| *Parkinsonia florida* | Blue Palo Verde | Yes | Yes |
| *Pistacia chinensis (+ hybrids)* | Chinese Pistache | Yes | Yes |
| *Chilopsis linearis* | Desert Willow | Yes | Yes |
| *Ulmus parvifolia 'Sempervirens'* | Evergreen Elm, Chinese Evergreen Elm | Yes | Yes |
| *Quercus virginiana* | Heritage Live Oak | Yes | Yes |
| *Gleditsia triacanthos (thornless)* | Honey Locust (thornless) | Yes | Yes |
| *Olneya tesota* | Ironwood | Yes | Yes |
| *Prosopis spp. (thornless)* | Mesquite (thornless hybrids) | Yes | Yes |
| *Olea europaea (fruitless)* | Olive (fruitless hybrids) | Yes | Yes |
| *Dalbergia sissoo* | Sissoo Tree, Indian Rosewood | Yes | Yes |
| *Fraxinus velutina (+ hybrids)* | Arizona Ash (varieties) | No | Yes |
| *Acacia farnesiana (Acacia smallii)* | Sweet Acacia | No | Yes |

## Section 1205. Frontage Elements.

The following Frontage elements consist of architectural features, designs, and amenities which may project within the Frontage Zone, though no closer than the required minimum setback unless specifically permitted by this Chapter. Please see the Frontage and Streetscape Zone Matrix for each Character Area for applicable standards, in addition to the Streetscape and Frontage Zone standards of Section 1204.

**A. Active Front Yard (AFY).** An Active Front Yard is a frontage element intended for use on blocks with a high percentage of existing and/or historic single-family or duplex style residential structures. AFY is not permitted for use on sites with primary uses which are non-residential, or on residential lots with more than two dwelling units (not including ADUs). (R*)

1. For sites with HP zoning or designation, both the building elevations and improvements in the Frontage Zone shall be constructed as approved by Historic Preservation.

2. For sites not zoned or designated HP, buildings and improvements shall be installed in conformance with Section 507 Tab A II.C.8.5 (Individual Unit Design Standards). If any of the requirements of Section 507 Tab A II.C.8.5 conflict with provisions of the Downtown Code, Section 507 Tab A II.C.8.5 requirements shall prevail.

3. Minimum building frontages stated in the Streetscape and Frontage Matrix for each Character Area do not apply when implementing Active Front Yard standards as a Frontage Element.

**B. Patio (PA).** A Patio (previously known as a "Dooryard") is a residential frontage element which incorporates a private outdoor space for each dwelling unit, and is surrounded by a fence or wall to provide a separation of the private realm from the adjacent streetscape.



1. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards:

   a. Minimum depth: 8 feet. (R*)
   b. Minimum area: 64 square feet. (R*)
   c. Maximum grade differential: 30 inches above adjacent Streetscape grade. (T)
   d. Placement: Adjacent to the individual dwelling unit entry. (R*)
   e. Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. (T)

2. Pedestrian access. An opening in the wall/fence, or stairs to the elevated area, shall be provided for a pedestrian connection to the adjacent streetscape from each Patio. (R*)
3. Separation of public and private realm:

    a. A wall/fence of at least 40 inches in height shall be provided around each Patio, up to a maximum of 72 inches in height as measured from the adjacent streetscape grade. This maximum height applies only to walls abutting patios and not to other walls located in the Frontage Zone.
    b. The portion of walls or fences above 40 inches in height shall consist of view fencing, as approved by Planning and Development.
    c. Screen walls/fences may be constructed on top of permitted retaining walls, but the combined height of the retaining wall and screen wall/fence may not exceed 72 inches as measured from the adjacent streetscape grade.

4. Shade. Each Patio shall have a minimum of 50% shade provided either by landscaping or permanent structural shade. (T)

**C. Stoop/Door Well (SD).** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent streetscape. A Stoop/Door Well is constructed as an integral part of the building, rather than as a courtyard or patio. It may or may not have structural shade.



1. A landing area shall be provided for each Stoop/Door Well in accordance with the following standards:

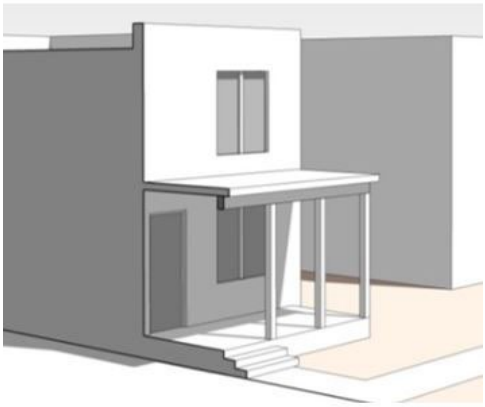
    a. Minimum depth: 6 feet. (R*)
    b. Minimum area: 36 square feet (R*)
    c. Maximum grade differential: 60 inches above or below adjacent Streetscape grade. Retaining walls of up to 66 inches in height may be permitted within the Frontage Zone when necessary for this Frontage element. (T)
    d. Placement: Adjacent to a primary entrance. (R*)
    e. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Stoop/Door Well shall be provided. (R*)

3. Minimum building frontage requirements. If a Stoop/Doorwell is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the

Stoop/Doorwell shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Stoop/Doorwell is located within or abutting the Frontage Zone. (R*)

**D. Porch (PO).** A Porch frontage element consists of a covered structure that is often elevated above street grade, sheltering an outdoor area deep enough to ensure usability. A Porch is larger than a Stoop and is structurally shaded for its entirety. A Porch provides a transition between the public and private realm, and creates opportunity for interaction between neighbors.



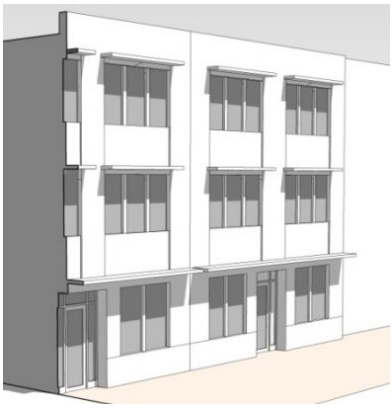
1. Each Porch shall meet the following requirements:

   a. Minimum depth: 8 feet. (R*)
   b. Minimum area: 96 square feet. (R*)
   c. Maximum grade differential: 60 inches above the adjacent Streetscape grade. (R*)
   d. Placement: Adjacent to a primary entrance. (R*)
   e. Each Porch shall have 100% structural shading. (R*)
   f. Porch floor shall consist concrete, stone, metal, wood decking, or equivalent alternative suitable for outdoor flooring. (T)
   g. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Porch shall be provided. (R*)

3. Minimum building frontage requirements. If a Porch is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Porch shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Porch is located within or abutting the Frontage Zone. (R*)

**E. Common Entry (CE)**. A Common Entry is a building façade design element which includes ground floor entrance(s) to a shared lobby/hallway, which in turns provides direct access to residential units and/or office suites on all floors. This frontage element is generally not intended for use with frontages consisting primarily of retail suites. Elevations should include a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk, though to a lesser extent than Storefront. This frontage element should also include cantilevered canopies or awnings.



1. Primary entrance requirements.

    a. A minimum of one primary entrance leading to a shared lobby/hallway is required from each frontage on a Pedestrian Street. For sites located at an Enhanced Corner, the corner building entry may serve as the required primary entrance for both street frontages. (R*)
    b. Additional primary entrances are required on each Pedestrian Street frontage at the rate of one per 100 feet of building frontage. Each additional primary entrance (beyond the minimum one per street frontage) may provide access to either a shared lobby/hallway or an individual commercial/office suite. (R*)
    c. Stoops or doorwells may be provided as part of any Common Entry frontage, even if Stoop/Doorwell is not a permitted Frontage Element per the applicable Streetscape and Frontage Zone Matrix, so long as they comply with all Stoop/Doorwell development standards.

2. Glazing requirements:

    a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
    b. Minimum amount: 50% of each required building frontage, which may include primary entrances if the doors are glass and meet visibility requirements. (R*)
    c. Glazing requirements shall be calculated as a percentage of the Common Entry frontage element length.
    d. Glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. This includes the doors for any primary entrances located within the Common Entry frontage element. (R*)

3. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Common Entry frontage element, in accordance with Section 1204.B.2, and the following:

    a. Minimum depth: 5 feet. (R*)

b. Minimum length: 50% of the Common Entry frontage element length.
c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

4. Walls/Fencing.

a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40" if required for pedestrian safety due to the grade differential.

**F. Forecourt (FC)**. A Forecourt is a pedestrian-oriented design element, where a courtyard that is open to the sky and the street (or two streets if located on a corner) is provided. The Forecourt may be used as an entry area and shared garden space for residential uses, or as additional shopping, seating, or gathering areas adjacent to and accessible from the street for commercial uses. Art installations and other pedestrian amenities are also appropriate uses within a Forecourt.



1. Mechanical equipment, transformers, trash and recycling containers, and vehicular uses are not permitted within a Forecourt.

2. Minimum building frontage requirements. If a Forecourt is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Forecourt shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

3. Minimum glazing: 50% of the area measured between 3 and 8 feet above grade for the portion of the building façade abutting each Forecourt. (R*)

4. A Forecourt should be a minimum 500 square feet in size, with a minimum street frontage of 20 feet. (P)

*Rationale: A forecourt needs to be of a minimum size to encourage gathering, while also having a large enough frontage to encourage pedestrians to enter and create a successful transition between the public and private realm.*

5. Accessibility. Forecourts shall have a slope not exceeding 2%, except for approved ADA ramps, and be grade-separated by no more than 24 inches above or below the abutting Streetscape Zone(s). (T)

6. Pedestrian access. A minimum of one pedestrian connection to each Streetscape Zone abutting the Forecourt shall be provided. (R*)

7. Primary entrance requirements.

    a. Residential uses. At least one residential unit shall have a primary entrance from a Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting unit(s). (R*)
    b. Commercial uses. Each ground floor commercial suite abutting a Forecourt shall provide a primary entrance into the Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting suite(s). (R*)

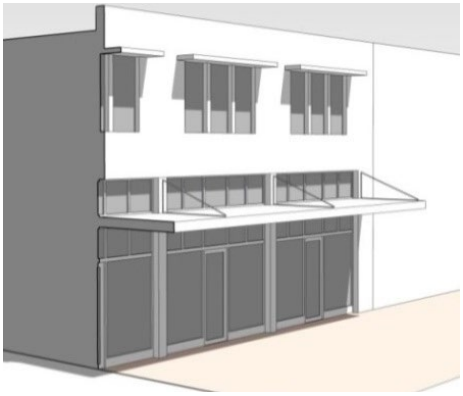
8. Walls/Fences/Public Access. A Forecourt is a quasi-public area which is an extension of the public realm. No walls or fences are permitted within or abutting a Forecourt, except as follows:

    a. Walls or fences not exceeding 40” in height.
    b. Retaining walls, as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential.
    c. View fencing (no solid/opaque portions) surrounding areas approved for outdoor dining or outdoor alcohol consumption may be provided up to a height of 72” above the forecourt grade.
    d. Walls/fencing separating private residential patios which front on a Forecourt may be provided up to a height of 72” above the grade of the forecourt, so long as all portions of the wall/fence above 40” consists of view fencing, as approved by Planning and Development.

9. Shade Requirements. A minimum of 50% of each Forecourt should be shaded with landscape and/or structural shade.(P)

    *Rationale: Shade is needed in the hotter months to encourage users to gather in the area.*

**G. Storefront (S).** A Storefront is a building façade design element which includes a ground floor elevation with a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, live/work, and other nonresidential active uses and should include cantilevered canopies or awnings.



1. Minimum building frontage requirements. If a portion of the Frontage Zone occupied by outdoor dining or outdoor liquor service is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the outdoor dining/liquor service area shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

2. Primary entrance requirements.

    a. Each ground floor commercial suite located within a Storefront frontage element shall provide a primary entrance on the street side that directly connects to the street. A suite which abuts a corner may meet this requirement for both street frontages by providing a single primary entrance at the corner. (R*)

    b. A Recessed Display Entry may be included as part of a Storefront frontage element.

3. Glazing requirements:

    a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
    b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Storefront frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

    c. Glazing requirements shall be calculated as a percentage of the Storefront frontage element length.

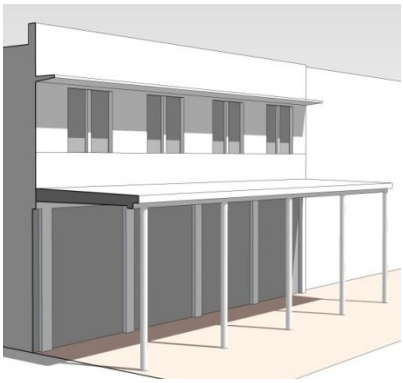
4. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Storefront frontage element, in accordance with Section 1204.B.2, and the following:

    a. Minimum depth: 5 feet. (R*)
    b. Minimum length: 75% of the Storefront frontage element length. (R*)
    c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

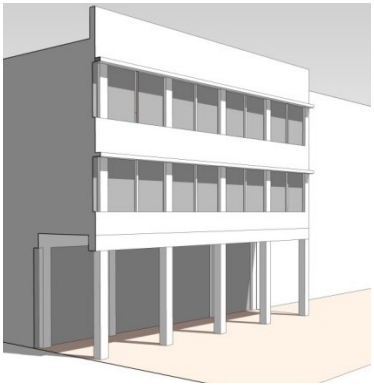
5. No fencing is permitted within the Streetscape or Frontage Zones adjacent to a Storefront frontage element, except as follows:

    a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential. (R*)

**H. Gallery/Arcade (GA).** A Gallery or an Arcade is a building façade design element where significant and continuous structural shade is provided for pedestrians, often over the actual public sidewalk. Similar to the Storefront frontage element, a large number of transparent windows and frequent building entrances should be provided to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, office, and other nonresidential active uses.



**Gallery**



**Arcade**

1. Minimum setback requirements. A Gallery/Arcade may project into the Frontage Zone to the property line and is not required to meet minimum setbacks as stated in the applicable Character Area so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

2. Minimum dimensions. All portions of a Gallery/Arcade frontage element shall comply with the following:

    a. Minimum depth: 10 feet. (R*)

b. Maximum depth: 30 feet. No maximum for the portion of a Gallery/Arcade is being used for outdoor dining, outdoor liquor service, or a public gathering space. (R*)
c. Minimum spacing between columns/supports: 10 feet as measured parallel to the street. (R*)
d. Minimum clear height: 10 feet as measured from finished grade. (R*)
e. Maximum clear height: 25 feet as measured from finished grade. (R*)

3. Pedestrian use. All portions of a Gallery/Arcade frontage element shall have a walkway provided for pedestrians. The walkway may serve as the actual public sidewalk, if public easements are dedicated, or it may be provided in addition to the public sidewalk located within the Streetscape Zone so long as the area under the Gallery/Arcade is also open for pedestrian use.

   a. Public sidewalk easement dedications shall be no less than the required sidewalk width for the applicable Character Area. (T)
   b. Outdoor uses (dining, alcohol consumption, or similar), if permitted by the Character Area, may be provided within a Gallery/Arcade, so long as the greater of 5', or the minimum public sidewalk width (if there is no other public sidewalk) is left unobstructed for use as a pedestrian walkway. (R*)

4. Primary entrance requirements.

   a. Each Gallery/Arcade frontage element shall provide a minimum of one primary entrance on the street side that directly connects to the street. A single primary entrance provided at the corner of a building at a street intersection complies this requirement for both street frontages. (R*)
   b. A Recessed Display Entry may be included as part of a Gallery/Arcade frontage element.

5. Glazing requirements:

   a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade for the portion of the building that is a Gallery/Arcade Frontage Element. (R*)
   b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Gallery/Arcade frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Gallery/Arcade frontage element length.

6. Walls/Fencing.

a. No walls or fences are permitted in the Frontage Zone adjacent to a Gallery/Arcade frontage element which separates the Gallery/Arcade from the Frontage Zone.

b. Walls and fences within a Gallery/Arcade may be provided to separate outdoor dining or other permitted outdoor uses from the public walkway, if compliance with both of the following is demonstrated:

(1) A minimum 5 foot walkway clearance (or the minimum sidewalk width, if the public sidewalk has been located within the Gallery/Arcade) is maintained.

(2) View fencing (no solid/opaque portions) may be provided up to a height of 72 inches above the Gallery/Arcade grade.

**I. Recessed Display Entry.** A Recessed Display Entry is not a separate frontage element; rather it is a feature which may be included as part of a Common Entry, Storefront or Gallery/Arcade frontage element. The characteristics of a Recessed Display Entry are as follows:




1. Consists of a primary entrance to a public space (retail, restaurant, lobby/reception, etc.) recessed from the façade of the building, and is shaded by the upper portion of the building.

2. Minimum depth to primary entrance: 5 feet. (R*).

3. Maximum depth to primary entrance: 25 feet. (R*)

4. Minimum clear height: 8 feet on private property; 10 feet if permitted to project within public ROW or into a public sidewalk easement. (T)

5. Glazing provided within the Recessed Display Entry counts toward the minimum required glazing for the associated Frontage Element.

6. Shade provided by a Recessed Display Entry counts towards the minimum requirement for the associated Frontage Element.

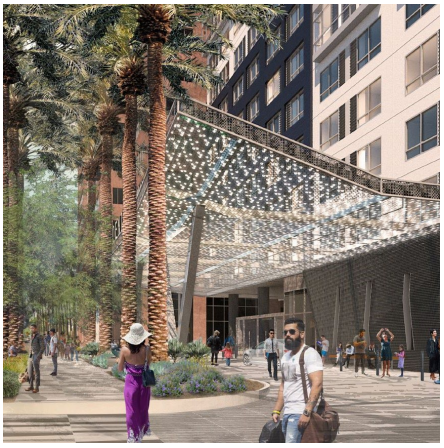
7. No portion of a Recessed Display Entry may be fenced off, unless included as a part of an outdoor dining/bar/patio which is otherwise allowed.

8. If a Recessed Display Entry is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Recessed Display Entry shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

**J. Grand Entry (GR).** A Grand Entry is a building façade design element which includes the most important pedestrian entrance to the building, indicated by significant architectural features and windows which may be provided more for visual impact than actual need. A Grand Entry should also incorporate significant public gathering space(s), pedestrian amenities, and art. A Grand Entry may also incorporate vehicular passenger loading and valet functions, including a porte-cochere, if the proposed use allows it. A Grand Entry would typically be used in conjunction with hotels, government buildings, educational institutions, hospitals, large office buildings, large residential and mixed-use buildings, and large assembly uses.







1. Applicability. A Grand Entry frontage element may be provided for the following uses if also permitted by the Frontage and Streetscape Zone Matrix for the applicable Character Area: (R*)

a. Hotels.
b. Government buildings.
c. Schools/educational institutions.
d. Hospitals.
e. Office, retail, assembly, and mixed use buildings 100,000 square feet (gross) or larger.
f. Residential buildings with at least 100,000 square feet (gross) or 100 dwelling units.

2. Main Entrance. A Grand Entry frontage element must serve as the main and most prominent entrance to the building for pedestrians. At least one primary entrance shall be provided which leads to a lobby or other internal gathering area which provides access to any ground-level suites and upper stories. (R*)

3. Architecture. A Grand Entry should consist of architectural features which are prominent and intended to attract users to the main entry. These features may extend above the height of the Frontage Zone. Examples are: porticos/columns, large sets of steps; significant structural shade; extensive and imaginative use of colors, textures, windows, and/or lighting; prominent exterior works of art; and monuments. Signage may also contribute if otherwise in compliance with applicable sign regulations. (R*)

4. Pedestrian Accessibility. Pedestrian access to the primary entrance must be visually obvious, preferably by use of materials and colors. The access route should be greater in width than any minimum required for ADA accessibility and commensurate in scale with the architectural features of the Grand Entry. Pedestrian routes may cross vehicular areas but must otherwise be segregated from vehicular traffic. (R*)

5. Passenger Loading. A passenger loading zone, including a porte-cochere, may be part of a Grand Entry and located within the Frontage Zone if it complies with all of the following: (R*)

   a. It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
   b. It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

6. Valet Parking. A valet parking station and valet parking zone, including a porte-cochere, may be incorporated within a Grand Entry if it complies with all of the following: (R*)

   (1) It is a permitted accessory use per the Land Use Matrix;
   (2) It is constructed in accordance with Section 1206.G.
   (3) It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and

(4) It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

7. Trash and recycling containers, service areas, and commercial loading areas are not permitted to be incorporated within a Grand Entry, or within the adjacent Streetscape or Frontage Zones. Mechanical equipment and transformers/utility equipment may be provided only if located within a building or subterranean ground vault. (R*)

8. Minimum building frontage requirements. If a Grand Entry incorporates pedestrian plazas, outdoor dining, outdoor liquor service, or other improved public gathering areas which are deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the gathering areas shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

## Section 1206. Parking, Loading, and Vehicular Access

A. **Applicability.** All provisions of Section 702, "Off-Street Parking and Loading" apply to properties located within Downtown, unless specifically modified by this Chapter.

1. For additional Buffer Alley regulations, see Section 1207.L.

2. For additional Arts, Culture, Small Business Area regulations, see Section 1207.M.

B. **Automobile Parking Requirements.** Parking for automobiles shall be provided as follows:

1. Residential units.

   a. Minimum: 1 space per dwelling unit.

   b. Maximum: 2 spaces per dwelling unit, plus 1 space per 1,000 sf of gross square footage for leasing/residential management office and Shared Amenity Areas.

2. Non-residential uses.

   a. Minimum: 1 space per 1,000 square feet of gross building square footage, except in the Business Core and Warehouse character areas, where no minimum parking is required.

   b. Maximum: 4 spaces per 1,000 square feet of gross building square footage.

3. Parking reductions identified in Section 702.E are not applicable within Downtown. However, parking reductions and other modifications may be earned by the application of sustainability bonus points, per the provisions of Section 1223.

4. Location of automobile parking.

   a. Lots having only one or two dwelling units (no mixed uses): required spaces may not be provided within any Frontage Zone. An on-site driveway leading to designated parking spaces may be provided within a Frontage Zone if not in excess of 18 feet wide and if otherwise permitted by this Chapter. (R*)

   b. Multi-family, mixed use, and non-residential developments: no surface parking is allowed within any Frontage Zone. Drive aisles may cross a Frontage Zone when access from the adjacent street is otherwise permitted. (R*)

c. Parking located within structures, including underground parking, is subject to the requirements of Section 1207.J.

d. Off-site parking. Off-site parking not located within a public right-of-way may account for up to 50% of the required automobile parking, with approval of a use permit and compliance with all the provisions of Section 702.E.9.

C. **Maneuvering**. All maneuvering for automobile parking spaces, passenger loading, and service/goods loading shall be provided on-site, subject to the following:

1. Maneuvering within a public right of-way shall be allowed as follows:

a. Maneuvering within a public alley is permitted by right if the alley is a minimum 20 feet wide, and then only if access to the alley is permitted per other City regulations; or

b. Maneuvering in public right-of-way may be permitted with approval of a Technical Appeal which demonstrates that adequate space is being provided for the safe maneuvering of vehicles within the right-of-way. Additional requirements, such as but not limited to dedications, pavement widening, and/or removal of utility poles may be stipulated as part of the Technical Appeal approval. (T)

D. **Electric Vehicle Charging.** The following development regulations apply to electric vehicle charging (EVC) spaces provided within parking areas within Downtown:

1. EVC spaces may be counted as part of the required minimum number parking spaces. (R)

2. EVC spaces shall not be counted as part of required maximum number of parking spaces. (R)

3. All EVC spaces, charging stations, and associated transformers or other mechanical equipment, shall be provided on site and not in any required landscape setback, required landscape area, or Frontage Zone. (R)

E. **Bicycle Parking.** Parking and amenities for bicycles shall be provided as follows:

1. Multi-family residential development shall provide shared bicycle parking at the rate of 0.25 space per dwelling unit, with a maximum requirement of 50 spaces.

2. All nonresidential uses over 5,000 gross square feet shall provide 1 bicycle space per 25 vehicle parking spaces provided or portion thereof, with a maximum requirement of 25 spaces.

3. All nonresidential uses 100,000 gross square feet or larger shall provide 1 bicycle space per 25 vehicle parking spaces or portion thereof, with a maximum requirement of 50 spaces. In addition, a minimum of 2 shower stalls and 10 personal lockers that are available for use by the building's occupants shall be provided.

4. Restaurants and bars totaling less than 5,000 gross square feet on one site shall provide a minimum of 4 bicycle spaces in the Frontage Zone. If automobile parking spaces are provided, 1 additional bicycle space for every 25 vehicle parking spaces as required for the restaurant and bar uses shall be provided.

5. Bicycle parking shall not be located within a required public sidewalk or accessible route.

F. **Service/Goods Loading Areas.** The following requirements apply to short-term loading and unloading of service vehicles with goods or equipment.

1. On-site loading shall be required for all developments per the following table:

| Required Loading and Service Bays | | | | | |
|---|---|---|---|---|---|
| Use | Gross square footage of buildings (per site) | | | | |
| | 25,000 – 40,000 sf | > 40,000 – 160,000 sf | > 160,000 – 320,000 sf | > 320,000 – 500,000 sf | > 500,000 sf |
| Multi-Family Residential | 0 | 1 per 150 dwelling units or portion thereof | | | |
| Lodging | 0 | 1 per each 300 rooms or portion thereof | | | |
| Retail, Commercial, and Office Uses | 0 | 1 | 2 | 3 | 4 + 1 per additional 180,000 sf above 500,000 |
| Industrial, Manufacturing, Storage, and Wholesaling Uses | 1 | 2 | 3 | 4 | 5 + 1 per additional 180,000 sf above 500,000 |

Mixed-use developments shall provide the required loading spaces per each use category shown in the table above.

2. Loading bays shall be a minimum of 10 feet in width and 30 feet in length. (T)

3. Location of Service/Goods Loading Areas.

    a. Service/goods loading areas may not be located within a Frontage Zone adjacent to a Pedestrian Street. (R*)

    b. Service/goods loading areas may not be located within a public street right-of-way unless compliance with all of the following occurs: (R)

        (1) An encroachment permit has been obtained from the Street Transportation Department for the design and/or structures provided as part of the loading area (dock, loading ramp, etc.).
        (2) The loading area does not reduce the required Streetscape Zone and does not preclude the provision of required street trees and shading requirements.
        (3) The loading area does not interrupt the required public sidewalk or other dedicated pedestrian walkways.
        (4) The loading area does not interrupt a designated bicycle lane.
        (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

    c. Service entrances, loading areas, and trash/recycling pickup should be located internal to the site or building, or adjacent to a Side Street or alley whenever possible. (P)

        *Rationale: Pedestrian Streets should create a safe, secure, and welcoming atmosphere for pedestrians, and should not have uses or functions which discourage pedestrian use. Noxious uses and conflicts with service vehicles should be minimized along Pedestrian Streets. Side Streets and alleys (which are not designated Buffer Alleys) are preferred access points for service and delivery functions.*

G. **Valet Parking.** The requirements of this Section apply only for sites which are allowed valet parking as an accessory use per Section 1203.D.30.

1. Location of Valet Parking Facilities.

    a. A valet transfer zone (where vehicles are dropped off and picked up) should be located internally to the building whenever possible. (P)

        *Rationale: Views of standing automobiles, and conflicts with pedestrians, should be minimized.*

b. A valet transfer zone may be provided within a Frontage Zone adjacent to a Side Street, so long as it does not preclude compliance with other Streetscape and Frontage Zone standards, including driveway access and placement. A valet transfer zone may be combined with a service/goods loading area when located adjacent to a Side Street. (R*)

c. A valet transfer zone may be provided within a Frontage Zone adjacent to a Pedestrian Street, subject to the following: (R*)

   (1) Compliance with the driveway and vehicular access regulations of Section 1206.H is demonstrated.
   (2) Compliance with other applicable Frontage Zone and Streetscape Zone requirements for Pedestrian Streets (including shading, provision of street trees, and minimum building frontage) is demonstrated.
   (3) Valet facilities may not be located within the minimum street setback area.

d. Valet parking spaces (where cars are parked after being dropped off) may be located off-site if in accordance with the provisions of Section 1203.D.

e. A valet transfer zone should have primary access from a street, rather than an alley. (P)

   *Rationale: Whenever possible, vehicles should be dropped off and picked up from a more intuitive location associated with the street address, particularly if the parking is for patrons and visitors, rather than occupants of the building or site.*

f. Valet parking facilities, including the valet transfer station, valet transfer zone, and valet parking spaces, may not be located within a public right-of-way unless compliance with all of the following occurs: (R)

   (1) An encroachment permit has been obtained from the Street Transportation Department for the Valet Parking Facilities.
   (2) The Valet Parking Facilities do not reduce the required Streetscape Zone and do not preclude the provision of required street trees and shading requirements.
   (3) The Valet Parking Facilities do not interrupt the required public sidewalk or other dedicated pedestrian walkways.
   (4) The Valet Parking Facilities does not interrupt a designated bicycle lane.
   (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

g. Public right-of-way may be used to move vehicles between the valet transfer zone and the valet parking spaces, if the valet parking spaces are located on a different property, as otherwise permitted by this Chapter.

2. Design requirements for valet parking facilities.

    a. A valet transfer zone shall comply with the following: (T)

        (1) A minimum length of 60 feet.
        (2) A minimum width of 10 feet.
        (3) A maximum width of 16 feet.

    b. A valet transfer zone must include an accessible vehicle pull-up space constructed in accordance with federal requirements.

    c. A valet transfer zone shall not be used all or in part for any vehicle parking. Short term vehicle standing of up to 30 minutes is permitted during hours of operation of the valet parking facilities. (R)

H. **General Driveway and Access Regulations.** This section regulates driveways and access from streets to private property. Access from any street to a property must be in compliance with the provisions of this Section.

1. Properties with HP designation. Driveways for properties with HP zoning or designation may be located, designed, constructed, or reconstructed in a historic manner and dimensions as approved in writing by the Historic Preservation Officer.

2. Arterial Streets.

    a. Access for automobile parking, valet parking facilities, passenger loading zones, and Service/Goods Loading Areas is permitted from the following arterial Pedestrian Streets, regardless of other site frontages or regulations of this Chapter:

        (1) 7th Street
        (2) 7th Avenue
        (3) McDowell Road
        (4) Van Buren Street
        (5) Buckeye Road

    b. Maximum driveway width: 40 feet, or wider as approved by Street Transportation when requiring islands for restricted turns. (T)

    c. All other provisions for Pedestrian Streets apply.

3. Pedestrian Streets. Driveways and access to private property from Pedestrian Streets are subject to the following:

a. Automobile Parking. Access is permitted from a Pedestrian Street only when one of the following applies: (R*)

(1) The development site has no other frontage on an alley or side street; or
(2) The parking area has at least one additional access point from an alley or side street.

b. Service/Goods Loading Areas are not permitted access from a Pedestrian Street unless the loading area is located completely within the building; within a parking garage, or screened from view from the street. Screening may consist of the following: (R*)

(1) Green screen.
(2) Dense landscaping which provides screening starting from the time of initial installation.
(3) Underground utility vaults.
(4) Buildings.

c. Passenger loading zones are permitted access from a Pedestrian Street.

d. Maximum driveway width: 30 feet. When a site has only Pedestrian Street frontages, additional width may be granted through approval of a Technical Appeal (T).

e. Minimum separation between driveways: 30 feet. (T)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
(2) Other City policies and ordinances regulating the design of driveways, including but not limited to required visibility, restricted turn movements, and distances from intersections may require a greater separation than 30 feet. (T)

4. Side Streets. Driveways and access to private property from Side Streets are subject to the following:

a. Access for all types of vehicular uses is permitted from a Side Street.

b. Maximum driveway width: 40 feet. (T)

c. Minimum separation between driveways: 20 feet. (R*)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
(2) Other City policies and ordinances regulating the design of driveways, including but not limited to: required visibility, restricted turn movements, and distances from intersections may require a greater separation than 20 feet. (T)

5. Alleys. Driveways and access to private property from alleys are subject to the following:

a. Access is not permitted from a Buffer Alley, unless in compliance with Section 1207.L. (R)

b. Automobile Parking. Access is permitted from an alley, subject to the following:

(1) The alley pavement must be (or be widened to) a minimum 20 feet wide and unobstructed for the length of the property; (T)
(2) If the parking area has more than 100 spaces, the alley pavement is a minimum 20' wide and unobstructed for the full length of the block, unless otherwise approved through a Technical Appeal. (T)

c. Passenger loading zones should not have primary access provided from an alley. (P)

*Rationale: Rideshare and personal delivery vehicles should be able to access a development from a more intuitive location associated with the street address.*

d. Maximum driveway width: as determined by PDD and Street Transportation for safety and visibility. (T)

e. Minimum separation between driveways: as determined by PDD and Street Transportation for safety and visibility. (T)

l. **Driveway Design Guidelines.**

1. Appropriate visibility triangles and/or lines of sight shall be provided for driveways. The visibility triangles shall provide for visibility of pedestrians on the public sidewalk, as well as vehicles in the street. (T)

*Rationale: Vehicles exiting from a site or parking garage should be able to see cars on the street, as well as pedestrians on the sidewalk (and vice versa). Alternatives, such as mirrors, pedestrian safety signage, etc. may be approved as part of a Technical Appeal when standard visibility requirements cannot be met.*

2. Specialty paving, striping, bollards, or similar as approved by PDD staff should be provided where a driveway crosses a sidewalk. (P)

   *Rationale: Where vehicular routes interface with pedestrian routes, warnings to both the vehicles and the pedestrians should be visually indicated.*

3. Shared access and driveways serving more than one development should be provided whenever possible. (P)

   *Rationale: The number of driveways crossing sidewalks and bicycle routes should be minimized to avoid conflicts and collisions. However, consideration and flexibility should be applied when a primarily residential development is adjacent to a non-residential development.*

## Section 1207. General Development Regulations.

A. **Applicability.** This section contains development regulations specific to Downtown. If a conflict occurs between any specific Character Area regulations and the regulations of this Section, the Character Area regulations shall apply.

B. **Historic Preservation Development Regulations.** Structures with historic preservation designation are considered to be conforming and may be maintained, restored and/or rebuilt at each structure's historic setbacks and height subject to the provisions of Chapter 8, Historic Preservation.

C. **Projections.**

1. Projections within the Streetscape Zone are regulated by Section 1204.B.2.

2. Projections within the Frontage Zone are regulated by Section 1204.C.3.

3. Projections within required yards adjacent to interior lot lines are not permitted, except as follows: (R)

   a. Roof overhangs, but not including covered porches, patios, or carports, are permitted so long as no portion of the overhang is closer than 2 feet from the property line.

   b. Other projections, when explicitly allowed by other sections of this Chapter.

D. **Wall/Fence Requirements.**

1. **Historic Preservation designated properties.** For residential properties designated HP and HP-L, fences or freestanding walls in the front yard (the area between the structure and the street right-of-way line) may not exceed a maximum height of three feet. This height limitation extends three feet back from the front façade into the side yard(s).

2. Within Frontage Zones, the following apply:

   a. Walls/fences are limited to 40 inches in height, except as may be specifically modified by other provisions of this Chapter. (R*)

   b. Within a Frontage Zone which abuts a side property line (e.g. a "street side"), a wall or fence up to 6 feet tall may be permitted if all of the following also apply: (R)

      (1) The wall encloses a private residential side yard and/or rear yard on a lot with no more than two dwelling units (and no other primary uses).

(2) No structure on the property exceeds two stories and 30 feet in height.

(3) No portions of the wall over 40 inches in height are located within a Frontage Zone applicable to any other street frontage.

(4) No portions of the wall over 40 inches in height (36 inches if in an HP Overlay) are located closer than 3 feet behind the front façade of the structure.

3. Walls/fences provided for screening of mechanical equipment shall comply with the provisions of Section 1204.E.7.

4. Walls located adjacent to interior property lines or other locations outside of the Frontage Zones shall comply with the regulations stated in the applicable Character Area.

5. Retaining walls located within Streetscape and Frontage Zones are regulated by Section 1204.D.

E. **Height Transition Standards.** For all new development adjacent to lots located in a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities. This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. Along an interior property line or a designated Buffer Alley which separates properties of two different height zones, the minimum required setback shall be increased by 10 feet for all portions of the building taller than the maximum height of the adjacent (lower) height zone. (R)

   *Example: a building located on a property with a maximum height of 140 feet and a 10 feet minimum interior setback, sharing a property line with a property with a 65 feet maximum height, has a 20 feet setback required for all portions of the building taller than 65 feet. The portions of the building less than 65 feet tall may be located at the standard 10 feet setback from the property line.*

2. A stepback shall not be required in the following circumstances unless specifically required by the applicable Character Area standards:

   a. The proposed building is no more than 20 feet taller than the maximum permitted height of the adjacent height zone.

   b. The proposed building is adjacent to a height zone with a maximum permitted height of 65 feet or greater.

3. The proposed building should respect the scale of existing buildings located on adjacent properties and serve as an orderly transition to a different scale. Stepbacks, changes in massing, or changes in materials and color starting at the height of the adjacent existing building are highly encouraged. (P)

   *Rationale: Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.*

F. **Landscape Standards.** Landscape shall be provided in accordance with the following:

1. Landscape requirements of Section 703.E, as well as Section 507 Tab A, apply unless specifically modified by this section or other provisions of this Chapter.

   a. See Section 1207.M for special regulations applicable to the Arts, Culture, Small Business Area.

2. Landscape within the Streetscape and Frontage Zones shall comply with the requirements of Section 1204.G.

3. Landscape shall be provided for surface parking areas as follows:

| **Surface Parking—Landscape Standards** | |
|---|---|
| Interior surface area (exclusive of perimeter landscaping and all required setbacks) | Minimum 10% (R*) |
| Landscaped planters | At ends of each row of parking and approximately every 110 feet (P) |
| Landscaped planters, single row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of parking space. (T) |
| Landscaped planters, double row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of both parking spaces. (T) |
| Additional parking lot landscape areas | As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. (P) |
| Required trees | Minimum requirement: one per 100 sf of landscape area (T)<br>Planter (single space depth): one tree. (P)<br>Planter (double space depth): two trees (P)<br>All other areas: 20 feet on center or equivalent groupings (P). |

| | |
|---|---|
| Required tree sizes: | Minimum 2-inch caliper (60% of trees) (T)<br>Minimum 1-inch caliper (40% of trees) (T) |
| Required shrubs: | Minimum 5 shrubs per tree. (P) |
| Required shrub size: | Minimum 5-gallon. (T) |

*Rationale: Parking lot landscaping and shade should be provided in a similar manner as required for other commercial areas outside of Downtown. However, flexibility can be exercised regarding installation of landscape materials in order to address on-site conflicts, such as lighting, mechanical equipment, sight lines, required pedestrian walkways, or similar. Requests to provide smaller than required planting areas, trees, or shrubs may only be approved through a Technical Appeal.*

4. All on-site pedestrian walkways shall be 75% shaded by trees and/or structural shade. (R*)

5. All remaining areas of a site which are not Frontage or Streetscape Zones, surface parking, pedestrian walkways, or amenities specifically permitted by PDD which do not typically include shade (i.e. pools and pool decks), must be landscaped to provide 50% shade. Properties having only residential uses, not exceeding two dwelling units, are exempt from this requirement. (R*)

G. **Multifamily Development Design Requirements.**

1. The provisions of this section apply to all sites which include five or more dwelling units. The provisions of Section 703.B, Landscaping and Open Areas in Multiple-Family Development, do not apply to properties located within Downtown. (R*)

2. Where dwelling units are provided at the ground level adjacent to a Pedestrian Street, an appropriate residential Frontage Element (such as Patio, Stoop/Doorwell, Porch, or Forecourt) should be utilized to allow for individual dwelling unit access to the street. (P)

   *Rationale: Individual entrances promote more "eyes on the street", due to greater use of patios and other outdoor areas. Individual entrances also encourage pedestrian use by creating more interest, as well as a feeling of smaller-scale design.*

3. Shared Amenity Areas for the residents of multi-family dwelling units shall be provided on-site, as follows:

   a. The minimum Shared Amenity Area provided shall be per the following table (R*):

| Minimum Shared Amenity Areas for Sites with Multifamily Dwellings | |
|---|---|
| Up to 100 units | None required. |
| 101-300 units | Minimum 2500 square feet |
| 301+ units | Minimum 5000 square feet |

b. Shared Amenity Areas shall consist of the following types of spaces (R*):

(1) On-site open space provided in accordance with the provisions of Section 1207.H.

(2) Roof-top decks which are occupiable and do not exceed height requirements for the applicable Character Area.

(3) Conditioned suites with amenities/shops/services.

c. All areas used to count toward the minimum Shared Amenity Area requirements must be accessible to all users, in accordance with FHA and ADA standards. (R)

d. Uses open to the public, such as retail stores, restaurants, commercial gyms, bars, etc. may be used to meet no more than 50% of the Shared Amenity Area requirement. (R)

e. A minimum of two of the following amenities shall be provided within the Shared Amenity Areas (P):

(1) Swimming pool and/or hot tub.

(2) Fitness center/sport court or facility.

(3) Tot lot/playground.

(4) Barbecue/picnic/common kitchen area.

(5) Gathering area with focal feature (fountain, firepit/fireplace, television, game tables, kitchen etc.)

(6) Pet exercise area.

*Rationale: Shared Amenity Areas should include a variety of amenities which may be used by multiple residents, but are not shared with non-residents (such as an on-site store, restaurant, or bar). Staff may approve additional types of amenities similar to those listed above and meeting this intent. Two separate amenities in the same category may also be approved.*

H. **Open Space Development Regulations.** Open space, when provided for sustainability bonus credits per Section 1223 or as part of a multi-family Shared Amenity Area requirement, shall comply with the following:

1. Open Space shall be provided at ground level. Roof tops, areas inside structures, or areas placed underground cannot be counted as open space. Outdoor areas provided under a building overhang are permitted so long as they are fully open to at least one Frontage Zone. (R*)

2. Each Open Space area shall abut and include a Frontage Zone. The area of the Frontage Zone may be included in the minimum area and dimensions required for qualifying Open Space areas. (R*)

3. Each Open Space area shall be a minimum of 500 square feet with a minimum dimension of 20 feet in any direction. (R*)

4. All Open Space areas are subject to the design requirements for Frontage Zones, with the following modifications: (R*)

    a. No automobile uses (parking, loading, etc.) of any type may be provided within an Open Space area.

    b. Open Space areas with a dedicated public access easement may not be fenced or walled off from the street except for low walls not exceeding 40 inches in height, unless the height of the wall is further restricted by the Frontage Zone or Frontage Element requirements.

I. **Enhanced Corner Requirements.** Developments located on Enhanced Corners (per map in Section 1202.D) should be integrated with and oriented toward the corner, as follows:

1. A primary entrance that faces both streets and that serves as a main entry for the building shall be provided at each Enhanced Corner. An entrance to a single commercial suite or residence does not meet this requirement. (R*)

2. Additional building articulation, architectural features, signage, pedestrian amenities, and/or art that emphasizes the corner and draws attention to the Enhanced Corner entry of the building shall be provided. (P)

   *Rationale: An Enhanced Corner should be visually obvious and comfortable for pedestrians to use as the building's primary entrance.*

3. If an Enhanced Corner entry plaza is provided which is deeper than the applicable Frontage Zone depth(s), the building frontage along the corner entry plaza shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

J. **Structured Parking/Parking Garage Design Guidelines.**

1. Where parking structures are visible from a street or neighboring property, they should utilize approved Frontage Elements, art/murals, decorative materials, imaginative use of colors and patterns, and/or permitted signage to fully screen vehicles from view and to create interest at the ground level. (P)

   *Rationale: Parking structures, particularly ones with exterior unfinished concrete masonry or panels, do not engage or create interest for pedestrians. The side of a parking garage should never appear to be "blank".*

2. Parking structures shall be designed so that light from vehicle headlights, when parked head-in in a parking space, is fully screened from view from all perimeter streets. (R*)

3. Parking structures should be integrated with the form and materials of the main site structures, or the scale, form, color and materials of the immediately adjacent area. (P)

   *Rationale: Parking structures should not be a dominant feature of the building design, and creative solutions should be integrated and/or complement the design elements of other buildings on site or within the surrounding context area.*

4. Rooftop lighting on a parking garage should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and be mounted no higher than 12 feet above the roof deck. (P)

   *Rationale: The direct source of light should not be visible from lower levels or adjacent uses.*

5. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). Pedestrian routes should always be separated from vehicular traffic, except where required crossings can be provided safely. (T)

6. Pedestrian entrances to parking garages should be separate from vehicular entrances. (P)

7. Garage openings should be enhanced with specialty lighting, artwork, or materials to visually notify vehicle drivers that pedestrians may be crossing, and vice versa. (P)

   *Rationale for J.7 and J.8: Safety at pedestrian and vehicular crossings should be addressed with design.*

8. Underground parking may extend to a height of five feet above finished grade, provided that the garage perimeter wall does cause the Frontage Element assigned to that portion of the building façade to become non-compliant with other required development standards. (R*)

K. **General Design Guidelines.**

1. All building facades adjacent to interior property lines (i.e. not abutting or within a Frontage Zone) should have a level of trim and finish equivalent with and complementary to the Frontage Zone façade(s). (P)

   *Rationale: Most buildings within Downtown are of heights that they are visible from quite a distance. Facades visible from the street or other properties should be of a quality similar to that required for facades facing streets, and should never appear to be unfinished or "blank".*

2. All buildings over 10 stories tall should be designed with a base that is visually differentiated from the remainder of the building. The base may be between one and four stories in height. (P)

   *Rationale: All buildings should be scaled at the base to relate and connect to pedestrian uses.*

3. Windows and balconies in near proximity that face each other should receive special design treatment to increase privacy for existing adjacent residential uses by providing one (or a combination) of the following, or similar as approved by PDD staff: (P)

a. Louvers;
b. Privacy screens;
c. Windows that start a minimum of six feet above respective finished floor;
d. Frosted or tinted window treatments.

*Rationale: Existing residential units close enough to be impacted by new development should be able to maintain their level of existing privacy. Incorporating methods of screening with windows and balconies on new development can help provide the means for maintaining this privacy.*

4. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking areas. (P)

   *Rationale: Safety and security for pedestrians should be addressed by design. Hidden and obscures spaces can encourage illicit activity.*

5. Building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels. (P)

   *Rationale: Building accents and detailing should be high quality and durability and not of materials which can fade or deteriorate over time.*

6. Architectural details such as exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting should contribute to creating a coherent architectural concept. (P)

   *Rationale: While buildings should not appear too monolithic or monotonous, they should also not appear to be an assemblage of many materials or designs without a common theme.*

7. Architectural elements. Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting). (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary architectural styles and accents.*

8. Building materials. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices,

arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings. (P)

*Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary building materials.*

9. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that complements and blends with the surrounding context. (P)

   *Rationale: Corporate identity may be utilized to create a unique identity that can be recognized. However, the overall architectural theme should be the predominant feature of the building.*

10. All electric lines 12 KV and smaller, communications and cable television lines, and all on-premise wiring shall be placed underground in developments where visible from streets or adjoining properties. (T)

    *Rationale: Overhead utility lines are in many cases visually objectionable; can cause issues with proximity to balconies; can obstruct direct pedestrian and vehicular routes and visibility; and can restrict the ability to install required trees and other shading methods.*

11. Freestanding detached monument signage should be integrated with the building architecture. (P)

    *Rationale: Monument signs should incorporate elements of the building architecture through use of similar colors, materials, and/or forms.*

L. **Buffer Alley Development Regulations.** The following regulations shall apply to properties adjacent to Buffer Alleys identified in Section 1202.E, in addition to any other requirements of the Downtown Code:

1. Access to and vehicular maneuvering within a Buffer Alley is not permitted, except for developments meeting at least one of the following criteria: (R)

   a. Abutting properties that currently have legally established access to the Buffer Alley and are not subject to the applicability requirements of Sections 507.B.2 or 507.B.3.

   b. Abutting properties on which there are no more than two dwelling units and no other primary uses.

   c. Abutting subdivisions developed in accordance with Section 1203.D.27.

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m. This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)

3. A stepback equal to the minimum required building setback, plus 10 feet, is required for all portions of buildings taller than 30 feet when adjacent to a Buffer Alley. Additional stepbacks may be required by Section 1207.E. (R)

4. For non-single-family developments, a minimum five-foot wide landscape area and minimum 6-foot high solid wall on the alley side of the landscape area must be provided along the property line abutting a Buffer Alley. The wall must be consistent with the material, design and character of the primary building. (R)

5. All new mechanical equipment, including roof mounted equipment, must be fully screened from view from a Buffer Alley. Solar panels and/or solar water heaters are exempt from this requirement. (R)

6. All trash/recycling containers must be fully screened from view from a Buffer Alley, unless alley collection services are provided by the City of Phoenix. (R)

7. Parking lot and security lighting, including building-mounted lighting, shall not exceed 15 feet in height, including lamp, pole, and base, for properties abutting a Buffer Alley. Light fixtures fully screened by a building or other structure, and not visible from the Buffer Alley, are exempt from this requirement. (R)

8. Decorative lighting (including but not limited to illuminative gases, fiber optics, or LED fixtures) and lighted signage shall not be installed where visible from an adjacent Buffer Alley. (R)

9. Windows, balconies, and rooftop decks on properties abutting a Buffer Alley should be designed to protect the existing privacy of adjacent single-family residential uses. (P)

   *Rationale: These building features should ideally be oriented away from the Buffer Alley. However, if provided, they should be mitigated with things like louvers, screening, frosted/tinted window treatments, and relative window height (i.e. at least 6 feet above the floor).*

M. **Arts, Culture, Small Business Area Development Regulations.**

1. Applicability. The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.F is subject to the following regulations. In the event of a conflict with other provisions of this Chapter, the more permissive regulation shall apply. The development regulations of Section 669 (Arts, Culture, and Overlay District (ACOD) do not apply to properties zoned Downtown Code.

2. Intent. The Arts, Culture and Small Business Overlay is intended to allow greater flexibility in land uses and standards that will contribute to the vitality of Downtown and will enhance community events.

3. Outdoor public events and performances. Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage are permitted, subject to the following: (R)

    a. The outdoor event or performance must be staffed by an employee of an existing business on the property and must comply with all applicable codes and ordinances.

    b. The business' items that are available for purchase during normal business hours may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

    c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only.

    d. Friday and Saturday events or performances shall be limited to the hours between 10:00 a.m. and 12:00 a.m. No amplified music or loudspeakers may be used outside after 10:00 p.m.

    e. Sunday outdoor events or performances shall be limited to the hours between 10:00 a.m. and 10:00 p.m. No amplified music or loudspeakers may be used after 8:00 p.m.

    f. Hours and days of outdoor events or performances may be extended subject to obtaining a use permit in accordance with the standards and procedures of the Zoning Administrator section of the Zoning Ordinance.

    g. Outdoor events or performances in Downtown shall be a minimum of 300 feet from an adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.F and from any single-family zoning district outside of Downtown.

4. Accessory uses.

a. Home occupations are permitted subject to the following:

(1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of Section 307.A.7.
(2) No more than 50 percent of the dwelling unit may be used for any home occupation.

b. The following accessory uses are permitted:

(1) Outdoor dining as accessory to a restaurant is permitted subject to the following:

(a) The outdoor dining area shall be a minimum of 30 feet from the boundary of an adjacent Character Area not included in the Arts, Culture, and Small Business Area depicted in Section 1202.F and from any single-family zoning district outside of Downtown.
(b) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter.
(c) The outdoor dining area shall not be more than 25 percent of the primary building's ground level gross floor area. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.
(d) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation.
(e) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area.

(2) Outdoor crafting of art associated with the business inside the building when the subject parcel abuts an arterial or collector street is permitted and subject to the following:

(a) Storage of materials associated with the crafting area shall not exceed eight feet in height and be limited to the rear and side yard.
(b) Storage area shall be fully screened with a solid wall or landscaping.
(c) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit.

5. Signs.

a. A-frame signs are permitted on private property, subject to the following: (R)

(1) No off-site advertising is permitted.
(2) A maximum of one A-frame sign is permitted per 25 feet of street frontage.
(3) A maximum of six square feet of signage per side of the A-frame sign is permitted.

(4) There shall be a maximum height of three feet from natural grade.
(5) All signs shall be removed daily at the close of business or event.

b. Shingle signs are permitted subject to the following: (R)

(1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade.
(2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided.
(3) A maximum of five square feet in area shall be permitted per side.
(4) No backlit or cabinet signs are permitted.

c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: (R)

(1) Wall signs.

(a) The maximum square footage permitted per Section 705.D may be increased by 25 percent.
(b) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign.

(2) Window signs. The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building.

6. Parking, yard and area requirements for nonresidential uses or mixed uses containing nonresidential uses.

a. For parking, yard and area requirements for structures existing as of May 1, 2008: (R)

(1) Regardless of change of use or occupancy no additional parking or landscaping shall be required.
(2) Structures may be increased a total of either 500 gross square feet or 25 percent of the existing structure, whichever is greater, without requiring additional parking or landscaping.
(3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays.
(4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning requirements, excluding those with Historic Preservation Overlays.

b. Outdoor dining that does not exceed 25 percent of the primary building's ground level gross floor area shall not require any additional parking. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.

c. Unless subject to Buffer Alley regulations (Section 1207.L), vehicles are permitted to maneuver in the alley when dustproofing/paving, adequate maneuvering space, and visibility are approved by the Planning and Development Department.

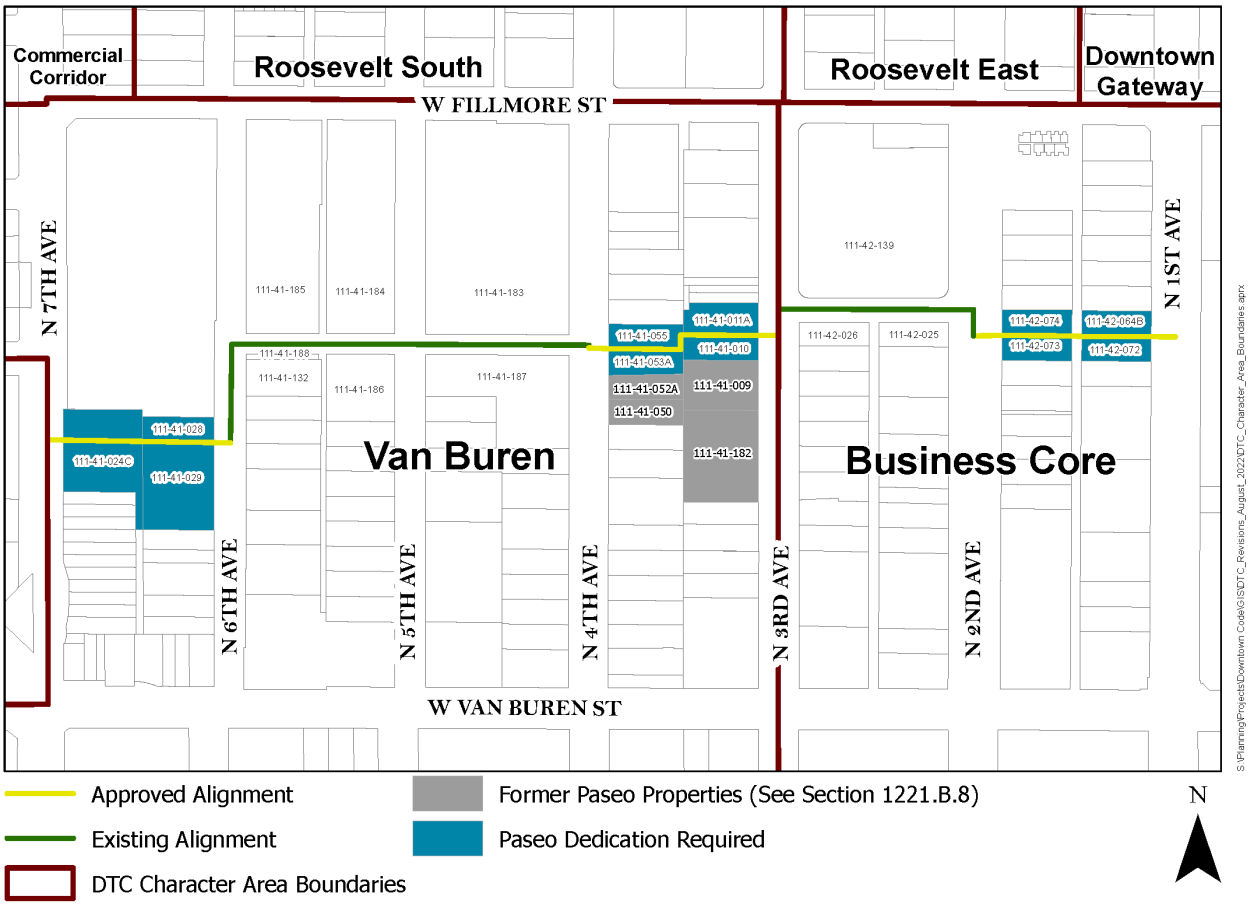
d. Unless subject to Buffer Alley regulations (Section 1207.L), when vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley.

N. **Taylor Street Pedestrian Paseo Regulations.**

1. **Intent.** The Taylor Street Paseo is intended to primarily serve pedestrians, connecting the Van Buren Character Area to the commercial, educational, and cultural resources and institutions located in the central portion of Downtown (generally east of First Avenue). The Paseo will provide a mid-block east-west route alternative located generally along the alignment of Taylor Street, to help mitigate the unusually long block lengths between Fillmore and Van Buren Streets.

2. **Applicability.** The properties abutting the alignment indicated on the map below are subject to the following special development regulations:

Taylor Street Paseo




3. **Easement dedication.** Properties abutting the Paseo alignment are required to dedicate a public pedestrian easement (hereafter referred to as "Paseo") per the alignment as shown on the map provided in this Section.

   a. The minimum width of the Paseo, and the public pedestrian easement to be dedicated at the time of development is 20 feet, subject to the following:

      (1) Where the Paseo runs between different properties, the dedication may be split between the properties so long as the Paseo dedications from all properties are made concurrently.

      (2) If the Paseo is dedicated within or abutting a public street, the public pedestrian easement dedication within the adjacent Frontage Zone shall be wide enough to provide a minimum of 20 feet from back of curb to back of easement.

b. The Paseo may be provided as a pedestrian-only corridor between private lots, or within and/or adjacent to a public street, so long as it is in compliance with all of the applicable design standards and guidelines provided below.

4. **Deviation from approved alignment.** The alignment of the Paseo may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

   a. The deviation should not result in a misalignment of more than 90 feet.

   b. A north or south connector Paseo, designed in accordance with this section, should be provided on site when a deviation results in more than 20 feet of misalignment within the block.

   c. The revised easement location shall be dedicated prior to final site plan approval.

   d. The deviated alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

5. **Paseo Streetscape and Frontage Zone standards**

   a. Streetscape and Frontage Zone standards apply as stated in the applicable Character Area Streetscape and Frontage Zone Matrix.

   b. Streetscape Zone development regulations, per Section 1204, apply when the Paseo is located within or abutting a dedicated street.

   c. Frontage Zone development regulations, per Section 1204, apply within the portion of the Paseo located on private property unless such regulations conflict with other regulations specific to development of the Paseo stated in this Section.

   d. If the Paseo is provided within or adjacent to a public street, the street should be designed with on-street parking adjacent to the Paseo. (P)

      ***Rationale:*** On-street parking provides a buffer from through traffic lanes, as well as creating an environment encouraging the use of the Paseo as the main access point to residential units or commercial suites fronting the Paseo.

   e. A minimum of 50% of the ground floor abutting the Paseo should consist of active uses and/or residential uses providing primary entrances from the Paseo. (P)

   f. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance to the Paseo. (P)

***Rationale for e and f:*** The Paseo should attract pedestrians and be a safe place for persons to walk and gather.

6. **Paseo Design Regulations**

a. An ADA compliant sidewalk a minimum of 8 feet in width and clear of obstructions shall be provided within the Paseo. (T)

b. The Paseo should be a straight as possible and avoid meanders. (T)

c. The Paseo sidewalk should be a minimum of 75% shaded. If trees are used to provide shade, the percent shading shall be calculated based upon tree canopy at maturity. Structural shade may also be used to comply with the shading requirement. (P)

d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo when located on private property. (P)

e. The Paseo should be clearly separated from vehicular maneuvering areas. (T)

f. Automobile access to on-site parking areas or garages should not cross the Paseo, unless the Paseo is located within or abutting a dedicated street. At all such crossings, a crosswalk a minimum of 20 feet wide consisting of paint or contrasting pavement should be provided. (T)

g. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and on-site vehicular traffic lanes. (T)

h. Paseo segments that cross surface parking areas should be designed with the following elements: (P)

(1) A minimum 8-foot wide grade separated walkway.
(2) A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

i. The following lighting treatment should be provided within the Paseo: (P)

(1) 15-foot maximum height of lighting fixtures. When adjacent to a street, taller streetlights may be provided in addition to the pedestrian-level lighting.
(2) A minimum of one foot-candle illumination should be maintained over the Paseo sidewalk.

(3) Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.
(4) Lighting within the Paseo should be illuminated from dusk until dawn.

j. One of the following identifying markers should be provided at each street entrance to the Paseo: (P)

(1) Bollard path light.
(2) Public art.
(3) Decorative directional signage.

k. Temporary security gating—In the event that a block's Paseo is not fully developed, and the Paseo is not located along a dedicated street, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions: (P)

(1) A pedestrian gate is provided that is unlocked during business hours.
(2) A revocable permit is obtained.
(3) The fencing is removed upon completion of the block's Paseo.

***Rationale for a through k:*** *the design of the Paseo should encourage use by pedestrians. Safety, security, and accessibility should work into all design elements, as well as uses which engage and attract pedestrians.*

O. **Lot Coverage.** When 100% lot coverage is permitted by right, or obtained by sustainability bonus points, the following apply: (R*)

1. Interior property line setbacks may be reduced or eliminated.

2. Frontage Zone depths and minimum street building setbacks may be reduced as approved by the Design Review Committee per Section 1224.A.

## Section 1208. Biomed.

**A. Intent.** The Biomed character area, which is home to the biomedical campus, should be a lively urban district with medical workers, researchers, and students. Restaurants and shops on Garfield Street, Roosevelt Row, and Arizona Center are all located within a short walk and development should be designed to reinforce pedestrian convenience to these areas through a consistent pattern of shaded sidewalks. Small plazas and courtyards are encouraged to be located along streets, typically near building entrances, providing gathering places and "cool pockets" on hot days. Landscaped courtyards interior to the campus should serve as mid-block pedestrian connections. Views of the landscaped courtyards should be visible from the street, enriching the street environment.

**B. Development Regulations.** The following development regulations apply to properties located with the Biomed character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** no maximum.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%.
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix--Biomed*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Garfield Street<br>4th St. to 6th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| McKinley Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| Pierce Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Fillmore Street<br>5th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Van Buren Street<br>5th St. to 9th St. | 0' | 20’ | 75% | ALL | 6' | 12’ |
| 4th Street<br>Garfield St. to Fillmore St. | 5' | 20’ | 75% | SD, PO, S, GA, FC | 6' | 14’ |
| 5th Street<br>Garfield St. to Fillmore St. | 0' | 20’ | 75% | S, GA, FC | 10' | 20’ |
| 5th Street<br>Fillmore St. to Monroe St. | 0' | 20’ | 75% | S, GA | 10' | 20' |
| 6th Street<br>Garfield St. to Fillmore St. | 5' | 25’ | 75% | SD, PO, S, GA, FC | 10' | 20’ |
| 7th Street<br>McKinley St. to Monroe St. | 0' | 20’ | 75% | ALL | 5' | 15’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1209. Business Core.

**A. Intent.** The Business Core character area should function as a strong regional center for employment, entertainment, conventions, tourism, and cultural institutions, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this character area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit.

**B. Development Regulations.** The following development regulations apply to properties located with the Business Core character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus (north of Madison Street): none.
   b. Bonus (south of Madison Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** no maximum.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking:**
   a. Minimum:
      (1) Residential uses: governed by Section 1206.
      (2) Non-residential uses: none.
   b. Maximum: governed by Section 1206.
   c. Bonus:
      (1) Increase: maximum 100%

(2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Taylor Street Paseo**. Certain properties within the Business Core are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N. The affected properties are shown on the map provided within that Section.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>3rd Ave. to 5th St. | 5' | 25’ | Minimum 50% | ALL | 5' | 11' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Taylor Street<br>1st St. to 3rd St. | 5' | 20' | Minimum 75% | S, GA, GR | 8' | 14' |
| Polk Street<br>Central Ave. to 2nd St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Van Buren Street<br>3rd Ave. to 5th St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Monroe Street<br>5th Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, GR | 10' | 16' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Adams Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | ALL | 5' | 13' |
| Adams Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Adams Street<br>3rd Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>8th Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>2nd St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>8th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>3rd Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Jefferson Street<br>5th St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>5th Ave. to 1st St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>4th Ave. to 1st Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>1st St. to 4th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Buchanan Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14’ |
| Lincoln Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 8th Avenue<br>Adams St. to Madison St. | 5' | 23' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Avenue<br>Adams St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 6' | 14' |
| 7th Avenue<br>Jefferson St. to Harrison St. alignment | None Required | None Required | None Required | ALL | 6' | 14' |
| 6th Avenue<br>Adams St. to Washington St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Jefferson St. to Harrison St. alignment | 5' | 25' | Minimum 50% | ALL | 8' West<br>5' East | 14' West<br>10' East |
| 4th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 4th Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 10' | 16' |

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | ALL | 8' | 14' |
| 3rd Avenue<br>Van Buren St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 3rd Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 2nd Avenue<br>Fillmore St. to Monroe St. | 5' | 25' | Minimum 75% | ALL | Per plans approved by Street Transportation Department. | |
| 2nd Avenue<br>Monroe St. to Adams St. | 5' | 25' | Minimum 75% | ALL | 10' | 16' |
| 1st Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 1st Avenue<br>Madison St. to Jackson St. | None Required | None Required | None Required | ALL | Per plans approved by Street Transportation Department. | |
| Central Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 1st Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 2nd Street<br>Fillmore St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 4th Street<br>Jefferson St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 5' | 10' |
| 4th Street<br>Jackson St. to Lincoln St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Van Buren St. to Jefferson St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 6th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 7th Street<br>Monroe St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Street<br>Jefferson St. to Lincoln St. | None Required | None Required | None Required | ALL | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**D. Signage Regulations.**

1. Signage in the Business Core Character Area shall be governed by the regulations applicable to signs for commercial land use as established in Section 705. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs.

    a. Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall:

        (1) Identify only one on-site business.
        (2) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.
        (3) Project no more than three feet into the public right-of-way.
        (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).

    b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

    c. Signs painted on the building surface or letters mounted directly to the building surface shall:

        (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet.
        (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

2. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.

3. The foregoing requirements shall not apply to signs exceeding 56 feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705.D.3.i of the Zoning Ordinance.

4. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area.

5. Second-story or basement business fronting the public right-of-way may only use a sign in a second-story window or use a wall sign. Awning signs shall not be permitted on second-story windows.

6. Corner buildings shall be allowed signage on each street frontage.

7. Freestanding or ground signs may be allowed to a maximum of 40 square feet in area if the primary building is set back 15 or more feet from the property line for more than 50 percent of the street frontage. Said sign shall be a maximum of three feet in height. Signs may be up to 20 feet in height and 100 square feet in area if a comprehensive sign plan is approved and if the project covers a full block or more.

8. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than 25 percent of the area may be devoted to business identification.

9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area.

10. Signs, banners, balloons, flags, guidons, and similar devices may be erected subject to a use permit in conjunction with special promotional events to be held within Downtown of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identity. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.

11. For master planned developments covering one or more downtown blocks (300 feet by 300 feet minimum), signs, banners, and flags may be erected subject to a use permit in compliance with a comprehensive sign plan. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.

    c. The signs and other displays shall include only logos, graphics and project name of the master planned development.

12. Wall signs on buildings in a designated historic preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

13. The following signs are prohibited:

    a. Signs placed above or on top of any portion of the roof or front parapet.

    b. Signs advertising goods or services not provided on the premises.

    c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.

14. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within Downtown.

    a. Sign types. In addition to other signs permitted in the Business Core Character Area and those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, the following sign types shall be permitted in a Master Planned Development Sign Plan: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic 0signs, and wayfinding signs.

    b. Master Planned Development Sign Plan application. A Master Planned Development Sign Plan application shall include the following elements:

        (1) Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Ground signs. Ground signs, which may be multi-faced, shall not exceed 50 feet in height and no single face shall exceed 600 square feet. The overall height of ground signs, including sign embellishments, shall not exceed 67 percent of the height of the closest building.

(b) Building mounted signs. Aggregate area for building mounted signs shall not exceed 100 percent of the facade to which the signs are attached, including the building roof. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building.

(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.

(d) Temporary signs. Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability/anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move or stream.

c. Approval of a Master Planned Development Sign Plan. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. The Planning and Development Director or designee shall approve, approve with conditions or deny such application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians.
(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
(3) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan.

d. Detailed project sign plan application. An application for approval of a detailed project sign plan for a development within the boundaries of an approved Master Planned Development Sign Plan shall include the following documents or graphics:

(1) Site plans, building elevations or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure or site.
(2) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height.
(3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination.
(4) Proposed hours for illumination of the signs.
(5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan.

e. Approval of detailed project sign plans. An application for a detailed project sign plan shall be submitted to the Planning and Development Director or designee for review for conformance with the standards, restrictions and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions, or deny a detailed project sign plan application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the applicant demonstrates the following:

(1) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan.
(2) The scale, composition and manner of display of the signs, banners, flags or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan.
(3) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan.
(4) The durability of the materials proposed for the signs, banners, flags or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags or architectural lighting.

f. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding a Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.10.e.

g. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

h. Specific signs. Requests for approval of specific, individual signs with a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department.

15. For master planned developments for sports, entertainment or concert venues with a minimum of 4,000 seats, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan. The City may approve a Master Planned Development Sign Plan to allow signs that are larger and taller than are otherwise allowed within the Business Core Character Area within Downtown. All signage permitted under this section shall be reviewed and approved in accordance with the following:

a. Sign types. In addition to other signs permitted in the Business Core Character Area, the following sign types shall be permitted in a master planned development: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs.

b. Master Planned Development Sign Plan application. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. A Master Planned Development Sign Plan application shall include the following:

(1) Design guidelines. Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of the sign. This shall include delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.
(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.
(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

    (a) Building mounted signs. Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street and 10 percent on the other elevations, with the ability to transfer up to five percent from the arterial elevation to one other elevation. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. If the sign is placed at an angle to the building elevation, the applicant must specify to which elevation the sign area will be counted.
    (b) Supergraphics. Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less.
    (c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.
    (d) Temporary signs. Temporary signs may be allowed at the same sizes and heights as permanent signs. Temporary signs or graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability or anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream.

c. Approval of a Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions or deny such application. The Planning and Development Director or designee shall approve such application in writing only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance.
(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
(3) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004.

d. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding the Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.15.c.

e. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

16. Signage may be increased by up to 25 percent if a comprehensive sign plan is approved as provided in Section 705.E of the Phoenix Zoning Ordinance.

## Section 1210. Central Park.

**A. Intent.** Central Park has a strong historic single-family form and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in the primary structure and in appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure.

**B. Development Regulations.** The following development regulations apply to properties located with the Central Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 50%.
   a. Bonus: none.
   b. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 40 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
      (1) Walls/fences taller than 40 inches may not be provided closer to the street than the front façade of the structure. This provision does not apply to street side yards.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Central Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Tonto Street<br>Alley west of 1st St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>Alley west of 1st St. to 1st St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>1st St. to 2nd St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>2nd St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, CE, S | 5' | 12' |
| 1st Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S | 5' | 12' |
| 2nd Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |

| ***Streetscape and Frontage Zone Matrix—Central Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>South of Grant St. to north of Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 20' |
| 4th Street<br>South of Grant St. to Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1211. Commercial Corridors.

**A. Intent.** The commercial corridors should become attractive gateways into downtown. New wider and shaded sidewalks should provide safety and comfort, making it easier for pedestrians and transit riders to access services in the corridor. New mixed-use developments are envisioned to line 7th Avenue, with small restaurants, retail and other businesses serving the surrounding neighborhoods. Along Central Avenue, a street wall should be established that frames the street to create a gateway entrance into Downtown from the south.

**B. Development Regulations.** The following development regulations apply to properties located with the Commercial Corridors character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 20 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 50%
   a. Bonus: maximum 85% lot coverage.
   b. Additional lot coverage of 10% (total 60%) is allowed for an ADU.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Commercial Corridors*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| ***7th Avenue Corridor*** | | | | | | |
| 7th Avenue Alley north of Roosevelt St. to Fillmore St. | 5' | 25' | Minimum 50% | ALL | 6' | 12' |
| Roosevelt Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 11' |
| McKinley Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' west of 7th Ave.<br>14' east of 7th Ave. |
| Pierce Street Alley west of 7th Ave. to 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |
| Fillmore Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| ***Central Avenue South Corridor*** | | | | | | |
| Central Avenue Grant St. to Hadley St. | 0' | 20' | Minimum 50% | S, GA, SD, PO,CE | 5' | 11' |
| Central Avenue | 0' | 20' | Minimum 50% | S, GA, SD, PO, CE | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Hadley St. to Buckeye Rd. | | | | | | |
| Grant Street 2nd Ave. to 2nd St. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| Sherman Street 2nd Ave. to 1st Ave. crossover | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 11' |
| Hadley Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Tonto Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Buckeye Road Alley west of Central Ave. to 3rd St. | 0' | 20' | Minimum 50% | S, GA | 5' | 12' |
| Buckeye Road Alley west of 3rd St. to 4th St. | 0' | 20' | Minimum 50% | S, GA | 7' | 12’ |
| 2nd Avenue Grant St. to Sherman St. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| 1st Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 50% | S, GA | 5' | 19' |
| 1st Avenue Hadley St. to Tonto St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 18' |
| 1st Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 1st Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 2nd Street | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| South of Grant St. | | | | | | |
| 2nd Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 3rd Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 20' |
| 4th Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1212. Downtown Gateway.

**A. Intent.** The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

**B. Development Standards.** The following development regulations apply to properties located with the Downtown Gateway character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: none, except north of Garfield Street,McKinley Street and south of Portland Street where a 30% bonus is allowed.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 100%.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines:** none.

5. **Required parking:** governed by Section 1206.
   b. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines:
      (1) When a fully dedicated alley is present, view fencing shall be provided for all portions of walls above 40" in height.
      (2) When not adjacent to an alley, maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Downtown Gateway*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Coronado Road<br>Central Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| McDowell Road<br>1st Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA, GR | 8' | 16' |
| Lynwood Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Willetta Street<br>Central Ave. to 1st St. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Culver Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Roosevelt Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street | 0' | 20' | Minimum 50% | ALL | 8' | 16' |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Ave. to alley east of Central Ave. | | | | | | |
| Garfield Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| McKinley Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Pierce Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Fillmore Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| 1st Avenue<br>Alley north of Almeria Rd. to McDowell Rd. | 5' | 25' | N/A | SD, PO | 8' | 16' |
| 1st Avenue<br>Roosevelt St. to McKinley St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| 1st Avenue<br>McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Coronado Rd. to Culver St. | 0', unless more needed to comply with Central Avenue Development Standards | 20' | Minimum 75% | ALL | per adopted Central Avenue Development Standards | per adopted Central Avenue Development Standards |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Avenue<br>Culver St. to Roosevelt St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Roosevelt St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Alvarado Road<br>Coronado Rd. to McDowell Rd. | 5’ | 20’ | 50% | SD, PA, PO, S, GA | 8' | 16' |
| 1st St.<br>McDowell Rd. to Willetta St. (Cancer Survivor Park) | 0' | 20' | Minimum 75% | SD, PA, S | 8' | 16' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1213. East Evergreen.

A. **Intent.** The East Evergreen Character Area centers on its incorporation of a historic residential district along with residential offices and newer mixed-use/mid-rise developments. New developments should be compatible with the size of existing buildings, providing an alternative to high-rise housing and offices downtown. New mixed-use projects should be integrated with the historic character of the area by preserving the existing planting strips, palm trees, and landscaped yards on sites within or adjacent to the Historic District. Streets and pedestrian corridors should be inviting and conveniently link the neighborhood to services, parks, cultural facilities and public transportation.

B. **Development Standards**. The following development regulations apply to properties located with the East Evergreen character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 50%.
   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.
   b. Additional bonus: none.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Sides: 3 feet; combined total of 10 feet required.
      (2) Rear: 10 feet.
   b. Accessory buildings:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus: none.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| *Streetscape and Frontage Zone Matrix—East Evergreen* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Lynwood Street<br>West of 7th St. to 4th St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 10' North<br>9' South |
| Willetta Street<br>West of 7th St. to east of 3rd St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |
| 5th Street<br>South of McDowell Rd. to Interstate 10 Freeway | 5' | 20' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—East Evergreen.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. (P)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of East Evergreen, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1214. Evans Churchill East.

A. **Intent.** The primary intent of the Evans Churchill East Character Area is to be a continuously evolving arts-oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ASU campus to the south and Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus north of Garfield Street: none.
   c. Bonus south of Garfield Street: 10% maximum increase.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:**
   a. North of Garfield Street: 50%.
   b. South of Garfield Street: 90%
   c. Bonus (both areas): maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 100%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Portland Street<br>3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Roosevelt Street<br>3rd St. to 7th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 7' | 17' |
| Garfield Street<br>4th St. to 6th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| Garfield Street<br>6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 12' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| 3rd Street<br>North of Moreland St. to Portland St. | 5' | 30' | Minimum 75% | ALL | 5' | 17' |
| 3rd Street<br>Portland St. to Roosevelt St. | 5' | 30' | Minimum 75% | ALL | 5' | 15' |
| 4th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 15' |
| 5th Street<br>Moreland St. to Roosevelt St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 5th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 6th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | SD, PA, S, GA | 5' | 20' |
| 7th Street | 0' | 20' | Minimum 75% | ALL | 8' | 16' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland St. to McKinley St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1215. Evans Churchill West.

A. **Intent.** The primary intent of the Evans Churchill West Character Area is to serve as a transition between the mixed-use neighborhoods to the north and east, the Downtown Gateway Corridor to the west, and the Biomed Cluster to the south. Ideally the area should embrace architecturally innovative high-density residential buildings and offer a dynamic mix of commercial and retail uses. It is the home of the downtown public market and will develop into a destination for retail, restaurants and nightlife. Adjacency to major destinations creates the potential for this area to serve as a major pedestrian thoroughfare. New developments should reflect the innovation of the area and incorporate shade structures and landscaping to create comfortable and inviting pedestrian thoroughfares. Outdoor dining and retail shops will enhance the pedestrian experience and encourage exploration and patronage. Buildings oriented to the street with ample sidewalk space allow for pedestrian amenities in addition to the tree-shaded sidewalks in parkway-like strips.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill West character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: for properties located between Pierce Street and Fillmore Street, a maximum additional 100-foot height bonus (in addition to the height permitted per Section 1202.B) may be permitted through a Sustainability Bonus approved by the Design Review Committee per Section 1224.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 100% increase.

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 100%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill West*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>1st St. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, CE, S, GA | 5' | 20' |
| Portland Street<br>Alley east of Central Ave. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, PO, CE, S, GA | 5' | 20' |
| Roosevelt Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 12' | 18' |
| Garfield Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Pierce Street<br>Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Fillmore Street<br>Alley east of Central Ave. to 1st St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' | 14' |
| Fillmore Street<br>1st St. to 2nd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' | 15' |
| Fillmore Street<br>2nd St. to 3rd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' North<br>8' South | 10' North<br>15' South |
| Fillmore Street<br>3rd St. to 5th St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' North<br>5' South | 15’ |
| 1st Street | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | Per plans approved by Street Transportation Department. | |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland St. to Fillmore St. | | | | | | |
| 2nd Street Moreland St. to McKinley St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' |
| 2nd Street McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' East<br>25' West |
| 3rd Street Moreland St. to Portland St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' |
| 3rd Street Portland St. to alley north of Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' East<br>10' West |
| 3rd Street Alley north of Roosevelt St. to Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Street Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 4th Street Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1216. McDowell Corridor.

A. **Intent.** The McDowell Corridor should create an attractive, pedestrian-oriented mixed-use street as a gateway to the historic neighborhoods and Downtown Phoenix. The mixture of professional offices and retail establishments should become more urban and pedestrian oriented. New structures should be built closer to the street and parking should be located behind buildings.

B. **Development Regulations.** The following development regulations apply to properties located with the McDowell Corridor character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 50%
   a. Bonus: maximum 85% lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 25%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—McDowell Corridor*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>West of 7th Ave. to east of 1st Ave. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, SD, PO, GA | 5' | 15’ |
| McDowell Road<br>3rd St. to 7th St. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, GA | 6' | 16' |
| Lynwood Street<br>East of 7th Ave. (north side only) | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 15' |
| Lynwood Street<br>5th St. to west of 7th St. | 15' | 30' | Minimum 75% | AFY, SD, PA, PO | 5' | 15' |
| 7th Avenue<br>Alley north of McDowell to Lynwood St. | 0’ | 20' | Minimum 75% | S, GA, CE | 7' | 17’ |
| 5th Avenue | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 16' |

| *Frontage and Streetscape Zone Matrix—McDowell Corridor* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Alley north of McDowell Rd. to alley south of McDowell Rd. | | | | | | |
| 3rd Avenue<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 75% | SD, S, PA, PO | 5' | North of McDowell: 10’<br>South of McDowell: as established |
| 3rd Street<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 50% | SD, S, GA, PA, PO, CE | 6' | 16’ |
| 5th Street<br>McDowell Rd. to Lynwood St. | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 15' |
| 7th Street<br>Alley north of McDowell to Moreland St. | 0' | 20' | Minimum 50% | ALL | 6' | 16', or as may be required by ADOT adjacent to freeway ramps |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1217. Roosevelt East.

A. **Intent.** The Roosevelt East Character Area is comprised of a mixture of historic buildings with larger blocks of land with high-rise entitlements. The area will serve as a transition zone from the smaller scale Roosevelt South and Roosevelt North Character Areas to the Downtown Gateway Character Area located to the east along the light rail.

B. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: maximum 25%.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 100% increase.

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side abutting HP-zoned lot: 10 feet.
      (2) Side abutting lot not zoned HP: 0 feet.
      (3) Rear: 0 feet.
   b. Accessory buildings:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Roosevelt East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>3rd Ave. to west of Central Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA, CE | As Established | As Established |
| Roosevelt Street<br>3rd Ave. to 1st Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA | As Established | As Established |
| McKinley Street<br>3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO | 5' | 15' |
| Fillmore Street<br>3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO, GA, CE | 5' | 15' North Side<br>21' South Side |

| *Frontage and Streetscape Zone Matrix—Roosevelt East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Avenue Portland St. to Roosevelt St. | 0' | 25' | Minimum 75% | SD, S, PO, CE | 6' | 16' |
| 2nd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, PA, S, PO, FC, CE | As Established | As Established |
| 2nd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 75% | AFY, SD, S, PO, FC | As Established | As Established |
| 3rd Avenue Latham St. to Roosevelt St. | 0' | 25' | Minimum 50% | SD, PA, PO, S | 6' | As Established |
| 3rd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |
| 3rd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—Roosevelt East.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

***Rationale:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt East, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1218. Roosevelt North.

B. **Intent.** Roosevelt North is part of the Roosevelt Historic District and it is comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. Properties generally have carriage houses or garages in the backyard that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt North character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 40%
   a. Additional lot coverage of 15% (total 55%) is allowed for accessory structures.
   b. Additional bonus: none.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Sides: 3 feet; 10 feet combined total minimum.
      (2) Rear: 10 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus: none.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt North*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>7th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Latham Street<br>5th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 7'5" |
| Culver Street<br>7th Ave. to 300' west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Willetta Street | 20' | 30' | None | AFY | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Ave. to alley west of Central Ave. | | | | | | |
| Lynwood Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| 7th Avenue<br>Lynwood St. to alley south of Portland St. | 20' | 30' | None | AFY | 6' | None Required |
| 5th Avenue<br>Alley north of Roosevelt St. to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Alley north of Roosevelt St. to Culver St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Culver Street to alley north | 10' | 25' | None | AFY~~, SY~~ | 5' | 6' |

| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| of Lynwood St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt North.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt North, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1219. Roosevelt South.

B. **Intent.** Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and dining along tree-lined streets creating a highly desirable, walkable neighborhood.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt South character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: 100%

3. **Maximum lot coverage:** 50%
   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.
   b. Bonus: maximum 75% lot coverage.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side abutting HP-zoned lot: 10 feet.
      (2) Side(s) abutting lot not zoned HP: 3 feet; 10 feet combined total minimum
      (3) Rear: 0 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt South*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Roosevelt Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 75% | AFY, SD, PO, PA, S | 5' | 6' |
| McKinley Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 10' |
| Fillmore Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 7'5" |
| 6th Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 6' |

| *Streetscape and Frontage Zone Matrix—Roosevelt South* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 5th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 14' |
| 4th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |
| 3rd Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt South.**

4. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

5. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

6. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt South, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1220. Townsend Park.

A. **Intent.** The primary intent of the Townsend Park Character Area is to transition between the mixed-use neighborhoods to the east, the McDowell Corridor to the north and the Downtown Gateway to the west. The area's special potential to connect these diverse adjacent areas can be realized through incorporating mixed-use/mid-rise developments that focus on office and cultural facilities. Given the proximity to the City's largest public library and the light rail corridor, a cultural focus in any new development is essential. As with any heavily accessed cultural area, the streetscape should contain inviting and comfortable parkway strips that offer easy links to nearby cultural facilities, parks and public transportation.

B. **Development Regulations.** The following development regulations apply to properties located with the Townsend Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: maximum 30%.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: 100%

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.
   b. Accessory buildings may not exceed 25% of the net lot area. This coverage is included within the overall permitted lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building: 0 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Townsend Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>1st St. to east of 3rd St. | 0' | 20’ | Minimum 75% | S, GA, CE | 5' | 5’ |
| Willetta Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Culver Street<br>1st St. to 2nd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Moreland Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| 1st Street<br>McDowell Rd. to Willetta St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' East<br>7' West | 6' East<br>West—None Required |
| 2nd Street<br>McDowell Rd. to Culver St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' | 25' |
| 3rd Street | 5' | 30' | Minimum 75% | S, SD, PA, PO, GA | 5' | 15' |

| *Streetscape and Frontage Zone Matrix—Townsend Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Rd. to Moreland St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1221. Van Buren.

**A. Intent.** The intent of the Van Buren Character Area is to establish a dense, vibrant, urban mixed-use area that is a center for commerce and high-rise urban living. This area comprises some of the tallest height entitlements within the City. The close proximity to government buildings and commercial offices makes this an ideal location for future hotels and iconic residential buildings with a strong urban focus. The active streetscape will connect the primarily residential neighborhoods to the north with the amenities and services provided within the Business Core and Van Buren Character Areas.

**B. Development Regulations.** The following development regulations apply to properties located with the Van Buren character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height.**
   a. Main building*:* governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: Maximum 50% increase.
   b. For properties which dedicate the Taylor Street Paseo, see below.

3. **Maximum lot coverage:** 55%.
   a. Bonus: maximum 100% lot coverage.
   b. Accessory structures: maximum 25% total lot coverage. This amount is included in the overall allowed lot coverage.
   c. For properties which dedicate the Taylor Street Paseo, see below.

4. **Minimum setbacks from interior property lines.**
   a. Primary building: 10 feet. No setback required if property line abuts an alley which is not a Buffer Alley.
   b. Accessory structures: None.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.
   (1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

8. **Taylor Street Paseo**. Certain properties within Van Buren are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N., in addition to the modified standards stated above. The affected properties are shown on the map provided within that Section.

   a. For properties that dedicate the Taylor Street Paseo, lot coverage and density are not restricted.

   b. For properties formerly required to dedicate the Taylor Street Paseo prior to the Paseo realignment, lot coverage and density are not restricted if all of the following amenities are provided within the property frontage:

      (1) A minimum 8 foot wide sidewalk is provided for the length of the property.
      (2) Two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.
      (3) Open space at the ground level on private property (minimum 500 square feet and not less than 10 feet wide any direction), with a public access easement dedicated over all portions of the open space area.
      (4) A minimum of three pedestrian amenities within the open space, such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet.

**C. Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Van Buren*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>Alley west of 7th Ave. to 7th Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 7' |
| Fillmore Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Van Buren Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 5' | 5' |
| Woodland Avenue<br>9th Ave. to alley west of 9th Ave. | 12' | 30' | Minimum 75% | AFY, SD, PA, PO, S | 5' | 10' |
| Monroe Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S | 8' | 10' |
| Adams Street<br>4th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| Adams Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 5' |
| 9th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 50% | ALL | 5' | 20' |
| 7th Avenue<br>Fillmore St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |

| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | East 5'<br>West 5' | East 8'<br>West 5' |
| 6th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | East 5'<br>West 5' | East 5'<br>West 8' |
| 5th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 4th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| 4th Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 5' | 5' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 65% | SD, PO, S, FC, GA | See Paseo Guidelines | See Paseo Guidelines |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1222. Warehouse.

A. **Intent.** The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. **Development Regulations.** The following development regulations apply to properties located with the Warehouse character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

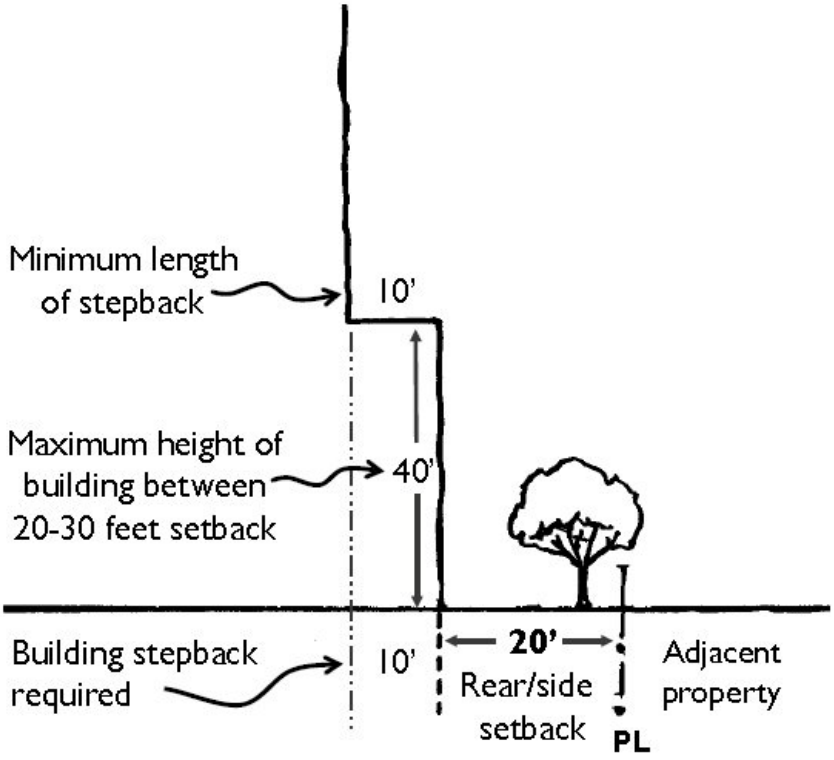
1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus (north of Lincoln Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.
   b. Bonus (elsewhere within Character Area): 50%. Exception: any property within a base height category of 150 feet or greater shall not be permitted a height bonus, due to Airport Downtown Zone height limits.
   c. Additional height restrictions apply for properties subject to Section 1222.B.4.

2. **Maximum density**: governed by the density map, Section 1202.C.
   a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage**: 100%.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines:**
   a. For sites not abutting a property located within the Central Park Character Area: 0 feet.
   b. For sites abutting a property located within the Central Park Character Area (not including properties separated by a fully dedicated alley or street), the following regulations apply:
      (1) Side or rear lot line: Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line.

(2) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line.
(3) A stepback shall be required unless the proposed new development is located ten or more feet beyond the required setback line. A minimum stepback of ten feet in depth for the length/width of the building that is adjacent to the Central Park Character Area is required. The stepback shall be measured from the required side or rear yard setback line.




5. **Required parking:**
   a. Minimum:
      (1) Residential uses: governed by Section 1206.
      (2) Non-residential uses: none.
   d. Maximum: governed by Section 1206.
   e. Bonus:
      (1) Increase: maximum 100%.
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 8 feet.

7. **Signage.** Signage in the Warehouse Character Area shall be governed by the regulations applicable to signs in the commercial districts of Section 705 of the Phoenix Zoning Ordinance.

   a. Signs projecting from the front of buildings shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall require a revocable permit administered by the City of Phoenix prior to issuance of the sign permit. Each sign shall:
      (1) Identify only one on-site business.
      (2) Provide a minimum eight-foot clearance.
      (3) Project no more than three feet into the public right-of-way.
      (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign).

   b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

   c. Signs painted on the building surface or letters mounted directly to the building surface should:
      (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. May have minimum of 40 square feet.
      (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

   d. Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area.

   e. Second-story businesses may only use a sign in a second-story window, or use a wall sign. Awning signs shall not be permitted on second-story windows.

   f. Corner buildings shall be allowed signage on each street frontage.

   g. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. The maximum height of said directional signs is three feet. No more than 25 percent of the area may be devoted to business identification.

   h. The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area.

   i. Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2.a, b and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identification. In

addition to the standards enumerated in Section 705.F, findings of approval of the use permit shall include:
(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
(2) When adjoining establishments participate in an event, a single request for a use permit may be filed.

j. Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

k. The following signs are prohibited:
(1) Those placed above or on top of any portion of the roof or front parapet or facade.
(2) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
(3) Freestanding signs or ground signs.

l. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in Section 705.E of the Phoenix Zoning Ordinance.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Warehouse*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Avenue South of the train tracks to Grant St. | 0’ | 20’ | None | ALL | 5' | 10’ |
| 7th Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 75% | S, GA, SD, CE | 5' | 10’ |
| 6th Avenue | 0' | 20' | Minimum 50% | ALL | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Sherman St. to Grant St. | | | | | | |
| 5th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 4th Avenue Sherman St. to Grant St. | 0' | 20' | Minimum 50% | ALL | 5' | 12' |
| 4th Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 19' |
| 4th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 3rd Avenue Grant St. to Jackson St. | 0' | 20' | Minimum 75% | S | 5' | 20' |
| 2nd Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 23' |
| 2nd Avenue Buchanan St. to Jackson St. | 0' | 20' | Minimum 50% | S | 5' | 10' |
| 1st Avenue | 0' | 20' | Minimum 75% | S | 10' | 15' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Grant St. to Madison St. | | | | | | |
| Central Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S, GA, SD, CE | 8' | 15' |
| 1st Street Grant St. to Buchanan St. | 0' | 20' | Minimum 50% | ALL | 5' | 15' |
| 1st Street Buchanan St. to Madison St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 2nd Street Lincoln St. to alley south of Jackson St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 3rd Street South of Grant St. to Grant St. | 0' | 20' | Minimum 75% | AFY, SD, PA, PO, S | 6' | 20' |
| 3rd Street Grant St. south to Railroad Row | 0' | 20' | Minimum 75% | S | 6' | 14' |
| 4th Street Grant St. south to Character | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 10’ |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Area boundary | | | | | | |
| 5th Street Grant St. to Lincoln St. | 0' | 20’ | Minimum 50% | ALL | 6' | 14' |
| 6th Street Lincoln St. to Buchanan St. | 0' | 20’ | Minimum 50% | ALL | 8' | 13' |
| 7th Street Lincoln St. to south of Grant St. | 0' | 20’ | Minimum 75% | ALL | 6' | 14' |
| Madison Street 5th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Madison Street 1st Ave. to 1st St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Jackson Street 5th Ave. to 1st St. | 0' | 20’ | Minimum 75% | S | 8' | As Established with Tree Wells(1) |
| Buchanan Street 3rd Ave. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |
| Lincoln Street | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Ave. to 7th St. | | | | | | |
| Grant Street<br>6th Ave. to 2nd St.<br>3rd St. to 7th St. | 0' | 20’ | Minimum 50% | ALL | 5' | 19' |
| Grant Street<br>2nd St. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 19' |
| Sherman Street<br>7th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

D. **Additional Design Regulations--Warehouse.**

1. New construction from finished grade to 65 feet in height shall use concrete, brick or other quality exterior-facing materials found on the structures in the Warehouse Character Area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. (P)

2. Brick veneer and brick tile applications, when used, should give the appearance of structural brick by using wraparound corner and bullnose pieces to minimize a veneer appearance. (P)

3. Stucco should not be used as a new element on an existing building. For new construction, stucco finishes should be limited to no more than 25 percent of all facades, and located where least visible from Streetscape Zones. (P)

***Rationale for D.1 – D.3:*** *The Warehouse Character Area has a unique and historic architectural context which current development should mimic or complement.*

4. The following design elements are only permitted for use within the Warehouse Character area if approved by the Design Review Committee as a Design Alternative per Section 1224 (R*):

    a. Metal or wood siding.
    b. Parabolic arches and other nongeometric forms.
    c. Backlit awnings or panels.
    d. Plastic and acrylic components used in awnings and other accessories.
    e. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms.
    f. Curtain-wall facades.

## Section 1223. Sustainability Bonus.

**A. Applicability**. The Sustainability Bonus system is designed to provide additional entitlements to developments that exhibit enhanced and/or environmentally friendly design, or other performance elements as outlined in this Section or as approved by the Design Review Committee.

1. A Sustainability Bonus may only be awarded when allowed by the applicable Character Area development regulations.

2. Sustainability Bonus credits (as detailed in Section 1223.C) earned shall only apply to one category of bonus. If multiple bonuses are desired for one development (such as one for height increase, and another for parking increase), each bonus must earn the required bonus credits separately, unless specifically stated otherwise in this Chapter.

3. All items or improvements which are provided specifically to obtain a Sustainability Bonus shall be located on site, and not in public right-of-way, unless approved as a Technical Appeal demonstrating that all required Streetscape improvements, including shade, landscape, and minimum sidewalk width, will still be provided.

**B. Credit Categories.**

1. **Height Increase.** The allowed bonus is an increase in height calculated as a percentage of the base maximum height permitted per Section 1202.B. However, no building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

| Height Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 50% |
| 60 | 40% |
| 50 | 30% |
| 40 | 20% |
| 30 | 10% |
| 20 | 5% |

2. **Density Increase**. The allowed bonus is an increase in the number residential units calculated as a percentage of the base maximum units permitted per Section 1202.C:

| Density Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 100% |
| 60 | 80% |
| 50 | 60% |
| 40 | 40% |
| 30 | 25% |
| 20 | 10% |

3. **Increase of Lot Coverage**. The allowed bonus is the amount of additional lot coverage allowed in addition to the lot coverage permitted by the applicable Character Area; e.g. a development earning 20 bonus credits is allowed an additional 10% lot coverage.

| Increase of Lot Coverage | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 50% |
| 40 | 25% |
| 30 | 15% |
| 20 | 10% |
| 10 | 5% |

4. **Increase of Maximum Parking.** The allowed bonus is an increase calculated as a percentage of the maximum parking allowed per Section 1206.

| Increase of Maximum Parking | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 100% |
| 40 | 75% |
| 30 | 50% |
| 20 | 25% |
| 10 | 15% |
| 5 | 10% |

5. **Decrease in Minimum Parking.** The allowed bonus is a decrease calculated as a percentage of the minimum parking required per Section 1206.

| Decrease of | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 25 | 100% |
| 20 | 75% |
| 15 | 50% |
| 10 | 25% |
| 5 | 10% |

C. **Sustainability Bonus Credit Matrix.**

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 1. Provide a vertical mixed-use development which incorporates commercial suites at the ground level intended for patronage by the general public, and not associated with the operation of the overall development. Each suite shall have a primary entrance from the Frontage/Streetscape zone. | 25% of gross ground area of building | 5 |
| | 50% + of gross ground floor area of building | 10 |
| 2. Provide pedestrian amenities within the Frontage Zone (or Streetscape Zone if approved through a Technical Appeal and Street Transportation) such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. (Must be in addition to any required amenities.) | 3 Different Types of Amenities | 5 |
| | 6+ Different Types of Amenities | 10 |
| 3. Provide outdoor dining within the Frontage Zone. Also applies to outdoor dining provided within a Forecourt or a Gallery/Arcade, but only if the minimum sidewalk width required by the Character Area is maintained. | Minimum 400 sf | 5 |
| | 800+ sf | 10 |
| 4. Provide additional bicycle amenities (beyond any required), as follows in 4a and 4b: | | |
| 4a. For any use type, provide additional amenities such as a secured bicycle parking room; bicycle lockers, tire air-up facilities, and/or bicycle maintenance area or room. | Secured parking room for minimum 50% required bicycle parking | 5 |
| | Bicycle lockers for minimum 50% required bicycle parking | 5 |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| | Tire air up facility or bicycle maintenance area/room | 3 (each) |
| 4b. For non-residential uses, provide showers and/or personal lockers within changing rooms for use by the building's tenants. | Shower | 4 (each); maximum 20 points |
| | Personal lockers in changing room | 3 points for each 5 lockers, maximum 15 points |
| 5. Provide a public art installation within or on the building abutting a Frontage Zone. | Art installation (as approved by PDD) | 5 points per installation |
| 6. Provide on-site permeable paving, structured soil/grass, open grid paving or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The areas provided may include on-site pedestrian walkways, private driveways/aisles and parking stalls, but shall not include loading areas or hardscape located within public ROW. | minimum 250 sf area | 2 |
| | >250 sf to 500sf area | 4 |
| | >500 sf to 1000 sf area | 8 |
| | >1000 sf area | 15 |
| 7. Utilize non-potable gray water and/or rainwater to supplement required landscape irrigation water. | Either gray water or rainwater harvesting system provided | 3 |
| | Both systems provided (may be combined) | 6 |
| 8. Outperform the currently adopted energy code standard by the following percentages, measured by the percent (%) over required energy code standard. | 5%—9% | 5 |
| | 10%—14% | 10 |
| | 15%+ | 15 |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 9. Provide on-site renewable energy for the entire building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. Based on the load of the service and the percent of load being provided by a renewable source. | | 1 point for each % of building energy usage being provided |
| 10. Provide a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. Measured by percent (%) of power purchased to meet the energy demand for the building. | 10%—35% | 5 |
| | 35%+ | 10 |
| 11. Provide a minimum 8 foot wide public sidewalk for the length of the property frontage (applicable only when the required minimum width is less than 8 feet). | | 5 per street frontage |
| 12. Provide two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk. | Second row trees matching Streetscape minimum requirements | 10 per street frontage |
| 13. Provide a minimum 30-year historic preservation conservation easement for the original footprint of a building on a property designated HP or HP-L, as approved by the Historic Preservation Officer. | Easement provided on a property located within Downtown | 20 |
| | Easement provided on a property located within same Character Area as development | 10 (in addition to the base 20 points) |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 14. Rehabilitate a structure (including building stabilization) on a property zoned HP or HP-L located within Downtown, as approved by the Historic Preservation Officer. | | 30 |
| 15. Provide open space at the ground level on private property (minimum 500 sf and not less than 10 feet wide any direction), as follows: | Provide at least 5% of the gross site area. | 5 |
| | Provide at least 10% of the gross site area. | 10 |
| | Dedicate a public access easement over the full open space area used to qualify for bonus | 10 additional |
| 16. Provide affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department. | 10%—24% | 10 |
| | 25%—49% | 15 |
| | 50%+ | 20 |
| 17. Provide solar panels on the roof of the building(s), as follows: | At least 25% of the total roof area, up to 50% | 5 |
| | More than 50% up to 75% of the total roof area | 10 |
| | More than 75% of the total roof area | 15 |
| 18. Provide electric vehicle charging spaces with installed electric vehicle charging stations (maximum 30 points total). | For use by building owners or tenants only | 2 per EVC space |
| | For use by building visitors and/or general public | 4 per EVC space |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 19. Provide below grade and/or lower level parking areas only. (not applicable if no parking provided).<br><br>**not including required ADA spaces* | No parking provided above the ground floor level | 10 |
| | All parking* provided below finished grade | 20 |
| 20. Provide shade for a minimum of 50% of all occupiable roof areas. | | 5 |

## Section 1224. Appeals.

**A. Design Alternative Appeals.** A Design Alternative appeal is a requested deviation from development regulations indicated with (R*), or an appeal of a decision by the Planning and Development Department regarding compliance with a presumption (P). Approval of a Design Alternative appeal shall result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area, as approved by the DRC, as follows:

1. A Design Alternative appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of development regulations as part of a Design Alternative appeal.

3. The DRC may impose conditions or stipulations with an approval of a Design Alternative appeal.

4. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R*), and (R), but not items indicated with (T).

5. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. For properties with a Historic Preservation (HP) designation, a Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing the appeal and a copy submitted with the appeal application.
    b. A listing of each of the development regulations that are the subject of the proposed Design Alternative, including all additional items indicated with (P), (R*) and (R) which also require relief to attain the proposed Design Alternative;
    c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the applicable Character Area, and would satisfy the findings required for approval;
    d. Site plan;
    e. Building elevations;
    f. Context plan (per Section 507.E);
    g. Landscaping and shading plan;
    h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor’s Office; and
    i. Such other information as may be required by the Planning and Development Director or the DRC.

6. In order to approve a Design Alternative appeal, the DRC must make findings as follows:

    a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

    b. That the project demonstrates design excellence by addressing at least two of the following:

        (1) Design innovation and the imaginative use of space, forms, and materials.
        (2) Permeability and connectivity which enables people to move within, around and through the project with ease.
        (3) That the design alternative would improve safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enable "eyes on the street."
        (4) The design alternative will incorporate materials and design which enhance thermal comfort.

**B. Sustainability Bonus Appeals.** An applicant may file a request for the Design Review Committee to appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223.

1. A Sustainability Bonus appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of specific bonus credits as part of a Sustainability Bonus appeal.

3. The DRC may impose conditions or stipulations with an approval of a Sustainability Bonus appeal.

4. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional).
    b. Site plan;
    c. Building elevations;
    d. Context plan (per Section 507.E);
    e. A narrative statement describing any deviation from the prescribed bonus credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);
    f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor’s Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows:

   a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and

   c. That the increased entitlements are consistent with the improved performance of the building(s).

**C. Variances/Zoning Adjustment.** A variance is a requested deviation from a development regulation designated as a requirement, or (R), and shall comply with the provisions of Section 307.A.9, in addition to the following:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request. The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:

   a. Whether the request is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. Whether the request is consistent with the intended Streetscape design and shade requirements for the applicable Streetscape and Frontage Zones.

2. The applicant shall provide a written narrative for the DRC to review and address as part of its written recommendation regarding the variance request. The narrative shall, at a minimum, include the following items:

   a. How much relief has, or could be obtained through application of a Sustainability Bonus;

   b. A written explanation why a Sustainability Bonus cannot be applied or obtain the relief desired by the variance request; and

c. A written explanation of how the development and the variance request is consistent with the intent, goals, and polices stated for the applicable Character Area.

********** **END** **********

# ATTACHMENT C

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**ADDENDUM A**
**Staff Report**
**Zoning Ordinance Text Amendment**
**Z-TA-5-22-4-7-8**
September 3, 2024

**Application No. Z-TA-5-22-4-7-8:** Amend the following sections of the Phoenix Zoning Ordinance, as follows:

1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12 (Downtown Code):

   Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls).

2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee.

3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text.

**Staff recommendation**: Staff recommends approval of Z-TA-5-22-4-7-8 as shown in the proposed text in Exhibits A and B.

**Reason for Addendum**
The purpose of this Addendum is to address minor revisions to the recommended text in Exhibits A and B. Upon additional review of the proposed text revisions, staff identified a few necessary clarifications from questions posed at the stakeholder briefing meetings, as well as from the Encanto and Central City Village Planning Committees. Below is a summary of the proposed revisions to the text amendment which are denoted as **BOLD/UNDERLINED** text in Exhibits A and B dated September 3, 2024.

**Proposed Changes**
Following the stakeholder and VPC meetings, staff proposes that the following changes be made to the proposed language for Z-TA-5-22-4-7-8, as follows:

A. Revise 307.A.9.e to revise wording to clarify that the written recommendation by the Design Review Committee is required when stated in Section 1224.C:

e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE ~~**MUST**~~ **SHALL** FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS ~~**FURTHER REFERENCED**~~ **REQUIRED** IN SECTION 1224.C.

B. Revise Sections 1203.D.16 and 1203.D.17 to allow for variation in hours of operation through the Use Permit process:

1. The use is limited to Fridays, Saturdays and Sundays only**, UNLESS A USE PERMIT IS OBTAINED FOR OTHER DAYS OF THE WEEK**.

2. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED TO EXTEND THE HOURS.**

C. Revise Section 1207.L.2 to allow for variation in hours of loading through the Use Permit process:

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED.** This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)

D. Revise Section 1224.A.4 to clarify what the term "related" means regarding a variance requested in conjunction with a Design Alternative:

2. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R*), and (R), but not items indicated with (T). **"RELATED" IN THIS CONTEXT MEANS THAT RELIEF FROM AN ITEM INDICATED BY (P), (R*), OR (R) IS NECESSARY TO APPROVE THE PROPOSED DESIGN ALTERNATIVE.**

E. Revise Section 1224.B to clarify a confusing sentence structure:

**B. Sustainability Bonus Appeals.** An applicant may ~~**file a request for the Design Review Committee to**~~ appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223~~.~~**, TO THE DESIGN REVIEW COMMITTEE, AS FOLLOWS:**

F. Revise Section 1224.C.1 to add the provision for the Design Advisor to exempt variance requests from DRC review if not design-related, in addition to sign regulations:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request**, UNLESS THE**

**REQUEST IS NOT DESIGN-RELATED, AS DETERMINED BY THE DESIGN ADVISOR, OR IS REGARDING A SIGN REGULATION.** The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:

**EXHIBIT A**
**Text Amendment Z-TA-5-22-4-7-8**
**Downtown Code Updates (not including revised Chapter 12)**

**Proposed Language:**

**Amend Chapter 2, Section 201 (Rules of Construction) to add term "PDD":**

For the purpose of this ZONING Ordinance, certain terms and words are hereby defined as follows: Words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs, or associations. The following words or terms, when applied in this ZONING Ordinance shall carry full force when used interchangeably: lot, plot, parcel, or premises, used, arranged, occupied or maintained; sold or dispensed, construct, reconstruct, erect, alter (structurally or otherwise), but not the term maintenance. The terms "City" and "County" shall mean the City of Phoenix and County of Maricopa, respectively; "Board" shall mean Board of Adjustment; "Commission" shall mean City Planning Commission; "Council" shall mean City Council~~.~~; "PDD" SHALL MEAN PLANNING AND DEVELOPMENT DEPARTMENT.

***

**Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:**

***

*Alley, Buffer:* ~~An alley that is adjacent to a single-family residential use as identified on Map 1202.F, and in Sections 1207.O and P~~. AN ALLEY ABUTTING BOTH SINGLE-FAMILY AND COMMERCIAL USES, DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE).

***

*CITY MANAGER'S REPRESENTATIVE (CMR):* SEE SECTION 32-3 OF THE CITY CODE.

*FRONTAGE ZONE:* THE PORTION OF A LOT OR PARCEL LOCATED DIRECTLY ADJACENT TO A STREET, OF A DEPTH REQUIRED BY THE APPLICABLE ZONING DISTRICT AND/OR CHARACTER AREA.

***

~~*Off-Street Loading Spaces:* An on-site space for the standing, loading, and unloading of vehicles.~~

***

~~*Off-Street Passenger Loading:* The provision of space off the street and adjacent to a building entrance for the loading and unloading of automobile passengers. The design of such space shall be subject to the approval of the Street Transportation Department.~~

***

*SERVICE/GOODS LOADING SPACE:* A DESIGNATED AREA WHICH IS PROVIDED FOR THE LOADING AND UNLOADING OF GOODS AND SERVICES FOR BUSINESSES AND COMMERCIAL USERS.

~~*Street, Front:* A street identified by an area plan towards which the front of buildings are oriented to minimize driveway cuts. If no area plan is adopted, all single-frontage lots adjoining a front street must orient the front of the building to the front street. For multi-frontage lots, the street with the most pedestrian activity is the front street. When lots adjoin two or more streets with an equal amount of pedestrian activity, both are front streets. Front streets are not necessarily the street adjoining the lot front.~~

***

*Street, Pedestrian:* ~~Sidewalk, landscape, driveway and buildings are designed to create a safe, pleasant and enjoyable experience for pedestrians. Building openings are oriented toward the street and vehicular conflicts with pedestrians are minimized. Designated on Map 1202.E and individual character areas in Chapter 12.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH IS SUBJECT TO DEVELOPMENT REGULATIONS AND VEHICULAR RESTRICTIONS INTENDED TO ENHANCE THE PEDESTRIAN ENVIRONMENT.

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*Street, Side:* ~~A street identified by an area plan towards which the side of buildings are oriented. If no area plan is adopted, the street with the least amount of pedestrian activity is the side street for multi-frontage lots. Side streets are not necessarily the street adjoining the lot side.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH PERMITS A MIX OF USES AND TYPES OF ACCESS, SUCH AS (BUT NOT LIMITED TO) PEDESTRIAN, VEHICULAR, SERVICE, AND LOADING ACCESS.

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*STREETSCAPE:* THE LANDSCAPE, SHADE, STREET IMPROVEMENTS, SIDEWALK, AND OTHER AMENITIES PROVIDED DIRECTLY ADJACENT TO A STREET.

***

*Streetscape Zone:* ~~*The area located behind the right-of-way curb that has either landscaping per Section 1207 or public amenities (such as seating, artwork).*~~ THE PORTION OF A DEDICATED STREET PROVIDING STREETSCAPE IMPROVEMENTS AND LOCATED BETWEEN THE BACK OF CURB AND THE FRONTAGE PROPERTY LINE. THE STREETSCAPE ZONE MAY ALSO INCLUDE A PORTION OF ABUTTING PRIVATE PROPERTY, PER THE PROVISIONS OF CHAPTERS 12 AND 13.

***

**Amend Chapter 3, Section 307.A (Authority and duties of the Zoning Administrator) to add a requirement for the Design Review Committee to review and make a recommendation for variance applications within Downtown, as follows:**

A. **Authority and duties of the Zoning Administrator.** There is hereby created in the City Planning and Development Department a Zoning Administrator. The Zoning Administrator shall be appointed by the Planning and Development Director and shall be under ~~his~~ THEIR direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under ~~his~~ THEIR direction. The Zoning Administrator shall**:**

***

9. Authorize upon application and hearing such variance from the terms of this ZONING Ordinance as will not be contrary to the public interest, when owing to special conditions, a literal enforcement of any provisions of the ordinance would result in unnecessary property hardship.

   A variance shall not be authorized unless the Zoning Administrator shall find upon sufficient evidence:

   a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district; and

   b. That such special circumstances were not created by the owner or applicant; and

   c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

   d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

   e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE **~~MUST~~ SHALL** FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS **~~FURTHER REFERENCED~~ REQUIRED** IN SECTION 1224.C.

***

**Amend Chapter 3 to add a new Section 312 (Technical Appeals Committee) to establish a technical review committee to review and decide technical appeals:**

**SECTION 312. TECHNICAL APPEALS COMMITTEE**

A. **POWERS AND DUTIES.** THE TECHNICAL APPEALS COMMITTEE (TAC) SHALL HAVE THE POWER AND DUTY UNDER THE PROVISIONS OF THESE REGULATIONS TO HEAR SPECIFIC ITEMS APPEALED BY THE APPLICANT CONTESTING A DECISION ON A TECHNICAL ITEM OR INFRASTRUCTURE REQUIREMENT IMPOSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, OR A DEVELOPMENT REGULATION INDICATED AS (T) IN SECTION 507 TAB A AND ALL OTHER ZONING ORDINANCE REQUIREMENTS (INCLUDING OVERLAYS) WHICH USE (T) TO INDICATE TECHNICAL ITEMS.

B. **MEMBERSHIP.** THE TECHNICAL APPEALS COMMITTEE SHALL CONSIST OF THE SAME MEMBERS AS THE SUBDIVISION COMMITTEE AS SET FORTH IN CHAPTER 32 OF THE CITY CODE. THE PLANNING AND DEVELOPMENT DIRECTOR IS AUTHORIZED TO APPOINT AND REMOVE ANY MEMBER AT ANY TIME, WITH OR WITHOUT CAUSE, AND MAY ALSO APPOINT ADDITIONAL TECHNICAL CITY STAFF TO THE TAC, SUCH AS LANDSCAPE, FIRE PREVENTION/LIFE SAFETY, WATER/SEWER, AND BUILDING SAFETY.

**Amend Chapter 5, Section 507 (Development Review Approval) as follows:**

***

B. **Applicability.**

1. Development review applies to all public and private facilities in residential, commercial and industrial developments in the City in all zoning districts. The only complete exceptions to compliance with this section are as follows:

~~a. Single-family and duplex dwelling units constructed prior to May 1, 1998;~~

~~b.~~ a. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;

~~c.~~ b. Nonstructural remodeling of facade treatment (SUCH AS PAINT);

~~d.~~ c. Sign permits for properties not otherwise subject to development review~~;~~

~~e. Development submitted for site plan approval prior to the effective date of this section.~~

2. Exterior structural remodeling ~~or~~ / new BUILDING facade treatment~~, to buildings~~ AND/OR MODIFICATIONS TO EXISTING SITE IMPROVEMENTS (DRIVEWAYS, PARKING, SITE WALLS, LANDSCAPE, DRAINAGE FACILITIES, OR SIMILAR), OR PROPERTIES WITH ADDITIONS (INCLUDING NEW ACCESSORY STRUCTURES) OF UP TO 2000 SQUARE FEET, ~~without additional square footage is~~ ARE subject to development review approval as follows:

   a. ~~For properties located within the boundary of the Downtown Code, the following shall apply:~~ COMPLIANCE WITH DEVELOPMENT REGULATIONS APPLICABLE ONLY TO THE EXTERIOR PORTION OF THE BUILDING AND/OR SITE IMPROVEMENTS BEING MODIFIED, UNLESS OTHERWISE STIPULATED WITH A REZONING OR ZONING ADJUSTMENT ACTION.

      ~~(1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified.~~

      ~~(2) Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities.~~

   b. ~~Reserved.~~ FOR SITES SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12) OR WALKABLE URBAN CODE (CHAPTER 13), PROVISION OF SHADE, LANDSCAPING AND SIDEWALKS IN ACCORDANCE WITH ADOPTED STREETSCAPE STANDARDS. UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES OR OTHER EXISTING SITE CONSTRAINTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. ~~Additions to buildings are subject to development review approval as follows:~~ CHANGE OF USE OR OCCUPANCY TYPE, OR INTERIOR STRUCTURAL REMODELING (“TENANT IMPROVEMENTS”), WITH OR WITHOUT ADDITIONAL SQUARE FOOTAGE, ARE SUBJECT TO THE FOLLOWING:

a. ~~An addition of two thousand square feet or less to an existing building may be required to submit a site plan to the Department of Planning and Development but shall not be subject to the design review principles and guidelines set forth in Tab A of Section 507 if the impacts of the addition are not significant, with the exception that new structures or additions of 500 square feet or greater on properties located within the boundary of the Downtown Code shall be required to meet the shading requirements in Section 1207.D. The Department of Planning and Development shall determine the significance of an addition's impacts on adjacent properties based on noise, odor, lighting, glare, vibration, visibility from a public street, and removal of site amenities which are included in a design review principle or guideline. Surface parking as a primary use is subject to the provisions of development review if the use is determined to have impact on adjacent uses or visibility from a public street as determined by the Department of Planning and Development.~~
COMPLIANCE WITH CURRENT STANDARDS FOR REQUIRED AUTOMOBILE AND BICYCLE PARKING.

b. ~~When an addition of two thousand square feet or less to an existing building is determined by the Department of Planning and Development as having significant impacts, as described above, the addition shall be subject to full development review including the design review principles and guidelines.~~
SPECIFIC REQUIREMENTS RELATED TO THE USE OR OCCUPANCY AS OTHERWISE INDICATED IN THE ZONING ORDINANCE.

c. ~~When additions to a property after the effective date of this ordinance total more than two thousand square feet, the property shall be subject to full development review including the design review principles and guidelines.~~
REQUIREMENTS OF SECTION 507.B.2 IF EXTERIOR REMODELING AND/OR ADDITIONS UNDER 2000 SF ARE ALSO INCLUDED.

4. PROPERTIES WITH ADDITIONS OF 2000 SQUARE FEET OR LARGER, VACANT PROPERTIES, AND/OR PROPERTIES UNDERGOING FULL DEMOLITION AND REDEVELOPMENT ARE SUBJECT TO FULL DEVELOPMENT REVIEW, INCLUDING ALL APPLICABLE DESIGN REVIEW PRINCIPLES AND GUIDELINES, UNLESS STATED OTHERWISE WITHIN THIS ZONING ORDINANCE.

~~4.~~ 5. Subdivision plats are processed in accordance with Chapter 32 of the City Code. Preliminary subdivision plats have the additional requirement to be reviewed and approved in accordance with the provisions ~~of this section for context plan and the design review guidelines for subdivisions of~~ Section 507 Tab A (DESIGN REVIEW) AND ALL OTHER CODES AND POLICIES TO WHICH SUBDIVISIONS ARE SUBJECT.~~II.C, "Subdivision design."~~

~~5.~~ 6. DEVELOPMENT WHICH EXISTED AT THE TIME OF ANNEXATION, OR FOR WHICH ALL REQUIRED PERMITS WERE ISSUED BY THE CITY, IS ASSUMED TO HAVE A VALID DEVELOPMENT REVIEW PLAN, EVEN IF NO APPROVED SITE PLAN EXISTS. A SITE PLAN MAY BE REQUIRED BASED ON THE SCOPE OF ANY PROPOSED REMODEL, REVISION, ADDITION, OR REDEVELOPMENT.

~~Existing legally constructed development with or without an approved site plan as of the date of this Ordinance is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~

~~6.~~ 7. ~~Implementation of single-family design review shall begin on May 1, 1998, for all subdivision applications which have not obtained preliminary development review approval. Any site plans or subdivision plats which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~

**ADAPTIVE REUSE.** DEVELOPMENT QUALIFYING AS ADAPTIVE REUSE MAY BE GRANTED FULL OR PARTIAL ADMINISTRATIVE RELIEF FROM ZONING ORDINANCE REQUIREMENTS IN ACCORDANCE WITH POLICIES ADOPTED BY CITY COUNCIL. IN SUCH CASES, THE RELIEF PROVIDED SHALL BE NOTED ON THE SITE PLAN, OR THE CONSTRUCTION PLANS IF NO SITE PLAN IS REQUIRED.

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C. **Design Review Principles and Guidelines.** Design review principles~~,~~ and guidelines are listed in Tab A and other sections of ~~this~~ THE ZONING Ordinance. The principles reflect desired goals and policies for the City. The guidelines indicate specific implementation standards. The guidelines consist of requirements, presumptions and considerations.

1. **Requirements (R)**. Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature.

2. **Presumptions (P).** Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

   a. *Overcoming a presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate~~, unless the property is located within the boundary of the Downtown Code~~. The Planning and Development Department may approve an alternative that achieves the intent of the presumption.

      Appropriate reasons for overcoming a presumption include:

      (1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;

      (2) Showing that another design principle is enhanced by not applying the presumption;

      (3) Demonstrating an alternative method for achieving the intent of the presumption;

      (4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.

      Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

b. *Appeals.* In the event that a presumption is not incorporated or overcome, AS DETERMINED BY PDD STAFF, ~~or if the property is located within the boundary of the Downtown Code an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) and requirements followed by an asterisk (R*) located in Tab A.II.C, "Subdivision design," shall be heard by the Design Review Committee.~~ THE APPLICANT MAY FILE AN APPEAL TO BE HEARD BY THE DESIGN REVIEW COMMITTEE PER SECTION 507.G.

~~c. *Purpose and intent of single-family design guidelines.* Notwithstanding the above, there are differences in the application of design guidelines for single-family development. In the R1-10 through R-5 zoning districts, the conventional development option establishes the baseline development conditions for single-family detached development. Deviations from these standards for the entire subdivision will require application of the planned residential development (PRD) option and the associated design guidelines found in subsection 507 Tab A.II.C. When applying these guidelines, staff will consider the unique conditions of each site, such as context area, lot size and shape, slope, natural vegetation, and drainage. In addition, staff will strive to ensure that affordable housing opportunities are not precluded. The PRD option is intended to encourage quality and creative design solutions through the use of flexible development standards. This design review structure is intended to foster a dialogue between staff and the applicant which facilitates creative responses to unique site conditions while being mindful of housing affordability.~~

3. **TECHNICAL ITEMS (T).** DEVELOPMENT REGULATIONS INDICATED BY (T) WITHIN THIS AND OTHER SECTIONS OF THE ZONING ORDINANCE ARE CONSIDERED TECHNICAL ITEMS. TECHNICAL ITEMS MAY BE APPEALED THROUGH THE TECHNICAL APPEAL PROCESS SPECIFIED IN SECTION 507.H.

~~3.~~ 4. **Considerations (C).** Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.

5. ITEMS WITHIN SECTION 507 TAB A AND OTHER SECTIONS OF THE ZONING ORDINANCE WHICH ARE NOT QUALIFIED BY AN (R), (R*), (P), (T) OR (C) SHALL BE TREATED AS REQUIREMENTS (R), UNLESS EXPLICITLY STATED OTHERWISE.

D. **Process.** The development review process includes the following steps:

1. Pre-application conference with the Planning and Development Department staff (see subsection E);

2. Preliminary review (see subsection F);

   a. Submittal of ~~design~~ DEVELOPMENT review documents by the applicant/property owner;

   b. Routing of documents to various departments and agencies for comment where needed;

   c. Staff review and consolidation of comments;

   d. Preliminary design review meeting with applicant and any interested citizen where needed;

3. Consideration of any DESIGN REVIEW appeals (see subsection G);

4. ~~Review~~ CONSIDERATION of ANY technical APPEALS ~~documents~~ (see subsection H);

5. Final document submittal responding to staff comments (see subsection I);

6. Final approval of development review documents (see subsection J);

7. Building permit issuance (see subsection J);

8. Site inspection and issuance of certificate of occupancy (see subsection J);

9. Follow-up inspection (see subsection J).

***

~~G.~~ ~~**Design Alternatives and Sustainability Bonus Appeals.** A design alternative or sustainability bonus appeal is a deviation from the prescribed standards and design guidelines. Design alternatives and sustainability bonus appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject character area as approved by the DRC. Design alternatives apply to properties with Walkable Urban Code zoning, which would result in a furtherance of the goals and policies of Transit Oriented Policy Plans or other relevant policy plans.~~

~~1. Each design alternative application shall include, at a minimum, the following:~~

~~a. A Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing for any property with a Historic Preservation (HP) zoning designation;~~

~~b. A listing of the standard(s) or guideline(s) that are the subject of the proposed design alternative;~~

~~c. A narrative statement describing the justification for the design alternative and the manner in which the proposed design alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, Transit Oriented Policy Plans, or other relevant policy plans and would satisfy the findings required for approval;~~

~~d. Site plan;~~

~~e. Building elevations;~~

~~f. Context plan;~~

~~g. Landscaping and shading plan;~~

~~h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and~~

~~i. Such other information as may be required by the Planning and Development Director or DRC.~~

~~2. Each sustainability bonus appeal application shall include, at a minimum, the following:~~

~~a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional).~~

~~b. Site plan;~~

~~c. Building elevations;~~

~~d. Context plan;~~

e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

3. Within 15 calendar days of the date of filing a design alternative or sustainability bonus appeal application, the applicant shall mail a notice by first class mail to all property owners within 150 feet of the subject site explaining the request and providing the date, time and location of the DRC meeting at which the application will be reviewed.

4. In order to approve a design alternative, the DRC must make findings as follows:

a. That the project is consistent with the intent stated for the subject character area in the Downtown Code;

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, form and materials.

Permeability and connectivity which enables people to move within, around and through the project with ease.

The project improves safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enables "eyes on the street."

The project incorporates materials and design which enhance thermal comfort.

Modifications from prescribed standards as per Section 1313; and

~~c. That the project demonstrates design excellence by addressing design alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the Transit Oriented Policy Plans or other relevant policy plans. The modifications must meet the standards set forth in Section 1313.~~

~~5. In order to approve a sustainability bonus appeal, the DRC must make findings as follows:~~

~~a. That the project is consistent with the intent stated for the subject character area;~~

~~b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and~~

~~c. The increased entitlements are consistent with the improved performance of the building(s).~~

~~6. In approving a design alternative or sustainability bonus appeal, the DRC may impose any reasonable conditions to ensure that the approval complies with the findings required above.~~

~~7. A design alternative or sustainability bonus appeal application will be reviewed at a public meeting within 30 calendar days from the date of submission of the application. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of the meeting.~~

~~8. A decision on the design alternative or sustainability bonus appeal application will be made by the DRC on the date of the public meeting unless continued at the discretion of the Committee and a certificate of approval shall be transmitted to the applicant in writing.~~

G. **DESIGN REVIEW APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION ON A DESIGN REVIEW ITEM TO THE DESIGN REVIEW COMMITTEE, WHO SHALL HEAR THE APPEAL PER SECTION 309, AS FOLLOWS:

   a. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH:

(1) DESIGN REVIEW PRESUMPTIONS, WHICH ARE TYPICALLY INDICATED AS (P); OR

(2) OTHER PRESUMPTIVE STANDARDS OR CRITERIA INDICATED BY THE WORD “SHOULD”.

b. A DESIGN REVIEW REQUIREMENT INDICATED WITH AN (R*).

c. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH URBAN DESIGN PRINCIPLES, ADOPTED DESIGN REVIEW POLICIES, OR DESIGN DECISIONS WHICH ARE IMPOSED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

d. A DESIGN ALTERNATIVE APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12, OR IN THE WALKABLE URBAN CODE, CHAPTER 13.

e. A SUSTAINABILITY BONUS APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12.

2. **DESIGN REVIEW COMMITTEE HEARING PROCESS**. AN APPEAL TO THE DESIGN REVIEW COMMITTEE MUST BE SUBMITTED NO LATER THAN 30 CALENDAR DAYS AFTER A DECISION HAS BEEN ISSUED BY THE PLANNING AND DEVELOPMENT DEPARTMENT REGARDING THE SUBJECT DESIGN REVIEW ITEM.

a. APPEALS SHALL BE IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND SHALL INCLUDE ONLY THOSE ITEMS APPEALABLE TO THE DESIGN REVIEW COMMITTEE.

b. AN APPEAL SUBMITTAL MUST BE COMPLETE BASED UPON THE REQUEST AND REQUIREMENTS ON THE SUBMITTAL CHECKLIST BEFORE IT IS SCHEDULED FOR A HEARING. STAFF WILL REVIEW THE SUBMITTAL FOR COMPLETENESS AND PROVIDE A WRITTEN LIST OF ANY DEFICIENCIES TO THE APPLICANT WITHIN 15 CALENDAR DAYS OF RECEIPT OF THE SUBMITTAL.

c. ONCE DETERMINED TO BE COMPLETE, AN APPEAL WILL BE SCHEDULED FOR THE NEXT DESIGN REVIEW COMMITTEE HEARING, BUT NO SOONER THAN 15 CALENDAR DAYS FROM STAFF DETERMINATION THAT THE SUBMITTAL IS COMPLETE. BY MUTUAL CONSENT OF PDD STAFF AND THE APPLICANT, THE APPEAL MAY BE SCHEDULED FOR A LATER DRC HEARING.

d. NO LATER THAN 15 CALENDAR DAYS PRIOR TO THE SCHEDULED DESIGN REVIEW COMMITTEE HEARING, THE APPLICANT SHALL MAIL A NOTICE TO ALL PROPERTY OWNERS AND REGISTERED NEIGHBORHOOD ASSOCIATIONS WITHIN 150 FEET OF THE SUBJECT SITE EXPLAINING THE REQUEST AND PROVIDING THE DATE, TIME AND LOCATION OF THE DRC MEETING AT WHICH THE APPLICATION WILL BE REVIEWED.***

e. ANY PERSON WHO HAS BEEN OR WILL BE INVITED TO THE PRELIMINARY SITE PLAN REVIEW MEETING WITH THE APPLICANT SHALL BE INFORMED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE DATE, TIME AND LOCATION OF DRC APPEAL HEARING.

f. IN APPROVING AN APPEAL, THE DRC MAY IMPOSE ANY REASONABLE CONDITIONS TO ENSURE THAT THE APPROVAL COMPLIES WITH ANY FINDINGS REQUIRED.

g. A DECISION ON THE APPEAL WILL BE MADE BY THE DESIGN REVIEW COMMITTEE ON THE DATE OF THE HEARING UNLESS CONTINUED TO A FUTURE DRC HEARING AT THE DISCRETION OF THE DESIGN REVIEW COMMITTEE. THE DECISION SHALL BE TRANSMITTED BY PDD STAFF TO THE APPLICANT IN WRITING WITHIN 15 CALENDAR DAYS OF THE DECISION.

h. THE DECISION OF THE DESIGN REVIEW COMMITTEE IS FINAL AND NON-APPEALABLE.

~~H.~~ **Appeals.** ~~There are two distinct categories of review standards, design and technical:~~

1. **Appeal of design review decisions.** An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed to the Design Review Committee within 15 calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

    b. An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

    c. A decision on the appeal will be made by the Design Review Committee on the date of the hearing unless continued at the discretion of the Committee and shall be transmitted to the applicant in writing. The decision of the Design Review Committee shall be final.

2. **Appeal of technical requirements.** An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed within 15 calendar days to the City Manager's representative. The Planning and Development Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date.

    a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

    b. An appeal will be heard within 15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

    c. A decision on the appeal will be made by the City Manager's representative within five calendar days from the date of the hearing and transmitted to the applicant and interested parties in writing.

~~d. *Appeal to Development Advisory Board.* An appeal of the decision of the City Manager's representative may be made to the Development Advisory Board within 15 calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within 30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the Development Advisory Board and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The Development Advisory Board shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.~~

~~e. *Development Advisory Board action.* The Development Advisory Board may:~~

~~(1) Affirm the decision of the City Manager's representative;~~

~~(2) Remand the matter for further proceedings before the City Manager's representative; or~~

~~(3) Reverse or modify the City Manager's representative's decision.~~

~~The decision of the Development Advisory Board is final.~~

H. **TECHNICAL APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION REGARDING A TECHNICAL ITEM, AN INFRASTRUCTURE REQUIREMENT IMPOSED BY THE DEPARTMENT, OR AN ITEM INDICATED AS (T) IN SECTION 507 TAB A, CHAPTER 12 AND OTHER SECTIONS OF THE ZONING ORDINANCE TO THE TECHNICAL APPEALS COMMITTEE (TAC) PER SECTION 312, AS FOLLOWS:

   a. ANY APPEAL SHALL BE FILED NO LATER THAN 15 CALENDAR DAYS FOLLOWING A DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

b. THE TAC MAY GRANT AN APPEAL IF THE APPELLANT CAN DEMONSTRATE THAT THERE EXISTS EXTRAORDINARY CONDITIONS OF TOPOGRAPHY, LAND OWNERSHIP, OR ADJACENT DEVELOPMENT, OR OTHER CIRCUMSTANCES NOT PROVIDED FOR IN THESE REGULATIONS. THE TAC MAY MODIFY THE REQUIREMENT(S) IN SUCH A MANNER AND TO SUCH EXTENT AS MAY BE APPROPRIATE TO THE PUBLIC INTEREST SOUGHT TO BE PROTECTED BY THE REQUIREMENT(S) REQUESTED TO BE MODIFIED. IN MODIFYING THE REQIREMENT(S), THE TAC MAY MAKE SUCH ADDITIONAL REQUIREMENTS AS APPEAR NECESSARY TO SUBSTANTIALLY SECURE THE OBJECTIVES OF THE MODIFIED REQUIREMENT(S).

c. IN ADDITION TO THE REQUIREMENTS OF H.1.B, REQUESTS FOR TECHNICAL APPEALS ARISING FROM DEVELOPMENTS SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), WALKABLE URBAN CODE (CHAPTER 13) AND ANY OTHER AREA-SPECIFIC TECHNICAL REQUIREMENTS SHALL BE APPROVED ONLY IF THE MODIFICATION IS CONSISTENT WITH ANY STATED RATIONALE, GOAL, OR INTENT SPECIFIC TO THE CHARACTER AREA AND APPLICABLE STREETSCAPE STANDARDS. THE TAC MAY IMPOSE STIPULATIONS TO ENSURE COMPLIANCE WITH SUCH RATIONALE, GOAL OR INTENT WHEN APPROVING A TECHNICAL APPEAL.

2. **APPLICATION.** TECHNICAL APPEALS SHALL BE FILED IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AS FOLLOWS:

a. THE REQUEST SHALL ADDRESS ONLY THOSE ITEMS BEING APPEALED.

b. THE REQUEST SHALL INCLUDE TECHNICAL INFORMATION AND A NARRATIVE RELATED TO THE APPEAL, CLEARLY EXPLAINING WHY THE PROPOSED ALTERNATIVE IS EQUIVALENT TO OR BETTER THAN THE TECHNICAL ITEM BEING APPEALED.

3. THE TAC WILL CONDUCT A REVIEW OF THE APPEAL AT THEIR FIRST REGULARLY SCHEDULED MEETING FOLLOWING A COMPLETE SUBMITTAL.

a. THE TAC MAY CHOOSE TO DEFER ACTION ON THE APPEAL AND INSTEAD SEND THE APPEAL REQUEST DIRECTLY TO THE CITY MANAGER'S REPRESENTATIVE (CMR) FOR HEARING, AS OUTLINED BELOW.

b. THE TAC MAY CHOOSE TO REQUEST ADDITIONAL INFORMATION PRIOR TO RENDERING A DECISION.

4. THE TAC SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, FORWARD FOR CMR HEARING WITHOUT RECOMMENDATION, OR CONTINUE TO A SUBSEQUENT TAC MEETING IF ADDITIONAL INFORMATION IS REQUIRED FOR REVIEW BEFORE RENDERING A DECISION.

5. A DECISION OF THE TAC SHALL BE CONSIDERED FINAL IF NOT APPEALED TO THE CMR WITHIN 15 CALENDAR DAYS OF THE DECISION.

6. **CITY MANAGER'S REPRESENTATIVE APPEAL HEARING.** A DECISION OF THE TAC MAY BE APPEALED TO THE CMR BY THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE WITHIN 15 CALENDAR DAYS.

   a. SCHEDULING OF CMR HEARING. A TECHNICAL APPEAL WILL BE HEARD BY THE CMR WITHIN 30 CALENDAR DAYS FROM THE DATE OF FORWARDING FROM TAC. THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE DATE OF THE CMR HEARING NO LATER THAN SEVEN CALENDAR DAYS PRIOR TO THE HEARING.

   ***

   b. CITY MANAGER'S REPRESENTATIVE'S DECISION. A DECISION ON THE APPEAL WILL BE MADE BY THE CMR AT THE HEARING. THE CMR SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, CONTINUE TO A SUBSEQUENT CMR HEARING FOR FURTHER CONSIDERATION, OR ISSUE A RULING AT A LATER DATE IN ORDER TO FIRST SEEK ADDITIONAL INFORMATION AND/OR PROFESSIONAL ADVICE. THE FINAL CMR DECISION SHALL BE TRANSMITTED IN WRITING TO THE APPLICANT AND ANY INTERESTED PARTIES WHO WERE IN ATTENDANCE AT THE HEARING.

7. **APPEAL TO DEVELOPMENT ADVISORY BOARD.** AN APPEAL OF THE DECISION OF THE CMR MAY BE MADE TO THE DEVELOPMENT ADVISORY BOARD, AS ESTABLISHED UNDER CHAPTER 2, ARTICLE IX OF THE CITY CODE. NOTWITHSTANDING THE PROCESS OUTLINED IN CHAPTER 2, ARTICLE IX, SECTION 2-172, AN APPEAL UNDER THIS PROVISION MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF THE CMR DECISION.

***

**Amend Chapter 6, Section 669 (Arts, Culture, and Small Business Overlay District) as follows:**

***

B. **Applicability.** The Arts, Culture and Small Business Overlay may be applied to land bounded by Interstate 10 Inner Loop (Papago Freeway) on the north, 20th Street to the east, Buckeye Road to the south and 19th Avenue to the west. ~~The application of the overlay on specific parcels will occur subject to approval by City Council through the rezoning process in accordance with zoning map amendment section of the Zoning Ordinance. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts or other overlay districts, except as expressly modified by the following regulations and as regulated by other provisions of City Code. Where there is a conflict with other Zoning Ordinance provisions, the more permissive shall apply.~~

1. FOR PROPERTIES NOT ZONED DOWNTOWN CODE (DTC), THE APPLICATION OF THE OVERLAY ON SPECIFIC PARCELS WILL OCCUR SUBJECT TO APPROVAL BY CITY COUNCIL THROUGH THE REZONING PROCESS IN ACCORDANCE WITH SECTION 506.B. THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS OR OTHER OVERLAY DISTRICTS, EXCEPT AS EXPRESSLY MODIFIED BY THE FOLLOWING REGULATIONS AND AS REGULATED BY OTHER PROVISIONS OF CITY CODE. WHERE THERE IS A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.

2. FOR PROPERTIES ZONED DOWNTOWN CODE (DTC), APPLICATION OF THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEVELOPMENT REGULATIONS ON AFFECTED PROPERTIES SHALL BE AS SPECIFIED BY SECTION 1207.M.

***

**Amend Chapter 7, Section 702 (Off-Street Parking and Loading) to correct a numbering error for Section 702.B (Off-Street Loading Spaces), which immediately follows Section 702.G, and to make other minor changes to terms used.**

~~B.~~H. **~~Off-Street~~ SERVICE/GOODS Loading Spaces.**

1. **General provisions, requirements for space size.** ~~Off-street~~ SERVICE/GOODS loading spaces shall be not less than ten (10) feet in width and thirty (30) feet in length, exclusive of access aisles and maneuvering space.

2. ~~Off-Street~~ **SERVICE/GOODS loading spaces required.** The following shall apply to all developments, except for single family developments and vehicular parking areas.

   a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   b. Office development less than 60 feet in height shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   c. Multi-family residential development shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

   ***

   d. Commercial or office developments (excluding multi-family) over 60 feet in height and all hotel or resort developments shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

3. ~~The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve.~~ SERVICE/GOODS LOADING SPACES SHALL BE LOCATED ON-SITE UNLESS SPECIFICALLY PERMITTED ELSEWHERE BY THE ZONING ORDINANCE. In no case shall the required off-street loading space be ~~part of the area~~ USED to satisfy ~~the~~ off-street parking requirements ~~of this Ordinance~~.

***

**Amend Chapter 7, Section 703 (Landscaping, Fences and Walls) to correct a provision regarding when a Certificate of No Effect or Certificate of Appropriateness is required for a wall/fence.**

A. **Height of Fences and Retaining Walls.**

***

2. The following shall apply to all residence districts:

   a. For lots fronting on a public street, private accessway or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches, provided:

(1) ~~For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.~~

**HISTORIC PRESERVATION DESIGNATED PROPERTIES.** FOR PROPERTIES DESIGNATED HP AND HP-L, FENCES OR FREESTANDING WALLS IN THE FRONT YARD (THE AREA BETWEEN THE STRUCTURE AND THE STREET RIGHT-OF-WAY LINE) SHALL NOT EXCEED A MAXIMUM HEIGHT OF THREE FEET. THIS HEIGHT LIMITATION EXTENDS THREE FEET BACK FROM THE FRONT FAÇADE INTO THE SIDE YARD(S).

# EXHIBIT B

## Chapter 12
## DOWNTOWN CODE

**Section 1201.** **Code Administration.**
**Section 1202.** **Regulating Maps.**
**Section 1203.** **Land Use Matrix.**
**Section 1204.** **Streetscape and Frontage Zones.**
**Section 1205.** **Frontage Elements.**
**Section 1206.** **Parking, Loading, and Vehicular Access.**
**Section 1207.** **General Development Regulations.**
**Section 1208.** **Biomed.**
**Section 1209.** **Business Core.**
**Section 1210.** **Central Park.**
**Section 1211.** **Commercial Corridors.**
**Section 1212.** **Downtown Gateway.**
**Section 1213.** **East Evergreen.**
**Section 1214.** **Evans Churchill East.**
**Section 1215.** **Evans Churchill West.**
**Section 1216.** **McDowell Corridor.**
**Section 1217.** **Roosevelt East.**
**Section 1218.** **Roosevelt North.**
**Section 1219.** **Roosevelt South.**
**Section 1220.** **Townsend Park.**
**Section 1221.** **Van Buren.**
**Section 1222.** **Warehouse.**
**Section 1223.** **Sustainability Bonus Points.**
**Section 1224.** **Appeals.**

## Section 1201. Code Administration.

A. **Purpose and Intent.** The purpose of the Downtown Code is to implement the vision, goals and policies of the Downtown Phoenix Plan and provide the physical environment necessary to create a pedestrian-oriented, dynamic urban center with an authentic sense of place. The intent of the Downtown Code is to address design that impacts the public realm by establishing standards and guidelines that will allow projects to develop over time in a scale and character consistent with the Downtown Phoenix Plan and with the vision and goals of PlanPHX.

B. **Applicability**. The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.A and generally bounded by McDowell Road on the north, 7th Street on the east, Buckeye Road on the south, and 7th Avenue on the west. This boundary shall be hereafter known as “Downtown”. The “Downtown Code” may be abbreviated as “DTC”.

1. Historic Preservation**.** Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event of a conflict between the provisions of Chapter 8 and Chapter 12, the provisions of Chapter 8 shall prevail.

2. If a conflict occurs between requirements of the Downtown Code and other provisions the City of Phoenix Zoning Ordinance (not including Chapter 8), the requirements of the Downtown Code shall prevail.

3. Development review of sites located within Downtown shall be in conformance with the provisions of Section 507.B, unless specifically stated otherwise within this Chapter.

C. **Approval Requirements.** Each structure and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements:

1. The land use or function must be allowed by the Use Matrix in the Character Area where the site is located, unless subject to the provisions of Chapter 9, Nonconformities.

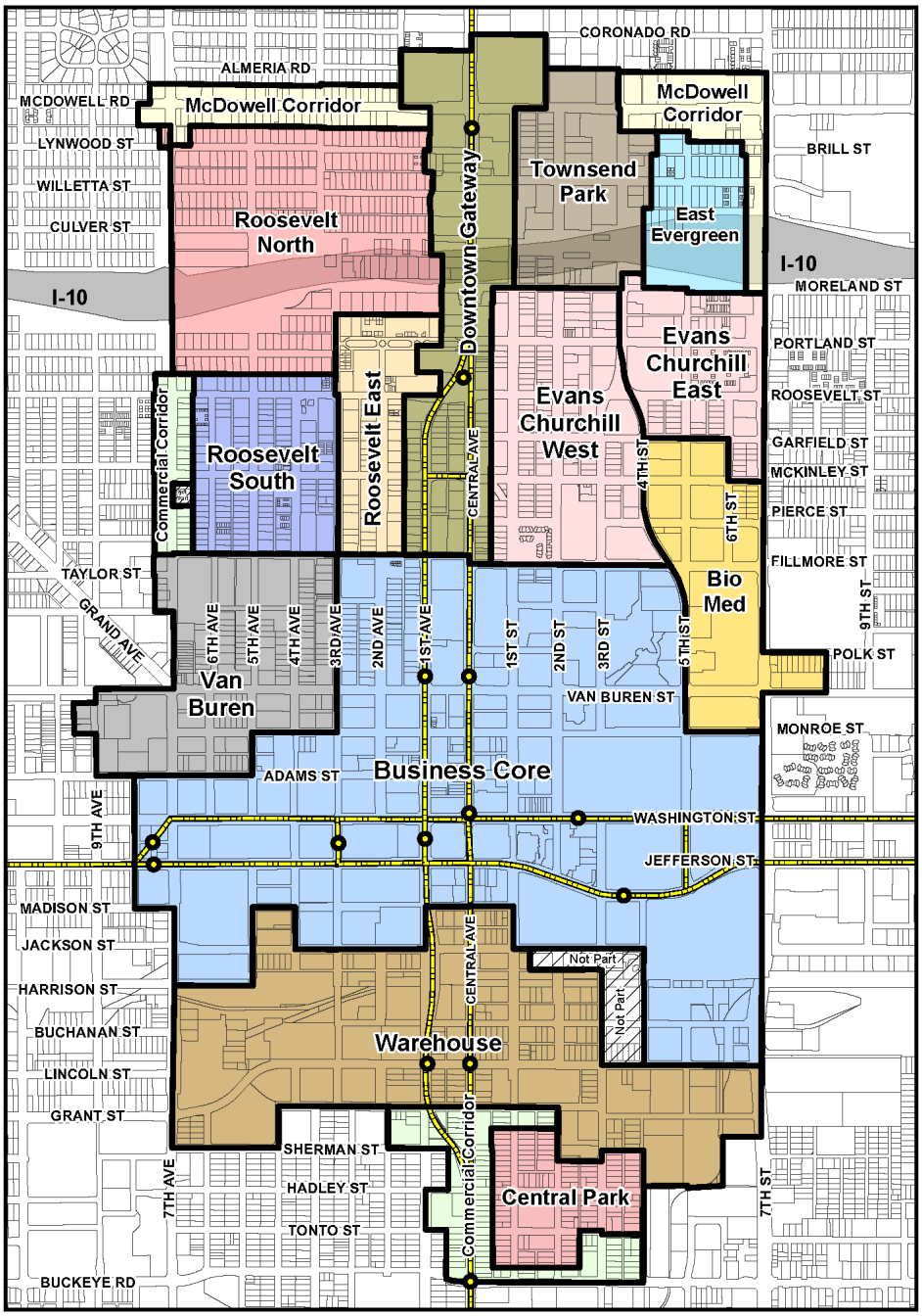
2. Development review approval shall be obtained in accordance with the procedures outlined in Section 507, Development Review Approval.

3. Guidelines, standards, and requirements in this Chapter indicated with the markers (R), (R*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in

Section 507. Items not indicated with an (R), (R*), (P), (T), and (C) shall be treated as (R).

## Section 1202. Regulating Maps.

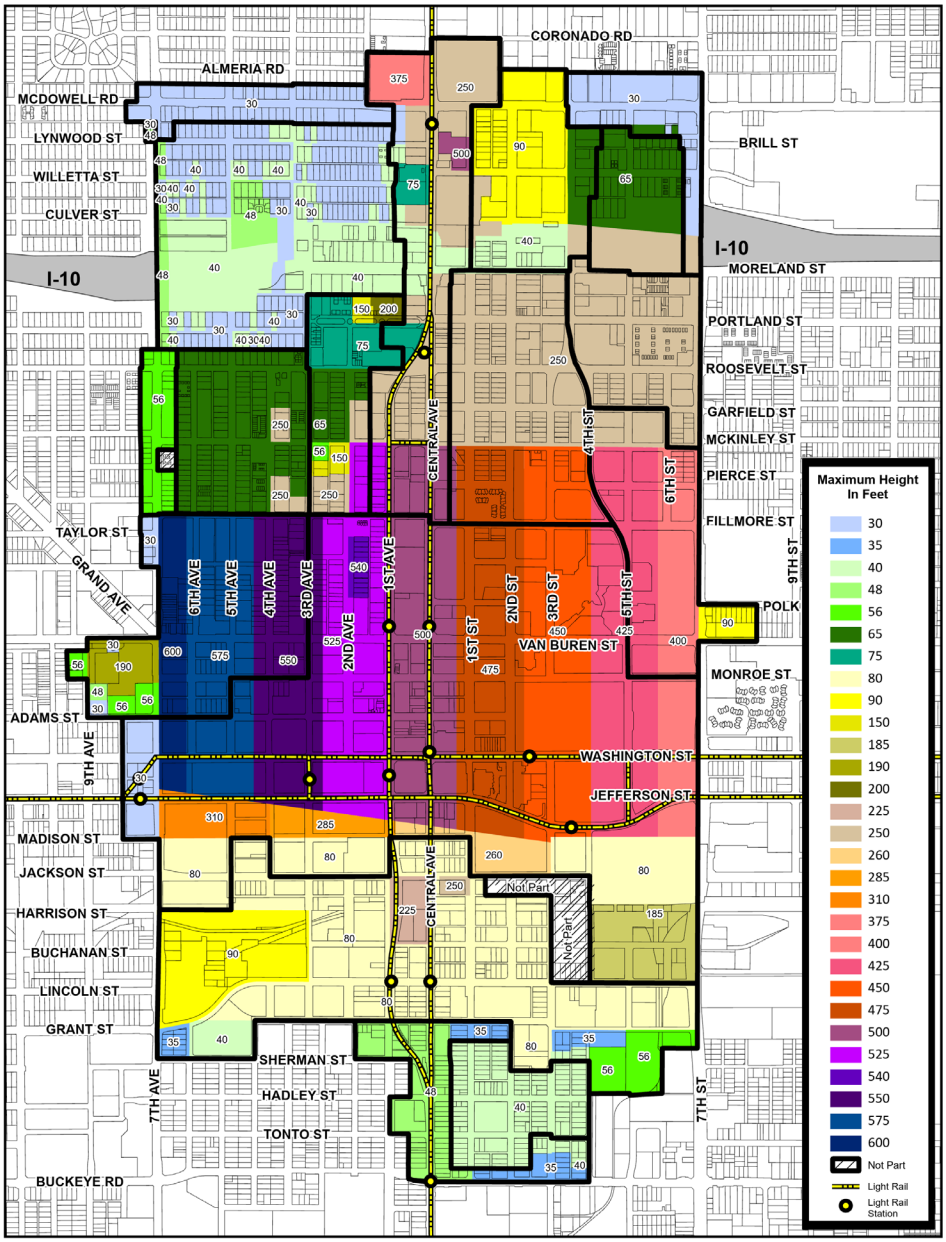
A. **Character Areas.** This map designates the Character Area boundaries for the Downtown Code:



B. **Maximum Building Height.** This map designates maximum building heights within Downtown.

1. The height limits shown on the following map are the base requirements and do not include any height bonuses which may be allowed per other sections of this Chapter. Additional setbacks may apply at the boundary between different height zones, per Section 1207.E.

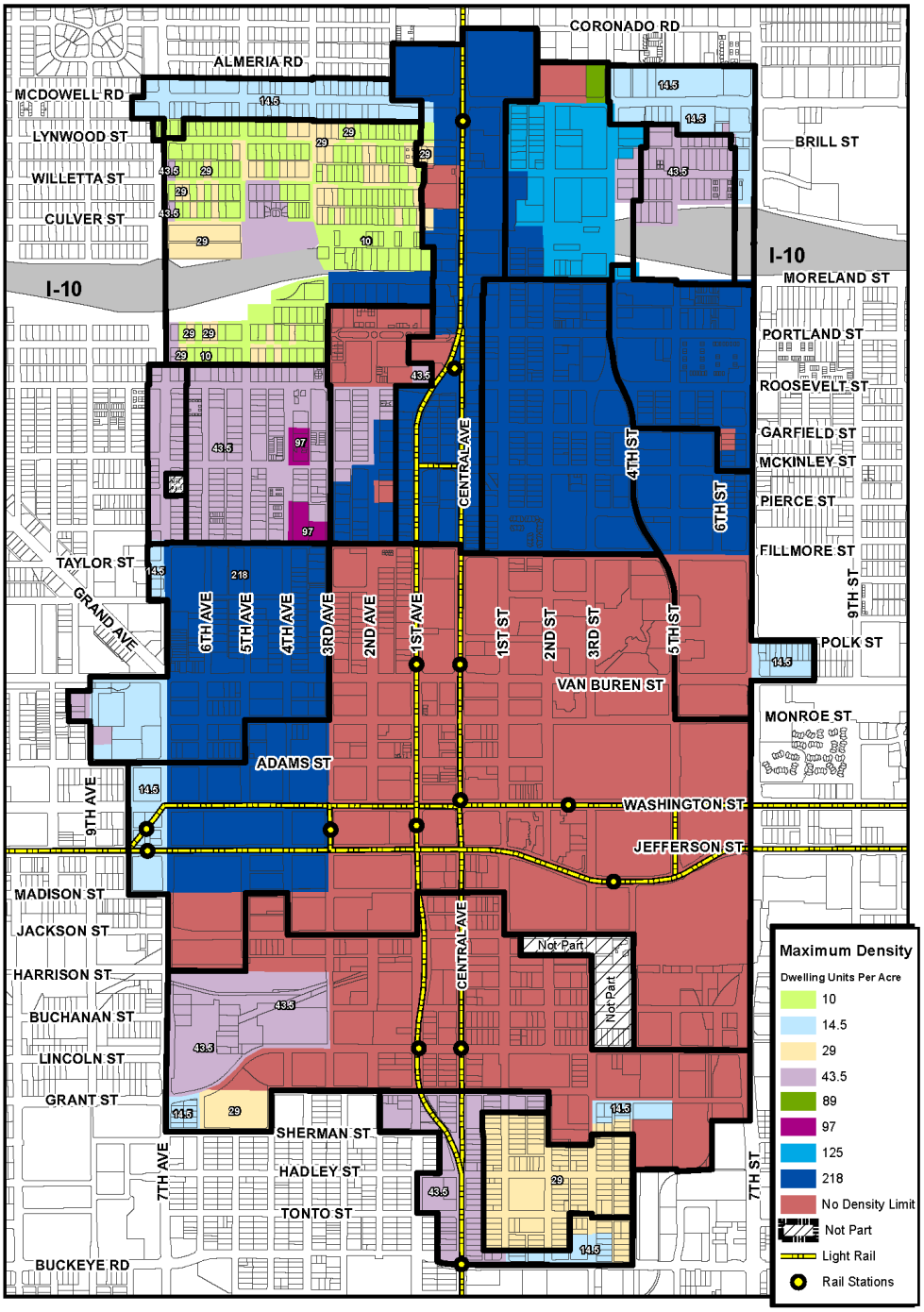
2. No building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.



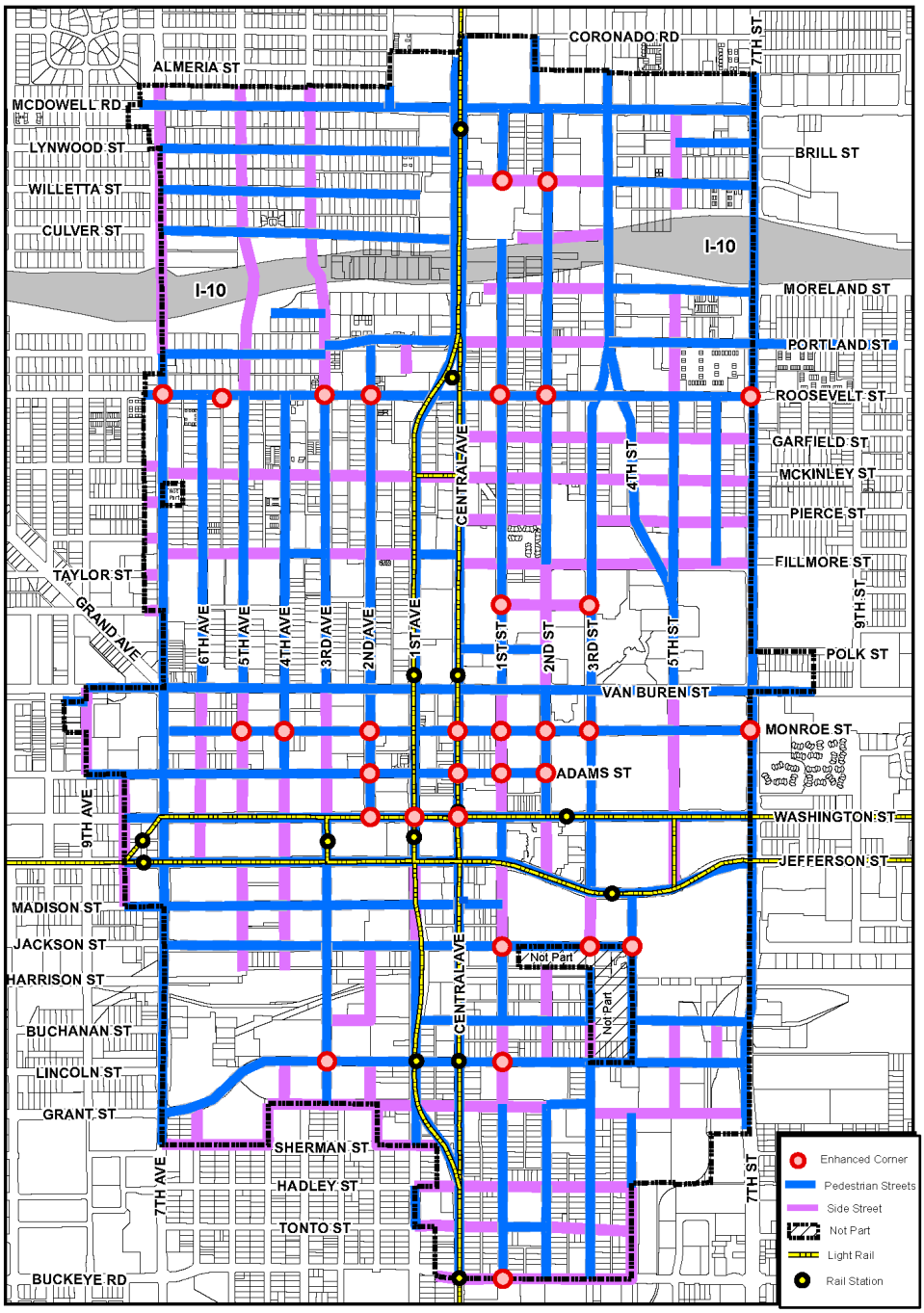

WHERE THERE EXISTS A CONFLICT BETWEEN THE HEIGHT LIMITATION PRESCRIBED IN THE CHAPTER AND ANY OTHER REGULATIONS IN CHAPTER 4 OF THE PHOENIX CITY CODE, THE LOWER LIMITATION SHALL GOVERN AND PREVAIL. (SEE PHOENIX CITY CODE SEC. 4-247)

C. **Maximum Density.** This map designates maximum density limits within Downtown.

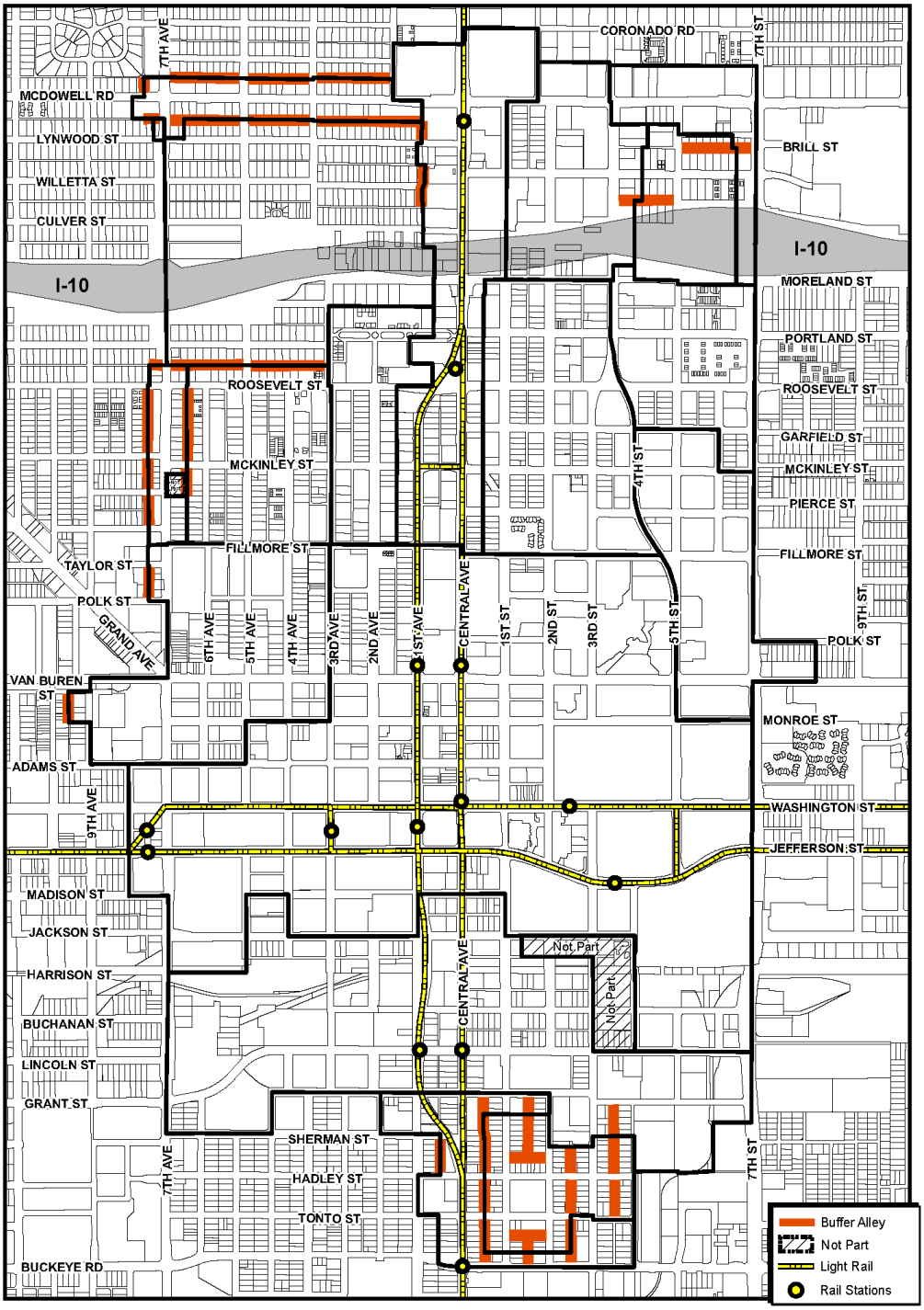
1. The density limits shown on the following map are the base requirements and do not include any density bonuses which may be allowed per other sections of this Chapter.



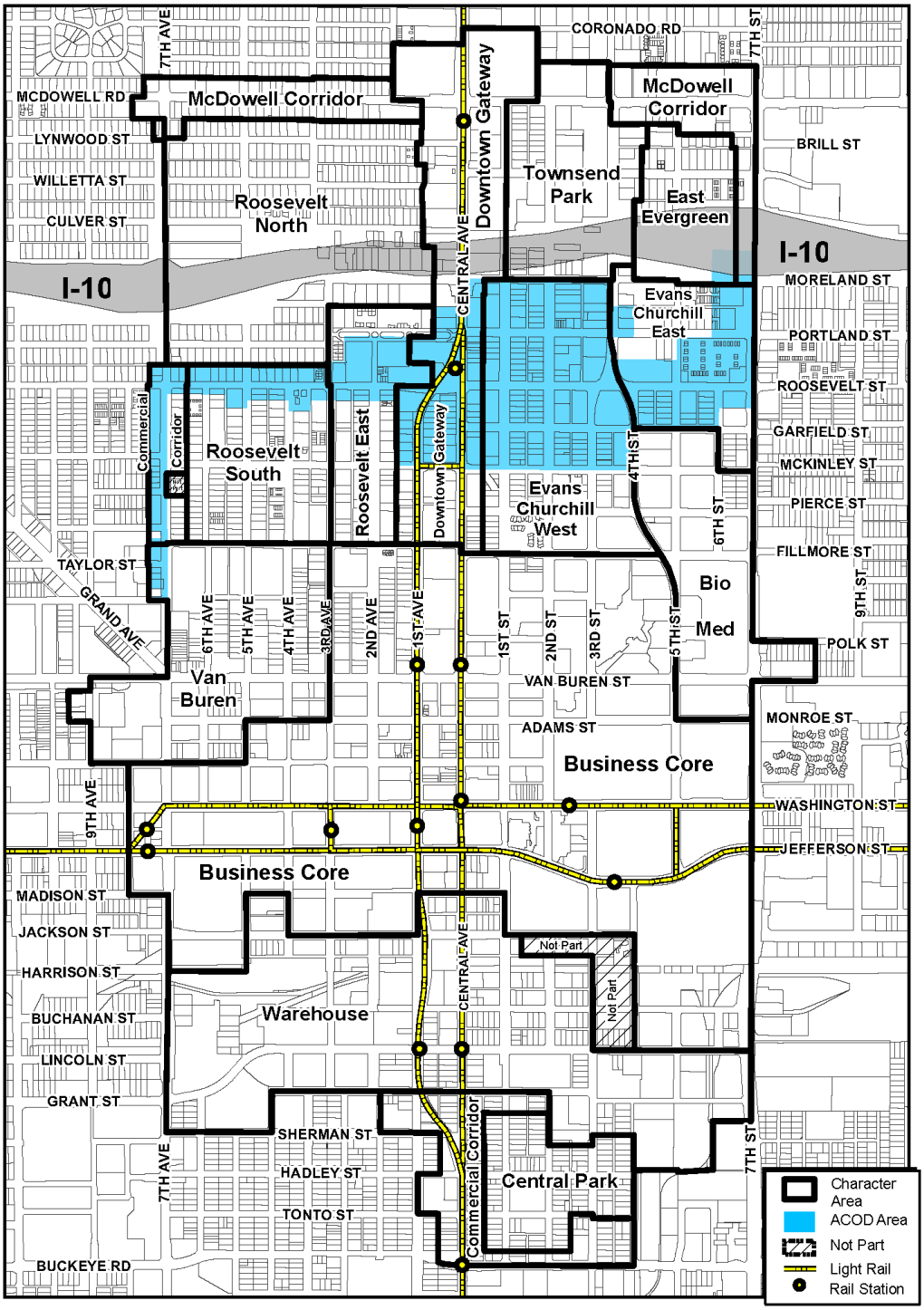
D. **Pedestrian Streets, Side Streets, and Enhanced Corners.** This map designates the streets within Downtown that are either Pedestrian or Side Streets, as referenced elsewhere within this Chapter. The map also designates Enhanced Corner locations as referenced elsewhere in this Chapter. Public streets not designated on this map shall be considered Pedestrian Streets.



E. **Buffer Alleys.** This map designates Buffer Alleys for which abutting properties must conform to the requirements outlined elsewhere in this Chapter.



F. **Arts, Culture and Small Business Area.** This map designates the Arts, Culture, and Small Business Area referenced elsewhere in this Chapter:



## Section 1203. Land Use Matrix.

A. **Applicability.** The Land Use Matrix regulates all permitted uses within Downtown.

B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1203.C, and Land Use Conditions in Section 1203.D:

1. Any use not specifically listed in the Land Use Matrix shall not be permitted.

2. All uses indicated with “p” are permitted with the applicable Character Area.

3. All uses indicated with “pc” are permitted with conditions within the applicable Character Area. The conditions are described in Section 1203.D, Land Use Conditions, by the associated condition number (e.g. “pc15” is described under Section 1203.D.15).

4. All uses indicated with “up” are permitted within the applicable Character Area only upon approval of a Use Permit per Section 307.A.7.

5. All uses indicated with “sp” are permitted within the applicable Character Area only upon approval of a Special Permit per Section 504.1.

6. All uses indicated with “np” are not permitted within the applicable Character Area.

**C. Land Use Matrix.**

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| **RESIDENTIAL USES** | | | | | | | | | | | | | | | | |
| Boarding House | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Community Residence Home | | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 |
| Dwelling Unit, Multi-Family | | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| Dwelling Unit, Single-Family, Detached (including Duplex and Triplex uses) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Dwelling Unit, Single-Family Attached | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Group Home | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Group Foster Home | | p | p | up | p | p | p | p | p | p | p | up | up | p | p | p |
| Live-Work | x | p | p | pc11, 15 | p | p | p | p | p | p | p | np | p | p | p | p |
| Subdivision, Single-Family Infill | | np | np | pc27 | pc27 | np | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | np |
| ***Accessory to Residential Uses Only:*** | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | | np | np | pc31 | pc31 | np | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | np |
| Home Occupations | | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 |
| **ASSEMBLY USES** | | | | | | | | | | | | | | | | |
| Assembly, General | x | p | p | np | p | p | up | p | p | p | up | np | np | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Day Care (Adult Day Care Center and Child Care), Nursery School | x | p | p | pc13, 15 | p | p | pc13, 15 | p | p | p | p | pc13, 15 | pc13, 15 | p | p | p |
| Religious Assembly | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School, Commercial | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| **GENERAL RETAIL SALES AND RELATED SERVICE USES** | | | | | | | | | | | | | | | | |
| Artist Studio/Gallery | x | p | p | pc4, 6, 17 | p | p* | pc4, 6, 17 | p* | p* | p | pc4, 6, 17* | np | pc4, 6, 17* | p | p | p |
| Bakery | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Commercial Recreation | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Farmers Market | x | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 |
| Garden Center, Plant Nursery | x | np | np | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Pawn Shop | x | up | np | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Pet Care Facility | x | up | up | np | up | up | up | up | up | up | up | np | np | up | up | up |
| Pet Day Care Facility | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Pet Grooming | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Retail Sales | x | p | p | np | pc10 | p | pc7 | pc9 | pc10 | pc10 | pc9 | np | pc9 | pc8 | p | p |
| Second Hand/Used Merchandise Sales | x | pc21 | pc21 | np | pc10, 21 | pc21 | pc7, 21 | pc9, 21 | pc10, 21 | pc10, 21 | pc9, 21 | np | pc9, 21 | pc8, 21 | pc21 | pc21 |
| **FOOD SERVICE AND ENTERTAINMENT** | | | | | | | | | | | | | | | | |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Bar | x | up | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| *(ac) Outdoor Liquor Service* | *x* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *up* |
| Liquor, Retail Sales | x | up | up | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Dance Hall | x | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Restaurant | x | p | p | np | p* | p* | pc7 | p* | p* | p | p* | np | pc2* | p | p | p |
| Brew Pub, Microbrewery, Winery | x | up24 | up24 | np | up24 | up24 | up24 | up24 | up24 | up24 | up24 | np | up24 | up24 | up24 | p24 |
| ***Accessory Only To Restaurant/Brew Pub/Microbrewery/Winery:*** | | | | | | | | | | | | | | | | |
| *(ac) Outdoor Liquor Service* | *x* | *up* | *p* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *p* |
| *(ac) Outdoor Cooking* | *x* | *up* | *pc4, 16* | *np* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *np* | *np* | *up* | *up* | *up* |
| *(ac) Outdoor Dining* | *x* | *p* | *p* | *np* | *pc3** | *p** | *np* | *p** | *p** | *p* | *p** | *np* | *pc3** | *p* | *pc3* | *p* |
| *(ac) Patron Dancing* | *x* | *p* | *p* | *np* | *p* | *p* | *np* | *p* | *p* | *p* | *p* | *np* | *np* | *p* | *p* | *p* |
| **LODGING** | | | | | | | | | | | | | | | | |
| Bed and Breakfast | x | p | p | up | p | p | p | p | p | p | p | np | p | p | p | p |
| Hotel/Motel | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **HEALTH AND SUPPORT SERVICES** | | | | | | | | | | | | | | | | |
| Clinic, Medical or Dental | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| Community Residence Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospice | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospital | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Laboratory, Medical, Dental or Clinical | | p | p | np | up | p | up | p | p | up | up | np | up | up | up | up |
| Laboratory, Research | | p | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| Medical or Dental Office | x | p | p | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Nursing Home or Assisted Living Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Veterinary Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **INDUSTRIAL AND MANUFACTURING USES** | | | | | | | | | | | | | | | | |
| Building Materials | | np | np | np | np | np | np | np | np | np | np | np | np | np | up | p |
| Contractor's Yards | | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Manufacturing - Artisan | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - Light | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - General | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | p |
| Manufacturing - Heavy | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| **OFFICE AND PROFESSIONAL USES** | | | | | | | | | | | | | | | | |
| Financial institutions | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| General Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| Professional Office | x | p | p | np | p | p | p | p | p | p | p | pc19 | p | p | p | p |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **SERVICES** | | | | | | | | | | | | | | | | |
| Appliance Repair | x | pc4, 6, 17 | np | np | pc4, 6, 17 | pc4, 6, 17 | np | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | np | np | pc4, 6, 17 | p | p |
| Business Services | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Personal Services | x | p | p | np | p | p | np | p | p | p | p | np | p | p | p | p |
| Tattoo/Body-Piercing Studio | x | p | p | np | p | p | np | p | p | p | sp | np | np | np | p | p |
| **STORAGE AND WHOLESALING USES** | | | | | | | | | | | | | | | | |
| Self Service Storage Facility | | sp | np | np | p | sp | np | np | sp | sp | sp | np | np | np | p | p |
| Storage/Warehousing (indoor) | | np | np | np | sp | np | np | np | np | np | np | np | np | np | sp | sp |
| Wholesale Sales | | np | np | np | up | np | np | np | np | np | np | np | np | np | up | up |
| **UTILITY AND TRANSPORTATION USES** | | | | | | | | | | | | | | | | |
| Motor Vehicle Rentals | x | up | pc12 | np | up | pc12 | np | sp | sp | sp | sp | np | np | sp | up | up |
| Motor Vehicle Sales (New) and Leasing | x | sp | pc12 | np | pc12 | pc12 | np | sp | sp | sp | sp | np | np | sp | pc12 | pc12 |
| Motor Vehicle Service Station, Fuel Sales | x | np | sp | np | up19 | np | np | np | np | up19 | np | np | np | np | sp | np |
| Motor Vehicle Service and Repair, Minor | x | np | np | np | np | np | np | np | np | np | np | np | np | np | sp | np |
| Motor Vehicle Washing | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| Bus Terminal | | np | sp | np | np | np | np | np | np | np | np | np | np | np | np | sp |
| Public Utility Buildings and Facilities | | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 |
| **ACCESSORY USES AND FACILITIES** | | | | | | | | | | | | | | | | |
| Accessory Structure (not ADU) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Adult Day Care Home | | up | p | up | p | p | p | p | p | p | p | up | p | p | p | p |
| Dependent Care Facility | | up | p | up | p | p | pc14 | p | p | p | p | up | pc14 | p | p | p |
| Drive-Through | | np | np | np | pc19, 20 | np | np | np | np | pc19, 20 | np | np | np | np | np | np |
| Helistop/Heliport | | sp | sp | np | sp | sp | np | np | sp | sp | sp | np | np | np | sp | sp |
| Home Occupation as per Section 608.E.27 | | p | p | p | p* | p* | p* | p* | p* | p* | p* | p | p* | p | p | p |
| Outdoor Crafting of Art | | up | up | up | p22* | up* | up | p22* | p22* | p22 | p22* | up | np | up | up | p22 |
| Outdoor Display/Sales | x | up | up | np | p | up | up | up | up | up | up | np | up | up | p | p |
| Outdoor Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Outdoor Entertainment | x | up | pc4, 16, 23 | np | up* | pc5, 16, 18, 23* | up | pc5, 16, 18, 23* | pc5, 16, 18, 23* | up | up* | np | up* | up | pc4, 16, 23 | pc4, 16, 23 |
| Pocket Shelter (Accessory to Religious Assembly Only) | | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 |
| Repair and/or Storage Facilities (Accessory to Public Utility Building and Facilities Only) | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Valet Parking | | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 |
| **Local Food Production** | | | | | | | | | | | | | | | | |
| Community Garden | | up | up | up | up | up | up | up | up | up | up | np | up | up | up | up |
| Home Produce Stand | x | np | np | up | np | np | up | np | np | np | np | np | up | np | np | up |
| **Interim Uses** | | | | | | | | | | | | | | | | |
| Interim Vacant Land Uses | | p | p | p | p | p | p | p | p | p | p | up | p | up | p | p |
| Environmental Remediation | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Surface parking | | up | up | np | np | up | np | up | up | np | up | np | np | np | up | up |
| Civic Event | | p | p | np | np | np | np | np | np | np | np | np | np | np | np | p |

***LAND USE KEY:*** *p=permitted use, pc=permitted with conditions (see numbered footnote for conditions), up=use permit, sp=special permit, np=not permitted*

***** = For properties within the Arts, Culture, and Small Business Area (see map in Section 1202.G), please refer to the additional regulations outlined in Section 1207.C. If a regulation of Section 1207.C conflicts with the provisions of this Land Use Matrix, the more permissive regulation shall apply.*

*Note: Alcohol sales and service on properties within an Entertainment District designated by the City Council pursuant to Section 4-207, Arizona Revised Statutes, must also comply with Section 307(A)(17) of the Zoning Ordinance.*

D. **Land Use Conditions.** The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1203.C:

**Spacing:**

1. No use shall be located on a lot with a property line within 1,320 feet of the same type of use as measured in a straight line in any direction of the lot line of another such use.

**Separation:**

2. The use shall not be located within 50 feet of a Buffer Alley as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the Buffer Alley.

3. The use shall not be located within 25 feet of a Buffer Alley as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley.

**Environmental Quality:**

4. Noise, odor, dust, gas, heat, smoke, glare or vibration shall not be emitted at any time by the use that exceeds the general or ambient level by uses immediately off site as compared at the parcel boundary.

5. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained.

6. The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval.

**Maximum Size:**

7. The use shall not exceed 2,500 square feet of building area.

8. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained.

9. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained.

10. The use shall not exceed 25,000 square feet of lot area.

11. The use shall not exceed 25 percent of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50 percent of the total under roof area.

12. The use shall not include more than ten display vehicles.

**Maximum Persons:**

13. The use may not be conducted for more than ten persons.

14. The use may not be conducted for more than 12 persons.

15. The use may not employ more than one nonresident person.

**Hours of Operation:**

16. The use is limited to Fridays, Saturdays and Sundays only**, UNLESS A USE PERMIT IS OBTAINED FOR OTHER DAYS OF THE WEEK**.

17. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED TO EXTEND THE HOURS.**

18. The use may only be conducted between the hours of 10:00 a.m. and 12:00 midnight on Fridays and Saturdays and between 10:00 a.m. and 10:00 p.m. on Sundays, unless a use permit is obtained to extend the hours.

**Location:**

19. The use may only occur on a site that is adjoining an arterial street which is not a light-rail street.

20. Drive-through windows shall not be located within a Frontage Zone, nor drive-through queuing lanes, which also must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee.

21. Used/second hand merchandise cannot be received or processed at a site in Downtown for sale at another site. No outdoor sales or displays allowed.

22. Outdoor crafting of art subject to the following:

    a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street.

    b. Storage of materials associated with the crafting area shall not exceed eight feet in height and shall be limited to the rear or side yard.

    c. Storage area shall be fully screened with a solid wall or landscaping.

d. Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance.

23. Outdoor entertainment, subject to the following:

    a. Outdoor event or performances are open to the public.

    b. The outdoor event or performance must be presented by an existing business on the property.

    c. The business's regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

24. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.

25. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services.

26. Farmers markets, subject to the following:

    a. Obtaining an administrative temporary use permit (ATUP) in accordance with the provisions of Section 708 if no food or beverage is dispensed from a vehicle.

    b. Obtaining a use permit in accordance with the provisions of Section 307 if food or beverage is dispensed from a vehicle.

    c. On-site operational conditions and improvements may be stipulated as a condition of an ATUP or use permit approval.

27. Single-family infill subdivision, per Section 608.F.6 and Section 614, Table 614.B, except as modified below:

    a. Historic Preservation designated properties or properties in historic districts cannot use the single-family infill development option.

    b. Maximum height: as per height map, Section 1202.B.

    c. Maximum density:  as per density map, Section 1202.C.

d. Maximum lot coverage: 100 percent per townhome lot; overall subdivision lot coverage per applicable Character Area.

e. Frontage Requirements: as per the applicable Character Area; or if lots front on a something other than a Frontage Zone, per the regulations of Section 608.F.6 and Section 614, Table B, Column D.

f. Setbacks:

(1) Perimeter setbacks (interior and street frontage): per the applicable Character Area; or if lots front on a dedicated alley with no Frontage Zone, minimum 10 feet setback.
(2) Individual lot front (not on a perimeter): 0 feet.
(3) Individual lot side and rear: 0 feet or the required perimeter setback, whichever is greater.

g. Allowed uses: single-family attached dwelling units and home occupations per Section 608, except that units fronting a perimeter street (not an alley) may have additional uses as permitted per the applicable Character Area. Single-family detached units are permitted for no more than 20% of the units in an SFI development to allow for variety and efficiency of design.

h. Parking and loading: per Section 1206, except that one space per dwelling unit is required to be covered.

i. Design: units adjacent to perimeter streets shall provide primary entrances facing and accessible from the street. No garages or carports are allowed to face perimeter streets. (R*)

j. All subdivisions must comply with the requirements of the Subdivision Ordinance (Chapter 32 of the City Code), as may be modified by the Subdivision Committee to further the goals of this Chapter and the applicable Character Area.

28. Public utility buildings and facilities shall be fully screened and subject to the following:

a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R*)

b. All public utility buildings and facilities subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a Design Alternative Appeal, per the provisions of Section 1224.A.

c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property owners and to neighborhood associations registered with the City pursuant to the DRC process handout.

d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.

e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:

(1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.
(2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.
(3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:

A minimum of two of the following installations:

(a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.
(b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
(c) Shade trees or shade structures.
(d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

(e) A local public art component and/or wall displays for local public arts organizations.
(f) An educational component that describes the history or setting.
(g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.

(h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.

f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other Frontage and Streetscape Zone regulations, including those indicated as (R).

**Dispersal and Establishment of a Registered Use:**

29. Community residence homes, subject to the following:

a. The home has no more than five residents, not including staff (unless permitted by Section 36-582(A), Arizona Revised Statutes); or

b. For a home with six to ten residents, not including staff, the following conditions shall apply:

(1) Such home shall be registered with, and administratively verified by, the Planning and Development Department Director's designee as to compliance with the standards of this section as provided in Section 701.
(2) No community residence home shall be located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another community residence home that has been registered with six to ten residents.
(3) Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.

**Accessory Uses:**

30. Valet Parking, subject to the following:

a. Valet parking is permitted by right if accessory to a permitted use or a use permitted with conditions, so long as all of the conditions are complied with. For primary uses subject to approval through a use permit or special permit, valet parking is permitted as an accessory use only if the valet parking is specifically approved as part of the use permit or special permit.

b. Valet parking spaces for a use located on a different site than for which the parking is to be provided is allowed only if the following three conditions are met:

(1) Both the site where the parking is to be located, and the site for which the parking is provided, are allowed the use(s) for which the parking is to be

provided. For sites with uses permitted by use permit or special permit, compliance with Section 1203.D.30.a is required.

(2) The site on which the valet parking is to be provided also has a primary use, or is otherwise permitted to have valet parking.

(3) The site where the valet parking is to be located has provided parking spaces in excess of any required minimum parking for the subject site. This provision does not grant permission to provide more parking spaces than the maximum parking spaces allowed for uses located on the site.

c. Valet parking facilities, when provided, must comply with the additional development regulations of Section 1206.G.

31. Accessory Dwelling Unit (ADU). Two ADUs are permitted on a lot which has only one other single-family detached dwelling unit. A third ADU is permitted only when at least one ADU qualifies as low-income housing and the net lot size is a minimum of 43,560 square feet.

32. Home Occupations, subject to the provisions of Section 608.E.27. Properties subject to the provisions of Arts, Culture, and Small Business Area have additional permissions, as outlined in Section 1207.M.

## Section 1204. Streetscape and Frontage Zones.

### A. Applicability.

1. **Streetscape Zone.** This is the area located between the curb and the property line located within a dedicated street, of a minimum depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The minimum depth required is inclusive of sidewalk provided within the Streetscape Zone.

2. **Frontage Zone.** This is the portion of a private lot or parcel located directly adjacent to a Streetscape Zone, of a depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The depth of the Frontage Zone is measured from and perpendicular to the property line abutting the street.

    b. If the Street Transportation Department allows a sidewalk easement to be dedicated in lieu of required ROW based upon the adopted Street Classification Map, and/or a public utility easement is dedicated, the Frontage Zone depth shall be measured from the back of the easement. If both easements are dedicated over the same area, the setback shall be from the larger easement.

    c. Frontage Zones and associated development regulations apply only to the first 25 feet of the development as measured vertically above the finished grade.

    d. Frontage Zones do not apply where parcels abut dedicated alleys.

3. **Combined Dimensions of Streetscape Zone and Frontage Zone.**

    a. In cases where the existing Streetscape Zone does not meet the minimum depth required, the Frontage Zone depth shall be increased by the same amount as the deficiency in the Streetscape Zone depth, unless the Streetscape Zone can be brought into compliance within the existing ROW, or by dedication of additional ROW as approved by the Street Transportation Department.

    b. When the minimum Frontage Zone depth is 15 feet or greater, Planning and Development staff have the authority to reduce the Frontage Zone depth by up to 5 feet so long as the Streetscape Zone is increased by the same amount.

    c. Additional easement dedications may be required if public sidewalks, public utilities, or other public amenities are provided within the Frontage Zone. (T)

***Figure 1204.1 Non-Residential Streetscape and Frontage Zone (example)***

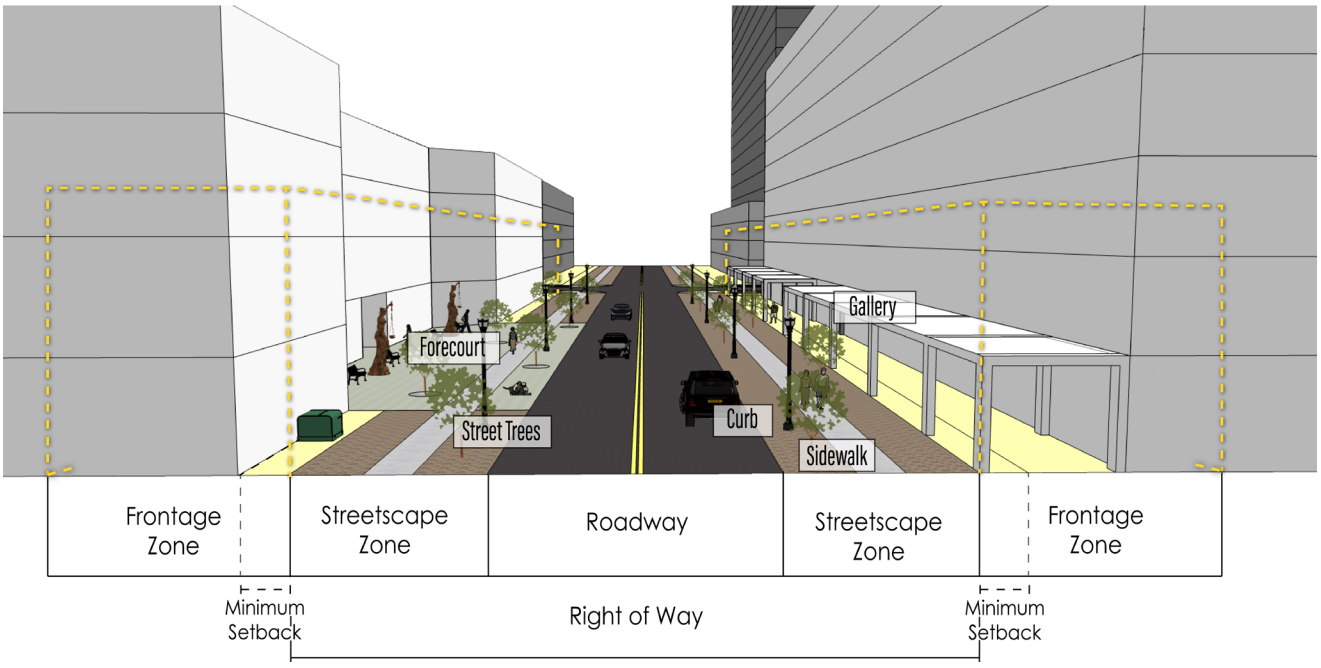
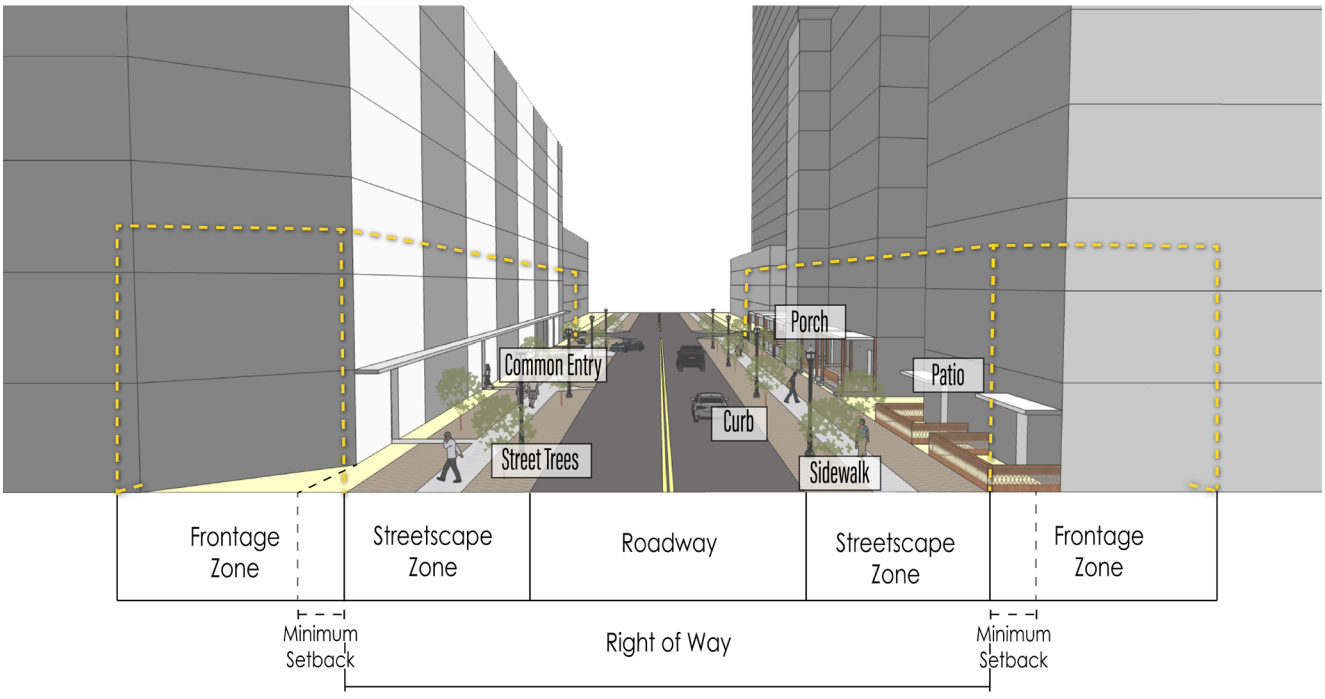



***Figure 1204.2 Residential Streetscape and Frontage Zone (example)***



**B. Streetscape Zone Standards.**

1. **Intent.** The Streetscape Zone is the public realm, and the area from which the public may access private properties via multiple transportation modes.

    a. Along Pedestrian Streets, the Streetscape Zone area should be designed primarily for pedestrians, providing shade, easy access to building entrances, and complementary landscaping.

    b. Along Side Streets, the Streetscape Zone area is expected to have automobile access, parking and loading access, as well as service areas adjoining them, while still serving pedestrians.

2. **Structures and Projections within the Streetscape Zone.** Structures shall not be constructed or provided within the Streetscape Zone, except where specifically permitted within this Chapter. Any allowed structural projections into public rights-of-way may only be installed upon issuance of an encroachment permit as administered by the City of Phoenix, and if applicable, approval from affected public utility companies. (T)

    a. Cantilevered structural shade elements projecting from the building are not subject to minimum setback requirements and are allowed to project into the public right-of-way (with approval of an encroachment permit) so long as the structures do not preclude the installation of required street trees. The shade elements shall be removable, unless otherwise approved in writing by all affected City departments and utilities. (T)

    b. Stairs/steps/accessible ramps to building entrances (other than those required for public street crossings or existing grade differentials within the public right-of-way) are not permitted within the Streetscape Zone. Retaining walls within the Streetscape Zone are regulated by Section 1204.D. (T)

    c. Transformers and other mechanical equipment are not permitted to be located within the Streetscape Zone. (T)

3. **Uses permitted within the Streetscape Zone**. No uses are permitted with the Streetscape Zone unless specifically permitted by other provisions of this Chapter, with the following exceptions:

    a. Development regulations for uses permitted within the Streetscape Zone shall be the same as those provided for the adjacent Frontage Zone, unless specific regulations for the use or structure located within the Streetscape Zone are provided elsewhere within this Chapter.

b. Uses which are permitted by right or with conditions for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department, if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The proposed use complies with the development regulations required of the use when located within the adjacent Frontage Zone.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

c. Uses which are permitted with approval of a use permit or special permit for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and
(2) The use of the right-of-way is specifically shown and reviewed as part of the use permit or special permit approval.
(3) The Street Transportation Department has no other objections to or conflicts with the request.

4. Private pedestrian and bicycle amenities being provided for residents or on-site users should not be located within the public right-of-way. (P)

*Rationale: Non-structural amenities (such as benches, lit bollards, bicycle racks, or public art) should not cause obstructions to pedestrian routes, prevent proper installation or clearances for required landscape, or private utility lines in the Streetscape Zone. Amenities should instead be provided within the Frontage Zone whenever possible. This does not apply to amenities specifically provided for public use.*

5. In the Roosevelt North, Roosevelt South, and Roosevelt East character areas, where there is an existing Streetscape Zone larger than required by the applicable Character Area, a private development shall not reduce the Streetscape Zone by moving the curb and widening the street to provide new on-street parking, loading, or drop off areas: (R*)

*Rationale: The Roosevelt Character areas retain a significant number of historic single-family homes, and many blocks have large areas between the curb and the sidewalk historically used for landscaping. These areas should not be reduced for vehicle parking, passenger loading, or good/services loading, unless approved by both Street Transportation and the Design Review Committee.*

6. On-Street Parking. When on-street parking is provided abutting a site, a minimum 4-foot wide concrete walkway may be provided adjacent to the raised curb in addition to the required sidewalk, so long as it does not preclude installation of required street trees. The walkway shall provide paved connections at reasonable intervals to the public sidewalk, and be constructed to the same standards as the public sidewalk. (T)

   *Rationale: Persons exiting a car parked adjacent to a curb should not have to step into a landscape or other areas unsuitable for pedestrians.*

7. **Sidewalks.**

   a. Location. The required public sidewalk shall be located within the Streetscape Zone, subject to the following:

      (1) On a Side Street, the sidewalk may be attached to the curb, unless it is a designated Arterial Street. (T)
      (2) On a Pedestrian Street, the sidewalk shall be detached from the curb and the required street trees located between the curb and sidewalk, unless a Technical Appeal is approved to allow an attached sidewalk when abutting on-street parking. (T)
      (3) When a required sidewalk is approved to be attached to the curb, the sidewalk shall be a minimum of 8 feet wide, regardless of the Character Area requirement. (T)

   b. Elevation. The required public sidewalk should be constructed no higher than six inches above the immediately adjacent street top of curb. Additional elevation may be permitted without a Technical Appeal when the area between the back of curb and sidewalk has a slope no steeper than 10:1 and no retaining walls are provided. (T)

      *Rationale: Most of the sidewalks in Downtown are existing and historic. Sidewalks reconstructed higher than 6" above the adjacent top of curb can make access from on-street parking difficult; can provide challenges with ADA compliance; can cause steep slopes within adjacent landscape areas which encourage erosion and discourage the growth of plants and trees; and can interrupt the visual and historic continuity of the neighborhood. If the finished floor of the building(s) are higher than six inches above the top of curb, ramps and/or steps should be provided from the*

*sidewalk to the building entries, rather than raising the sidewalk, unless it can be done in a very gradual manner.*

c. Planning and Development staff may allow a decrease in the minimum required sidewalk width of up to one foot in the case of conflicts with existing utilities other existing obstacles which cannot otherwise be avoided. (T)

d. The required sidewalk shall be clear of all obstacles for the full minimum required sidewalk width. Approved amenities and landscaping (including tree grates) shall only be allowed within portions of the sidewalk wider than the minimum required. (T)

e. Sidewalks located within the public right-of-way shall be constructed using materials and methods approved by the Street Transportation Department. (T)

f. Where setback sidewalks exist on a block face where there is an HP designated property, the sidewalk should remain within the historic alignment for that block face and not be offset by more than one foot. (P)

*Rationale: Historic streetscapes are generally defined by a consistent sidewalk and landscape area along a single block face. These streetscapes are an important part of the Downtown Phoenix character and should be maintained whenever possible.*

g. The required sidewalk should not have jogs and offsets, and should be in a straight line unless navigation around existing conflicts in the Streetscape Zone is unavoidable. (P)

*Rationale: Pedestrians of all capabilities should be able to navigate sidewalks easily and not have unnecessary diversions around landscape, amenities, transformers, or similar potential obstructions.*

**C. Frontage Zone Standards.**

1. **Intent.** The Frontage Zone is the interface between the public and the private realm, and the area where public amenities (including but not limited to pedestrian and bicycle amenities, outdoor dining, public courtyards, public art, etc.) should be located.

2. **Structures within the Frontage Zone.** Structures shall not be constructed within the Frontage Zone, except where specifically permitted by this Chapter.

a. For wall/fence requirements, refer to Section 1207.D and any applicable Frontage Element regulations.

b. For retaining wall requirements, refer to Section 1204.D and any applicable Frontage Element regulations.

3. **Amenities and Projections within the Frontage Zone.** The following items may project or be constructed within the Frontage Zone, but no closer than the minimum setback as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area, unless specifically permitted elsewhere in this Chapter: (R*)

   a. Frontage Elements, as allowed by the Character Area.

   b. Exterior stairwells constructed as part of the building and not part of the hardscape.

   c. Parking spaces within structured parking and/or located internal to the building and screened from view of the Frontage Zone.

   The following items are permitted anywhere within the Frontage Zone and are not required to meet minimum setbacks, so long as they do not preclude installation of required street trees and shading requirements:

   d. Outdoor dining patio or bar area, covered or open (if a permitted use).

   e. Bicycle parking and amenities.

   f. Pedestrian amenities.

   g. Exterior art installations.

   h. Passenger loading zones.

   i. Valet parking facilities, subject to the provisions of Section 1206.G.

   j. Drainage facilities.

   k. Mechanical equipment/systems, so long as a minimum 5 feet separation from the public sidewalk is provided.

   l. Basements/utility vaults.

   m. Cantilevered awnings/shade structures.

   n. ADA ramps/pathways.

4. **Minimum Building Frontage Requirements.**

   a. The length of each building façade constructed within or abutting the Frontage Zone shall be no less than required by the Streetscape and Frontage Zone Matrix for the applicable Character Area and street section, unless otherwise approved by the DRC as a Design Alternative per Section 1224.A.

   b. The minimum building frontage requirement shall be calculated as a percentage of the length of the frontage property line, and the façade shall be measured by a line parallel with the frontage property line. For the purposes of this calculation only, the following may be subtracted from the length of the frontage property line:

      (1) The width of driveways at the frontage property line, so long as the driveways are otherwise compliant with this Chapter.
      (2) The portion of required visibility triangles which are deeper than the applicable Frontage Zone depth.

   c. All portions of the building façade abutting or located within the Frontage Zone, including Frontage Elements, may be used to calculate the required minimum building frontage. Certain Frontage Elements may provide additional flexibility in calculating the required minimum building frontage, as stated elsewhere in this Chapter.

   d. Underground structures cannot be counted toward meeting minimum building frontage requirements.

5. **Hardscape Guidelines—Frontage Zones.**

   a. Alternative paving materials should be used when possible within the Frontage Zone to reduce the urban heat island effect, and to allow natural drainage and filtration. (T)

   b. Permeable paving, porous concrete or similar material should be installed adjacent to tree wells. The design should ensure adequate watering and root growth. (T)

   c. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on private walkways and patio/gathering areas. (T)

**D. Grading and Drainage Requirements—Streetscape and Frontage Zones.**

1. The maximum slope of any landscape or non-hardscape area located within the Streetscape Zone is 10:1. (T)

2. The maximum grade differential of the Frontage Zone from the adjacent Streetscape Zone is 30 inches, unless specifically permitted elsewhere in this Chapter. (T)

3. Retaining walls are not allowed within the Streetscape Zone. (T)

4. Retaining walls up to 36 inches in height are allowed within the Frontage Zone, unless greater height is specifically permitted elsewhere in this Chapter. (T)

5. If the required finished floor elevation is at a height which will require stairs or ADA ramps to connect building entries with the sidewalk, or will require a retaining wall exceeding heights permitted for Streetscape and Frontage Zones, the depth of the Frontage Zone may be increased to the depth required to avoid steps or ramps (if desired). (T)

**E. Design Requirements—Frontage Zones.**

1. Along Pedestrian Streets, buildings facades facing Frontage Zones shall incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 75% of the required building frontage for each Frontage Zone, unless a Design Alternative is approved by the Design Review Committee per Section 1224.A. (R*)

2. Along Side Streets, buildings facades facing Frontage Zones should incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 50% of the required building frontage for each Frontage Zone. (P)

   *Rationale: Appropriate Frontage Elements for have been determined through extensive staff analysis and community input for each Character Area, as well as the specific streets within each area. Facades located along designated Side Streets may be granted additional flexibility in application of this design requirement.*

3. The portion of a building facade adjacent to a Frontage Zone which does not comply with a Frontage Element design should have a level of trim and finish compatible with the quality and design of the remainder of the Frontage Zone façade(s). (P)

   *Rationale: The portion of facades not required to meet the minimum building frontage, or the portion which does project into the Frontage Zone should still consist of high quality materials, and be integrated with the design of the remainder of the façade. Unfinished surfaces and blank walls should not be provided where visible from a Frontage Zone.*

4. The areas of a Frontage Zone not adjacent to or occupied by Frontage Elements shall be improved as follows:

    a. Landscape shall be provided in accordance with Section 1204.G. (T)

    b. Seating should be provided. Seating may consist of installed benches or removable furniture. This shall not apply within the Roosevelt North, Roosevelt South, and East Evergreen character areas. (P)

    *Rationale: Character areas consisting mainly of traditional single-family homes and historic designations should maintain the residential character of private front yards when possible.*

    c. Other features which attract and engage pedestrians should be provided, such as (but not limited to) bicycle parking and amenities, exterior art installations, additional structural shade, etc. (P)

    *Rationale: the area of a Frontage Zone not adjacent to a Frontage Element, where conflicts with primary entrances are less likely to occur, should have other features which encourage use by pedestrians and cyclists.*

5. Building entrances shall face toward the street in order to meet the intent of activating the public realm. Entrances from a permitted Frontage Element (such as Forecourt, Patio, Porch, or Stoop/Doorwell) are exempt from this requirement. (R*)

6. Public building entrances, residential patios/porches, windows, storefronts, outdoor dining, public gathering areas, exterior art installations, and other similar features should be located adjacent to Pedestrian Streets. (P)

    *Rationale: On Pedestrian Streets, adjacent structures should be designed to provide easy and obvious pedestrian access to the buildings, to encourage pedestrian use.*

7. All on-site mechanical equipment, transformers, utility equipment, trash/recycling receptacles, or similar must be fully screened from view from the Streetscape Zone. Screening may consist of the following: (P)

    a. Green screen.

    b. Dense landscaping which provides screening starting from the time of initial installation.

    c. Decorative walls or fences up to 40 inches in height if within the minimum setback area, or 72” if behind the minimum setback.

d. Underground utility vaults.

e. Along Side Streets only: decorative walls or fences up to 8 feet in height if located at or beyond the minimum setback.

*Rationale: The Streetscape environment should be aesthetically pleasing, and service equipment/areas should be screened from view whenever possible. If it is simply not possible, the visual impact should be mitigated by disguising equipment with paint or other treatments as approved by PDD and any affected utility company.*

8. Along Pedestrian Streets, all windows and doors counting toward required glazing should allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. (P)

9. Along Pedestrian Streets, commercial suites with windows or entrances to Frontage Zones should be constructed so that a public area of the suite (lobby, reception area, dining area, or similar) is adjacent to the Frontage Zone. Storage areas, private offices, kitchens, or other areas restricted to the public/customer use shall not be located adjacent to doors or windows facing a Pedestrian Street. (P)

*Rationale for E.8 and E.9: Frontage Zones along Pedestrian Streets should attract, engage, and interest pedestrians at the street level and encourage patronage of the businesses. Opaque or translucent/frosted windows, or views into employee or storage areas do not meet this intent.*

10. Building facades abutting or within a Frontage Zone should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the Frontage Zone and all additional stories. (P)

*Rationale: Large buildings should provide a transition to a pedestrian scale to make such areas feel comfortable for pedestrians, without causing a feeling of walking up to the base of a tall "cliff".*

11. Roof drains shall not be designed to drain across public sidewalks or other pedestrian walkways. (T)

**F. Shade Standards—Streetscape and Frontage Zones.**

1. Public and private pedestrian walkways should be shaded (minimum 75 percent at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

2. All Streetscape and Frontage Zones should be shaded (50% at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

   *Rationale for F.1 and F.2: The design of pedestrian routes and gathering areas, such as public sidewalks, private walkways, courtyards, plazas, and transit stops, should be designed with appropriate shading for the health, safety, and welfare of pedestrians and to mitigate the heat island effect to enhance the pedestrian environment.*

3. Shade calculations shall be based on shade cast at the summer solstice at 12:00 noon. (T)

4. Shade cast from required shade trees, structural shade (canopies/awnings), or shade cast from a building may be used to comply with the shade requirements of this section.

**G. Landscape Requirements—Streetscape and Frontage Zones.**

1. Landscape shall be provided, subject to the following:

   a. Where there is an existing established streetscape theme, including street trees, additional trees shall be provided to replace removed or destroyed trees, and/or to comply with shade requirements. In such cases, the trees shall be of like kind and size to those provided with the existing streetscape, as approved by the PDD Landscape Architect. (T)

   b. Trees shall be provided for the full length of the Streetscape Zone at a minimum rate of 20 feet on center, or equivalent groupings as approved by the PDD Landscape Architect (T).

      (1) This requirement does not apply to properties with a maximum of two dwelling units and no other primary uses.

      (2) Trees provided within the Streetscape Zone may be used to comply with the shade requirements of Section 1204.F.

      (3) All trees planted to meet this requirement must be selected from the Tree Species Matrix, Section 1204.G.5, and allowed for use in the Streetscape Zone, or match the existing streetscape trees adjacent to the site.

      (4) If existing utility conflicts prevent the installation of trees within both the Streetscape Zone and the Frontage Zone, architecturally or artistically integrated structural shade may be requested for approval by filing a Technical Appeal.

c. If necessary to avoid existing utility conflicts, required street trees may be provided within the Frontage Zone within 5 feet of the sidewalk, as approved by PDD. (T)

d. Trees shall be provided within a minimum 5 feet wide landscape area, unless tree wells (or equivalent) are provided outside of the required minimum sidewalk width to avoid conflicts with existing utilities or other existing street improvements. (T)

e. When two rows of trees are provided either side of the public sidewalk, the minimum planting area for each row should be 5' wide, unless tree wells are approved by the PDD Landscape Architect (T).

f. Where hardscape is not necessary for pedestrian connections to amenities, drop off/pickup zones, on-street parking, or similar, shrubs or groundcovers shall be installed in addition to trees to provide 75% live coverage. This percentage may be reduced to 50% if bioswales are approved for use within the Streetscape Zone. (T)

g. Unless prohibited by law, palm trees may be installed in the Streetscape Zone in areas where palm trees have historically been provided in the ROW, in addition to any required shade trees. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

h. In areas where turf has historically been provided within the Streetscape Zone, turf may be provided unless otherwise prohibited for use within the ROW by law. Alternatively, low growing, drought-tolerant green ground covers may instead be provided, as approved by the PDD Landscape Architect. (T)

i. Artificial turf is not permitted for use within public rights-of-way, and may not be used to comply with any on-site landscape requirements. It may be used for outdoor amenity areas which are not required to be landscaped. (T)

2. Tree wells, if permitted, shall be a minimum five feet by five feet, or a two-foot six-inch radius from the base of the tree. (T)

   a. A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. (T)

   b. The landscape plans shall demonstrate that the soil volume to be provided for each tree is sufficient for the healthy and successful maturity of type of tree chosen, as approved by the PDD Landscape Architect. (T)

3. All landscape areas located within the Streetscape Zone shall not exceed a 10:1 slope. (T)

4. New underground utility lines or equipment should not be installed where street trees are required unless other options are not technically feasible, as approved through a Technical Appeal. (T)

   *Rationale: The Streetscape and Frontage Zones should provide a pleasant and comfortable pedestrian experience, of which landscape and shade are of great importance. If a technical appeal is approved because there is no other technically feasible option, the appeal should address how required landscape and shade requirements will still be met.*

5. **Tree Species Matrix**. The following is a list of shade trees permitted for use within Streetscape and Frontage Zones, as indicated below. Additional tree types may be requested for approval by filing a Technical Appeal. All trees used within public rights-of-way must be low-water use/drought-tolerant as approved by the Arizona Department of Water Resources. (T)

| Tree Species Matrix (Streetscape and Frontage Zones) | | | |
|---|---|---|---|
| *Botanical Name* | Common Name | Allowed locations | |
| | | Public right of way (Streetscape Zone) | Private property (Frontage Zone) |
| | | | |
| *Parkinsonia florida* | Blue Palo Verde | Yes | Yes |
| *Pistacia chinensis (+ hybrids)* | Chinese Pistache | Yes | Yes |
| *Chilopsis linearis* | Desert Willow | Yes | Yes |
| *Ulmus parvifolia 'Sempervirens'* | Evergreen Elm, Chinese Evergreen Elm | Yes | Yes |
| *Quercus virginiana* | Heritage Live Oak | Yes | Yes |
| *Gleditsia triacanthos (thornless)* | Honey Locust (thornless) | Yes | Yes |
| *Olneya tesota* | Ironwood | Yes | Yes |
| *Prosopis spp. (thornless)* | Mesquite (thornless hybrids) | Yes | Yes |
| *Olea europaea (fruitless)* | Olive (fruitless hybrids) | Yes | Yes |
| *Dalbergia sissoo* | Sissoo Tree, Indian Rosewood | Yes | Yes |
| *Fraxinus velutina (+ hybrids)* | Arizona Ash (varieties) | No | Yes |
| *Acacia farnesiana (Acacia smallii)* | Sweet Acacia | No | Yes |

## Section 1205. Frontage Elements.

The following Frontage elements consist of architectural features, designs, and amenities which may project within the Frontage Zone, though no closer than the required minimum setback unless specifically permitted by this Chapter. Please see the Frontage and Streetscape Zone Matrix for each Character Area for applicable standards, in addition to the Streetscape and Frontage Zone standards of Section 1204.

**A. Active Front Yard (AFY).** An Active Front Yard is a frontage element intended for use on blocks with a high percentage of existing and/or historic single-family or duplex style residential structures. AFY is not permitted for use on sites with primary uses which are non-residential, or on residential lots with more than two dwelling units (not including ADUs). (R*)

1. For sites with HP zoning or designation, both the building elevations and improvements in the Frontage Zone shall be constructed as approved by Historic Preservation.

2. For sites not zoned or designated HP, buildings and improvements shall be installed in conformance with Section 507 Tab A II.C.8.5 (Individual Unit Design Standards). If any of the requirements of Section 507 Tab A II.C.8.5 conflict with provisions of the Downtown Code, Section 507 Tab A II.C.8.5 requirements shall prevail.

3. Minimum building frontages stated in the Streetscape and Frontage Matrix for each Character Area do not apply when implementing Active Front Yard standards as a Frontage Element.

**B. Patio (PA).** A Patio (previously known as a "Dooryard") is a residential frontage element which incorporates a private outdoor space for each dwelling unit, and is surrounded by a fence or wall to provide a separation of the private realm from the adjacent streetscape.



1. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards:

    a. Minimum depth: 8 feet. (R*)
    b. Minimum area: 64 square feet. (R*)
    c. Maximum grade differential: 30 inches above adjacent Streetscape grade. (T)
    d. Placement: Adjacent to the individual dwelling unit entry. (R*)
    e. Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. (T)

2. Pedestrian access. An opening in the wall/fence, or stairs to the elevated area, shall be provided for a pedestrian connection to the adjacent streetscape from each Patio. (R*)
3. Separation of public and private realm:

    a. A wall/fence of at least 40 inches in height shall be provided around each Patio, up to a maximum of 72 inches in height as measured from the adjacent streetscape grade. This maximum height applies only to walls abutting patios and not to other walls located in the Frontage Zone.
    b. The portion of walls or fences above 40 inches in height shall consist of view fencing, as approved by Planning and Development.
    c. Screen walls/fences may be constructed on top of permitted retaining walls, but the combined height of the retaining wall and screen wall/fence may not exceed 72 inches as measured from the adjacent streetscape grade.

4. Shade. Each Patio shall have a minimum of 50% shade provided either by landscaping or permanent structural shade. (T)

**C. Stoop/Door Well (SD).** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent streetscape. A Stoop/Door Well is constructed as an integral part of the building, rather than as a courtyard or patio. It may or may not have structural shade.



1. A landing area shall be provided for each Stoop/Door Well in accordance with the following standards:

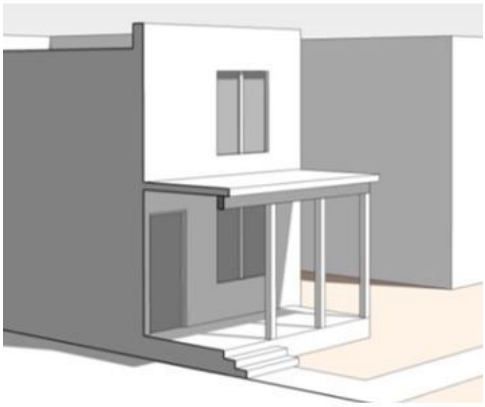
    a. Minimum depth: 6 feet. (R*)
    b. Minimum area: 36 square feet (R*)
    c. Maximum grade differential: 60 inches above or below adjacent Streetscape grade. Retaining walls of up to 66 inches in height may be permitted within the Frontage Zone when necessary for this Frontage element. (T)
    d. Placement: Adjacent to a primary entrance. (R*)
    e. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Stoop/Door Well shall be provided. (R*)

3. Minimum building frontage requirements. If a Stoop/Doorwell is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the

Stoop/Doorwell shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Stoop/Doorwell is located within or abutting the Frontage Zone. (R*)

**D. Porch (PO).** A Porch frontage element consists of a covered structure that is often elevated above street grade, sheltering an outdoor area deep enough to ensure usability. A Porch is larger than a Stoop and is structurally shaded for its entirety. A Porch provides a transition between the public and private realm, and creates opportunity for interaction between neighbors.



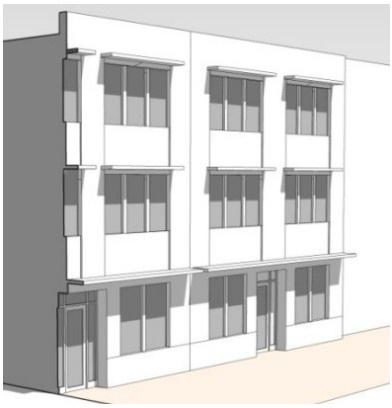
1. Each Porch shall meet the following requirements:

   a. Minimum depth: 8 feet. (R*)
   b. Minimum area: 96 square feet. (R*)
   c. Maximum grade differential: 60 inches above the adjacent Streetscape grade. (R*)
   d. Placement: Adjacent to a primary entrance. (R*)
   e. Each Porch shall have 100% structural shading. (R*)
   f. Porch floor shall consist concrete, stone, metal, wood decking, or equivalent alternative suitable for outdoor flooring. (T)
   g. Walls/fences, if provided, shall not exceed 40” in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Porch shall be provided. (R*)

3. Minimum building frontage requirements. If a Porch is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Porch shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Porch is located within or abutting the Frontage Zone. (R*)

**E. Common Entry (CE)**. A Common Entry is a building façade design element which includes ground floor entrance(s) to a shared lobby/hallway, which in turns provides direct access to residential units and/or office suites on all floors. This frontage element is generally not intended for use with frontages consisting primarily of retail suites. Elevations should include a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk, though to a lesser extent than Storefront. This frontage element should also include cantilevered canopies or awnings.



1. Primary entrance requirements.

    a. A minimum of one primary entrance leading to a shared lobby/hallway is required from each frontage on a Pedestrian Street. For sites located at an Enhanced Corner, the corner building entry may serve as the required primary entrance for both street frontages. (R*)
    b. Additional primary entrances are required on each Pedestrian Street frontage at the rate of one per 100 feet of building frontage. Each additional primary entrance (beyond the minimum one per street frontage) may provide access to either a shared lobby/hallway or an individual commercial/office suite. (R*)
    c. Stoops or doorwells may be provided as part of any Common Entry frontage, even if Stoop/Doorwell is not a permitted Frontage Element per the applicable Streetscape and Frontage Zone Matrix, so long as they comply with all Stoop/Doorwell development standards.

2. Glazing requirements:

    a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
    b. Minimum amount: 50% of each required building frontage, which may include primary entrances if the doors are glass and meet visibility requirements. (R*)
    c. Glazing requirements shall be calculated as a percentage of the Common Entry frontage element length.
    d. Glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. This includes the doors for any primary entrances located within the Common Entry frontage element. (R*)

3. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Common Entry frontage element, in accordance with Section 1204.B.2, and the following:

    a. Minimum depth: 5 feet. (R*)

b. Minimum length: 50% of the Common Entry frontage element length.
c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

4. Walls/Fencing.

a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40" if required for pedestrian safety due to the grade differential.

**F. Forecourt (FC)**. A Forecourt is a pedestrian-oriented design element, where a courtyard that is open to the sky and the street (or two streets if located on a corner) is provided. The Forecourt may be used as an entry area and shared garden space for residential uses, or as additional shopping, seating, or gathering areas adjacent to and accessible from the street for commercial uses. Art installations and other pedestrian amenities are also appropriate uses within a Forecourt.



1. Mechanical equipment, transformers, trash and recycling containers, and vehicular uses are not permitted within a Forecourt.

2. Minimum building frontage requirements. If a Forecourt is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Forecourt shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

3. Minimum glazing: 50% of the area measured between 3 and 8 feet above grade for the portion of the building façade abutting each Forecourt. (R*)

4. A Forecourt should be a minimum 500 square feet in size, with a minimum street frontage of 20 feet. (P)

*Rationale: A forecourt needs to be of a minimum size to encourage gathering, while also having a large enough frontage to encourage pedestrians to enter and create a successful transition between the public and private realm.*

5. Accessibility. Forecourts shall have a slope not exceeding 2%, except for approved ADA ramps, and be grade-separated by no more than 24 inches above or below the abutting Streetscape Zone(s). (T)

6. Pedestrian access. A minimum of one pedestrian connection to each Streetscape Zone abutting the Forecourt shall be provided. (R*)

7. Primary entrance requirements.

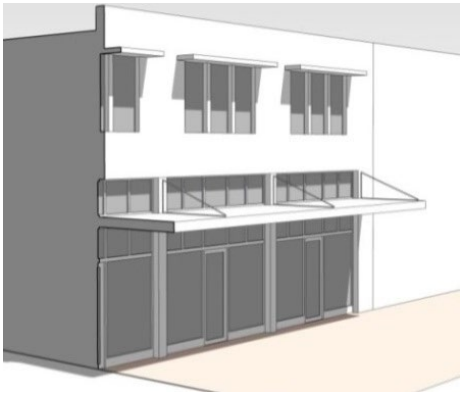
    a. Residential uses. At least one residential unit shall have a primary entrance from a Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting unit(s). (R*)
    b. Commercial uses. Each ground floor commercial suite abutting a Forecourt shall provide a primary entrance into the Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting suite(s). (R*)

8. Walls/Fences/Public Access. A Forecourt is a quasi-public area which is an extension of the public realm. No walls or fences are permitted within or abutting a Forecourt, except as follows:

    a. Walls or fences not exceeding 40” in height.
    b. Retaining walls, as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential.
    c. View fencing (no solid/opaque portions) surrounding areas approved for outdoor dining or outdoor alcohol consumption may be provided up to a height of 72” above the forecourt grade.
    d. Walls/fencing separating private residential patios which front on a Forecourt may be provided up to a height of 72” above the grade of the forecourt, so long as all portions of the wall/fence above 40” consists of view fencing, as approved by Planning and Development.

9. Shade Requirements. A minimum of 50% of each Forecourt should be shaded with landscape and/or structural shade.(P)

    *Rationale: Shade is needed in the hotter months to encourage users to gather in the area.*



**G. Storefront (S).** A Storefront is a building façade design element which includes a ground floor elevation with a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, live/work, and other nonresidential active uses and should include cantilevered canopies or awnings.

1. Minimum building frontage requirements. If a portion of the Frontage Zone occupied by outdoor dining or outdoor liquor service is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the outdoor dining/liquor service area shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

2. Primary entrance requirements.

   a. Each ground floor commercial suite located within a Storefront frontage element shall provide a primary entrance on the street side that directly connects to the street. A suite which abuts a corner may meet this requirement for both street frontages by providing a single primary entrance at the corner. (R*)

   b. A Recessed Display Entry may be included as part of a Storefront frontage element.

3. Glazing requirements:

   a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.
   b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Storefront frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

   c. Glazing requirements shall be calculated as a percentage of the Storefront frontage element length.

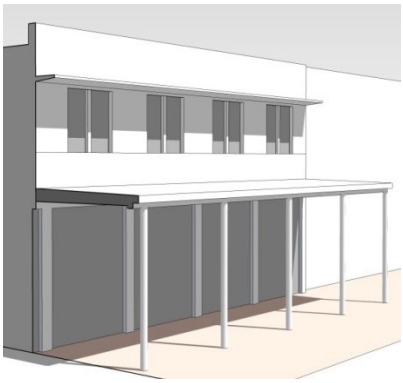
4. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Storefront frontage element, in accordance with Section 1204.B.2, and the following:

    a. Minimum depth: 5 feet. (R*)
    b. Minimum length: 75% of the Storefront frontage element length. (R*)
    c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

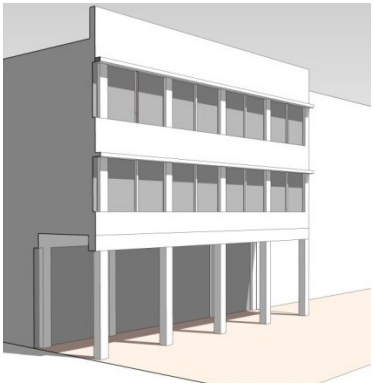
5. No fencing is permitted within the Streetscape or Frontage Zones adjacent to a Storefront frontage element, except as follows:

    a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40” if required for pedestrian safety due to the grade differential. (R*)

**H. Gallery/Arcade (GA).** A Gallery or an Arcade is a building façade design element where significant and continuous structural shade is provided for pedestrians, often over the actual public sidewalk. Similar to the Storefront frontage element, a large number of transparent windows and frequent building entrances should be provided to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, office, and other nonresidential active uses.



**Gallery**



**Arcade**

1. Minimum setback requirements. A Gallery/Arcade may project into the Frontage Zone to the property line and is not required to meet minimum setbacks as stated in the applicable Character Area so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

2. Minimum dimensions. All portions of a Gallery/Arcade frontage element shall comply with the following:

    a. Minimum depth: 10 feet. (R*)

b. Maximum depth: 30 feet. No maximum for the portion of a Gallery/Arcade is being used for outdoor dining, outdoor liquor service, or a public gathering space. (R*)
c. Minimum spacing between columns/supports: 10 feet as measured parallel to the street. (R*)
d. Minimum clear height: 10 feet as measured from finished grade. (R*)
e. Maximum clear height: 25 feet as measured from finished grade. (R*)

3. Pedestrian use. All portions of a Gallery/Arcade frontage element shall have a walkway provided for pedestrians. The walkway may serve as the actual public sidewalk, if public easements are dedicated, or it may be provided in addition to the public sidewalk located within the Streetscape Zone so long as the area under the Gallery/Arcade is also open for pedestrian use.

   a. Public sidewalk easement dedications shall be no less than the required sidewalk width for the applicable Character Area. (T)
   b. Outdoor uses (dining, alcohol consumption, or similar), if permitted by the Character Area, may be provided within a Gallery/Arcade, so long as the greater of 5', or the minimum public sidewalk width (if there is no other public sidewalk) is left unobstructed for use as a pedestrian walkway. (R*)

4. Primary entrance requirements.

   a. Each Gallery/Arcade frontage element shall provide a minimum of one primary entrance on the street side that directly connects to the street. A single primary entrance provided at the corner of a building at a street intersection complies this requirement for both street frontages. (R*)
   b. A Recessed Display Entry may be included as part of a Gallery/Arcade frontage element.

5. Glazing requirements:

   a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade for the portion of the building that is a Gallery/Arcade Frontage Element. (R*)
   b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Gallery/Arcade frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Gallery/Arcade frontage element length.

6. Walls/Fencing.

a. No walls or fences are permitted in the Frontage Zone adjacent to a Gallery/Arcade frontage element which separates the Gallery/Arcade from the Frontage Zone.

b. Walls and fences within a Gallery/Arcade may be provided to separate outdoor dining or other permitted outdoor uses from the public walkway, if compliance with both of the following is demonstrated:

(1) A minimum 5 foot walkway clearance (or the minimum sidewalk width, if the public sidewalk has been located within the Gallery/Arcade) is maintained.

(2) View fencing (no solid/opaque portions) may be provided up to a height of 72 inches above the Gallery/Arcade grade.

**I. Recessed Display Entry.** A Recessed Display Entry is not a separate frontage element; rather it is a feature which may be included as part of a Common Entry, Storefront or Gallery/Arcade frontage element. The characteristics of a Recessed Display Entry are as follows:




1. Consists of a primary entrance to a public space (retail, restaurant, lobby/reception, etc.) recessed from the façade of the building, and is shaded by the upper portion of the building.

2. Minimum depth to primary entrance: 5 feet. (R*).

3. Maximum depth to primary entrance: 25 feet. (R*)

4. Minimum clear height: 8 feet on private property; 10 feet if permitted to project within public ROW or into a public sidewalk easement. (T)

5. Glazing provided within the Recessed Display Entry counts toward the minimum required glazing for the associated Frontage Element.

6. Shade provided by a Recessed Display Entry counts towards the minimum requirement for the associated Frontage Element.

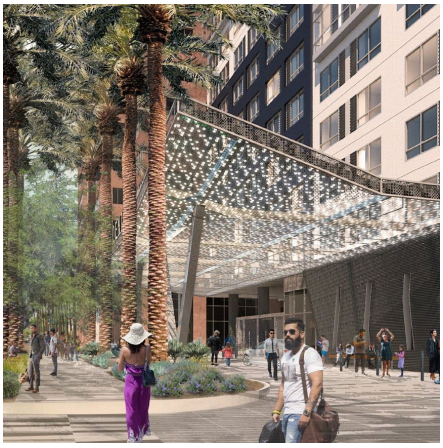
7. No portion of a Recessed Display Entry may be fenced off, unless included as a part of an outdoor dining/bar/patio which is otherwise allowed.

8. If a Recessed Display Entry is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Recessed Display Entry shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

**J. Grand Entry (GR).** A Grand Entry is a building façade design element which includes the most important pedestrian entrance to the building, indicated by significant architectural features and windows which may be provided more for visual impact than actual need. A Grand Entry should also incorporate significant public gathering space(s), pedestrian amenities, and art. A Grand Entry may also incorporate vehicular passenger loading and valet functions, including a porte-cochere, if the proposed use allows it. A Grand Entry would typically be used in conjunction with hotels, government buildings, educational institutions, hospitals, large office buildings, large residential and mixed-use buildings, and large assembly uses.







1. Applicability. A Grand Entry frontage element may be provided for the following uses if also permitted by the Frontage and Streetscape Zone Matrix for the applicable Character Area: (R*)

a. Hotels.
b. Government buildings.
c. Schools/educational institutions.
d. Hospitals.
e. Office, retail, assembly, and mixed use buildings 100,000 square feet (gross) or larger.
f. Residential buildings with at least 100,000 square feet (gross) or 100 dwelling units.

2. Main Entrance. A Grand Entry frontage element must serve as the main and most prominent entrance to the building for pedestrians. At least one primary entrance shall be provided which leads to a lobby or other internal gathering area which provides access to any ground-level suites and upper stories. (R*)

3. Architecture. A Grand Entry should consist of architectural features which are prominent and intended to attract users to the main entry. These features may extend above the height of the Frontage Zone. Examples are: porticos/columns, large sets of steps; significant structural shade; extensive and imaginative use of colors, textures, windows, and/or lighting; prominent exterior works of art; and monuments. Signage may also contribute if otherwise in compliance with applicable sign regulations. (R*)

4. Pedestrian Accessibility. Pedestrian access to the primary entrance must be visually obvious, preferably by use of materials and colors. The access route should be greater in width than any minimum required for ADA accessibility and commensurate in scale with the architectural features of the Grand Entry. Pedestrian routes may cross vehicular areas but must otherwise be segregated from vehicular traffic. (R*)

5. Passenger Loading. A passenger loading zone, including a porte-cochere, may be part of a Grand Entry and located within the Frontage Zone if it complies with all of the following: (R*)

   a. It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and
   b. It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

6. Valet Parking. A valet parking station and valet parking zone, including a porte-cochere, may be incorporated within a Grand Entry if it complies with all of the following: (R*)

   (1) It is a permitted accessory use per the Land Use Matrix;
   (2) It is constructed in accordance with Section 1206.G.
   (3) It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and

(4) It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

7. Trash and recycling containers, service areas, and commercial loading areas are not permitted to be incorporated within a Grand Entry, or within the adjacent Streetscape or Frontage Zones. Mechanical equipment and transformers/utility equipment may be provided only if located within a building or subterranean ground vault. (R*)

8. Minimum building frontage requirements. If a Grand Entry incorporates pedestrian plazas, outdoor dining, outdoor liquor service, or other improved public gathering areas which are deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the gathering areas shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

## Section 1206. Parking, Loading, and Vehicular Access

A. **Applicability.** All provisions of Section 702, "Off-Street Parking and Loading" apply to properties located within Downtown, unless specifically modified by this Chapter.

1. For additional Buffer Alley regulations, see Section 1207.L.

2. For additional Arts, Culture, Small Business Area regulations, see Section 1207.M.

B. **Automobile Parking Requirements.** Parking for automobiles shall be provided as follows:

1. Residential units.

   a. Minimum: 1 space per dwelling unit.

   b. Maximum: 2 spaces per dwelling unit, plus 1 space per 1,000 sf of gross square footage for leasing/residential management office and Shared Amenity Areas.

2. Non-residential uses.

   a. Minimum: 1 space per 1,000 square feet of gross building square footage, except in the Business Core and Warehouse character areas, where no minimum parking is required.

   b. Maximum: 4 spaces per 1,000 square feet of gross building square footage.

3. Parking reductions identified in Section 702.E are not applicable within Downtown. However, parking reductions and other modifications may be earned by the application of sustainability bonus points, per the provisions of Section 1223.

4. Location of automobile parking.

   a. Lots having only one or two dwelling units (no mixed uses): required spaces may not be provided within any Frontage Zone. An on-site driveway leading to designated parking spaces may be provided within a Frontage Zone if not in excess of 18 feet wide and if otherwise permitted by this Chapter. (R*)

   b. Multi-family, mixed use, and non-residential developments: no surface parking is allowed within any Frontage Zone. Drive aisles may cross a Frontage Zone when access from the adjacent street is otherwise permitted. (R*)

c. Parking located within structures, including underground parking, is subject to the requirements of Section 1207.J.

d. Off-site parking. Off-site parking not located within a public right-of-way may account for up to 50% of the required automobile parking, with approval of a use permit and compliance with all the provisions of Section 702.E.9.

C. **Maneuvering**. All maneuvering for automobile parking spaces, passenger loading, and service/goods loading shall be provided on-site, subject to the following:

1. Maneuvering within a public right of-way shall be allowed as follows:

a. Maneuvering within a public alley is permitted by right if the alley is a minimum 20 feet wide, and then only if access to the alley is permitted per other City regulations; or

b. Maneuvering in public right-of-way may be permitted with approval of a Technical Appeal which demonstrates that adequate space is being provided for the safe maneuvering of vehicles within the right-of-way. Additional requirements, such as but not limited to dedications, pavement widening, and/or removal of utility poles may be stipulated as part of the Technical Appeal approval. (T)

D. **Electric Vehicle Charging.** The following development regulations apply to electric vehicle charging (EVC) spaces provided within parking areas within Downtown:

1. EVC spaces may be counted as part of the required minimum number parking spaces. (R)

2. EVC spaces shall not be counted as part of required maximum number of parking spaces. (R)

3. All EVC spaces, charging stations, and associated transformers or other mechanical equipment, shall be provided on site and not in any required landscape setback, required landscape area, or Frontage Zone. **~~(R)~~**__**(R*)**__

E. **Bicycle Parking.** Parking and amenities for bicycles shall be provided as follows:

1. Multi-family residential development shall provide shared bicycle parking at the rate of 0.25 space per dwelling unit, with a maximum requirement of 50 spaces.

2. All nonresidential uses over 5,000 gross square feet shall provide 1 bicycle space per 25 vehicle parking spaces provided or portion thereof, with a maximum requirement of 25 spaces.

3. All nonresidential uses 100,000 gross square feet or larger shall provide 1 bicycle space per 25 vehicle parking spaces or portion thereof, with a maximum requirement of 50 spaces. In addition, a minimum of 2 shower stalls and 10 personal lockers that are available for use by the building's occupants shall be provided.

4. Restaurants and bars totaling less than 5,000 gross square feet on one site shall provide a minimum of 4 bicycle spaces in the Frontage Zone. If automobile parking spaces are provided, 1 additional bicycle space for every 25 vehicle parking spaces as required for the restaurant and bar uses shall be provided.

5. Bicycle parking shall not be located within a required public sidewalk or accessible route.

F. **Service/Goods Loading Areas.** The following requirements apply to short-term loading and unloading of service vehicles with goods or equipment.

1. On-site loading shall be required for all developments per the following table:

| Required Loading and Service Bays | | | | | |
|---|---|---|---|---|---|
| Use | Gross square footage of buildings (per site) | | | | |
| | 25,000 – 40,000 sf | > 40,000 – 160,000 sf | > 160,000 – 320,000 sf | > 320,000 – 500,000 sf | > 500,000 sf |
| Multi-Family Residential | 0 | 1 per 150 dwelling units or portion thereof | | | |
| Lodging | 0 | 1 per each 300 rooms or portion thereof | | | |
| Retail, Commercial, and Office Uses | 0 | 1 | 2 | 3 | 4 + 1 per additional 180,000 sf above 500,000 |
| Industrial, Manufacturing, Storage, and Wholesaling Uses | 1 | 2 | 3 | 4 | 5 + 1 per additional 180,000 sf above 500,000 |

Mixed-use developments shall provide the required loading spaces per each use category shown in the table above.

2. Loading bays shall be a minimum of 10 feet in width and 30 feet in length. (T)

3. Location of Service/Goods Loading Areas.

    a. Service/goods loading areas may not be located within a Frontage Zone adjacent to a Pedestrian Street. (R*)

    b. Service/goods loading areas may not be located within a public street right-of-way unless compliance with all of the following occurs: (R)

        (1) An encroachment permit has been obtained from the Street Transportation Department for the design and/or structures provided as part of the loading area (dock, loading ramp, etc.).
        (2) The loading area does not reduce the required Streetscape Zone and does not preclude the provision of required street trees and shading requirements.
        (3) The loading area does not interrupt the required public sidewalk or other dedicated pedestrian walkways.
        (4) The loading area does not interrupt a designated bicycle lane.
        (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

    c. Service entrances, loading areas, and trash/recycling pickup should be located internal to the site or building, or adjacent to a Side Street or alley whenever possible. (P)

        *Rationale: Pedestrian Streets should create a safe, secure, and welcoming atmosphere for pedestrians, and should not have uses or functions which discourage pedestrian use. Noxious uses and conflicts with service vehicles should be minimized along Pedestrian Streets. Side Streets and alleys (which are not designated Buffer Alleys) are preferred access points for service and delivery functions.*

G. **Valet Parking.** The requirements of this Section apply only for sites which are allowed valet parking as an accessory use per Section 1203.D.30.

1. Location of Valet Parking Facilities.

    a. A valet transfer zone (where vehicles are dropped off and picked up) should be located internally to the building whenever possible. (P)

        *Rationale: Views of standing automobiles, and conflicts with pedestrians, should be minimized.*

b. A valet transfer zone may be provided within a Frontage Zone adjacent to a Side Street, so long as it does not preclude compliance with other Streetscape and Frontage Zone standards, including driveway access and placement. A valet transfer zone may be combined with a service/goods loading area when located adjacent to a Side Street. (R*)

c. A valet transfer zone may be provided within a Frontage Zone adjacent to a Pedestrian Street, subject to the following: (R*)

(1) Compliance with the driveway and vehicular access regulations of Section 1206.H is demonstrated.
(2) Compliance with other applicable Frontage Zone and Streetscape Zone requirements for Pedestrian Streets (including shading, provision of street trees, and minimum building frontage) is demonstrated.
(3) Valet facilities may not be located within the minimum street setback area.

d. Valet parking spaces (where cars are parked after being dropped off) may be located off-site if in accordance with the provisions of Section 1203.D.

e. A valet transfer zone should have primary access from a street, rather than an alley. (P)

*Rationale: Whenever possible, vehicles should be dropped off and picked up from a more intuitive location associated with the street address, particularly if the parking is for patrons and visitors, rather than occupants of the building or site.*

f. Valet parking facilities, including the valet transfer station, valet transfer zone, and valet parking spaces, may not be located within a public right-of-way unless compliance with all of the following occurs: (R)

(1) An encroachment permit has been obtained from the Street Transportation Department for the Valet Parking Facilities.
(2) The Valet Parking Facilities do not reduce the required Streetscape Zone and do not preclude the provision of required street trees and shading requirements.
(3) The Valet Parking Facilities do not interrupt the required public sidewalk or other dedicated pedestrian walkways.
(4) The Valet Parking Facilities does not interrupt a designated bicycle lane.
(5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

g. Public right-of-way may be used to move vehicles between the valet transfer zone and the valet parking spaces, if the valet parking spaces are located on a different property, as otherwise permitted by this Chapter.

2. Design requirements for valet parking facilities.

    a. A valet transfer zone shall comply with the following: (T)

        (1) A minimum length of 60 feet.
        (2) A minimum width of 10 feet.
        (3) A maximum width of 16 feet.

    b. A valet transfer zone must include an accessible vehicle pull-up space constructed in accordance with federal requirements. (T)

    c. A valet transfer zone shall not be used all or in part for any vehicle parking. Short term vehicle standing of up to 30 minutes is permitted during hours of operation of the valet parking facilities. (T)

H. **General Driveway and Access Regulations.** This section regulates driveways and access from streets to private property. Access from any street to a property must be in compliance with the provisions of this Section.

1. Properties with HP designation. Driveways for properties with HP zoning or designation may be located, designed, constructed, or reconstructed in a historic manner and dimensions as approved in writing by the Historic Preservation Officer.

2. Arterial Streets.

    a. Access for automobile parking, valet parking facilities, passenger loading zones, and Service/Goods Loading Areas is permitted from the following arterial Pedestrian Streets, regardless of other site frontages or regulations of this Chapter:

        (1) 7th Street
        (2) 7th Avenue
        (3) McDowell Road
        (4) Van Buren Street
        (5) Buckeye Road

    b. Maximum driveway width: 40 feet, or wider as approved by Street Transportation when requiring islands for restricted turns. (T)

    c. All other provisions for Pedestrian Streets apply.

3. Pedestrian Streets. Driveways and access to private property from Pedestrian Streets are subject to the following:

a. Automobile Parking. Access is permitted from a Pedestrian Street only when one of the following applies: (R*)

(1) The development site has no other frontage on an alley or side street; or
(2) The parking area has at least one additional access point from an alley or side street.

b. Service/Goods Loading Areas are not permitted access from a Pedestrian Street unless the loading area is located completely within the building; within a parking garage, or screened from view from the street. Screening may consist of the following: (R*)

(1) Green screen.
(2) Dense landscaping which provides screening starting from the time of initial installation.
(3) Underground utility vaults.
(4) Buildings.

c. Passenger loading zones are permitted access from a Pedestrian Street.

d. Maximum driveway width: 30 feet. When a site has only Pedestrian Street frontages, additional width may be granted through approval of a Technical Appeal (T).

e. Minimum separation between driveways: 30 feet. (T)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
(2) Other City policies and ordinances regulating the design of driveways, including but not limited to required visibility, restricted turn movements, and distances from intersections may require a greater separation than 30 feet. (T)

4. Side Streets. Driveways and access to private property from Side Streets are subject to the following:

a. Access for all types of vehicular uses is permitted from a Side Street.

b. Maximum driveway width: 40 feet. (T)

c. Minimum separation between driveways: 20 feet. (R*)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)
(2) Other City policies and ordinances regulating the design of driveways, including but not limited to: required visibility, restricted turn movements, and distances from intersections may require a greater separation than 20 feet. (T)

5. Alleys. Driveways and access to private property from alleys are subject to the following:

a. Access is not permitted from a Buffer Alley, unless in compliance with Section 1207.L. (R)

b. Automobile Parking. Access is permitted from an alley, subject to the following:

(1) The alley pavement must be (or be widened to) a minimum 20 feet wide and unobstructed for the length of the property; (T)
(2) If the parking area has more than 100 spaces, the alley pavement is a minimum 20' wide and unobstructed for the full length of the block, unless otherwise approved through a Technical Appeal. (T)

c. Passenger loading zones should not have primary access provided from an alley. (P)

*Rationale: Rideshare and personal delivery vehicles should be able to access a development from a more intuitive location associated with the street address.*

d. Maximum driveway width: as determined by PDD and Street Transportation for safety and visibility. (T)

e. Minimum separation between driveways: as determined by PDD and Street Transportation for safety and visibility. (T)

l. **Driveway Design Guidelines.**

1. Appropriate visibility triangles and/or lines of sight shall be provided for driveways. The visibility triangles shall provide for visibility of pedestrians on the public sidewalk, as well as vehicles in the street. (T)

*Rationale: Vehicles exiting from a site or parking garage should be able to see cars on the street, as well as pedestrians on the sidewalk (and vice versa). Alternatives, such as mirrors, pedestrian safety signage, etc. may be approved as part of a Technical Appeal when standard visibility requirements cannot be met.*

2. Specialty paving, striping, bollards, or similar as approved by PDD staff should be provided where a driveway crosses a sidewalk. (P)

   *Rationale: Where vehicular routes interface with pedestrian routes, warnings to both the vehicles and the pedestrians should be visually indicated.*

3. Shared access and driveways serving more than one development should be provided whenever possible. (P)

   *Rationale: The number of driveways crossing sidewalks and bicycle routes should be minimized to avoid conflicts and collisions. However, consideration and flexibility should be applied when a primarily residential development is adjacent to a non-residential development.*

## Section 1207. General Development Regulations.

A. **Applicability.** This section contains development regulations specific to Downtown. If a conflict occurs between any specific Character Area regulations and the regulations of this Section, the Character Area regulations shall apply.

B. **Historic Preservation Development Regulations.** Structures with historic preservation designation are considered to be conforming and may be maintained, restored and/or rebuilt at each structure's historic setbacks and height subject to the provisions of Chapter 8, Historic Preservation.

C. **Projections.**

1. Projections within the Streetscape Zone are regulated by Section 1204.B.2.

2. Projections within the Frontage Zone are regulated by Section 1204.C.3.

3. Projections within required yards adjacent to interior lot lines are not permitted, except as follows: (R)

   a. Roof overhangs, but not including covered porches, patios, or carports, are permitted so long as no portion of the overhang is closer than 2 feet from the property line.

   b. Other projections, when explicitly allowed by other sections of this Chapter.

D. **Wall/Fence Requirements.**

1. **Historic Preservation designated properties.** For residential properties designated HP and HP-L, fences or freestanding walls in the front yard (the area between the structure and the street right-of-way line) may not exceed a maximum height of three feet. This height limitation extends three feet back from the front façade into the side yard(s).

2. Within Frontage Zones, the following apply:

   a. Walls/fences are limited to 40 inches in height, except as may be specifically modified by other provisions of this Chapter. (R*)

   b. Within a Frontage Zone which abuts a side property line (e.g. a "street side"), a wall or fence up to 6 feet tall may be permitted if all of the following also apply: (R)

      (1) The wall encloses a private residential side yard and/or rear yard on a lot with no more than two dwelling units (and no other primary uses).

(2) No structure on the property exceeds two stories and 30 feet in height.

(3) No portions of the wall over 40 inches in height are located within a Frontage Zone applicable to any other street frontage.

(4) No portions of the wall over 40 inches in height (36 inches if in an HP Overlay) are located closer than 3 feet behind the front façade of the structure.

3. Walls/fences provided for screening of mechanical equipment shall comply with the provisions of Section 1204.E.7.

4. Walls located adjacent to interior property lines or other locations outside of the Frontage Zones shall comply with the regulations stated in the applicable Character Area.

5. Retaining walls located within Streetscape and Frontage Zones are regulated by Section 1204.D.

E. **Height Transition Standards.** For all new development adjacent to lots located in a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities. This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. Along an interior property line or a designated Buffer Alley which separates properties of two different height zones, the minimum required setback shall be increased by 10 feet for all portions of the building taller than the maximum height of the adjacent (lower) height zone. (R)

   *Example: a building located on a property with a maximum height of 140 feet and a 10 feet minimum interior setback, sharing a property line with a property with a 65 feet maximum height, has a 20 feet setback required for all portions of the building taller than 65 feet. The portions of the building less than 65 feet tall may be located at the standard 10 feet setback from the property line.*

2. A stepback shall not be required in the following circumstances unless specifically required by the applicable Character Area standards:

   a. The proposed building is no more than 20 feet taller than the maximum permitted height of the adjacent height zone.

   b. The proposed building is adjacent to a height zone with a maximum permitted height of 65 feet or greater.

3. The proposed building should respect the scale of existing buildings located on adjacent properties and serve as an orderly transition to a different scale. Stepbacks, changes in massing, or changes in materials and color starting at the height of the adjacent existing building are highly encouraged. (P)

   *Rationale: Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.*

F. **Landscape Standards.** Landscape shall be provided in accordance with the following:

1. Landscape requirements of Section 703.E, as well as Section 507 Tab A, apply unless specifically modified by this section or other provisions of this Chapter.

   a. See Section 1207.M for special regulations applicable to the Arts, Culture, Small Business Area.

2. Landscape within the Streetscape and Frontage Zones shall comply with the requirements of Section 1204.G.

3. Landscape shall be provided for surface parking areas as follows:

| **Surface Parking—Landscape Standards** | |
|---|---|
| Interior surface area (exclusive of perimeter landscaping and all required setbacks) | Minimum 10% (R*) |
| Landscaped planters | At ends of each row of parking and approximately every 110 feet (P) |
| Landscaped planters, single row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of parking space. (T) |
| Landscaped planters, double row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of both parking spaces. (T) |
| Additional parking lot landscape areas | As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. (P) |
| Required trees | Minimum requirement: one per 100 sf of landscape area (T)<br>Planter (single space depth): one tree. (P)<br>Planter (double space depth): two trees (P)<br>All other areas: 20 feet on center or equivalent groupings (P). |

| | |
|---|---|
| Required tree sizes: | Minimum 2-inch caliper (60% of trees) (T)<br>Minimum 1-inch caliper (40% of trees) (T) |
| Required shrubs: | Minimum 5 shrubs per tree. (P) |
| Required shrub size: | Minimum 5-gallon. (T) |

*Rationale: Parking lot landscaping and shade should be provided in a similar manner as required for other commercial areas outside of Downtown. However, flexibility can be exercised regarding installation of landscape materials in order to address on-site conflicts, such as lighting, mechanical equipment, sight lines, required pedestrian walkways, or similar. Requests to provide smaller than required planting areas, trees, or shrubs may only be approved through a Technical Appeal.*

4. All on-site pedestrian walkways shall be 75% shaded by trees and/or structural shade. (R*)

5. All remaining areas of a site which are not Frontage or Streetscape Zones, surface parking, pedestrian walkways, or amenities specifically permitted by PDD which do not typically include shade (i.e. pools and pool decks), must be landscaped to provide 50% shade. Properties having only residential uses, not exceeding two dwelling units, are exempt from this requirement. (R*)

G. **Multifamily Development Design Requirements.**

1. The provisions of this section apply to all sites which include five or more dwelling units. The provisions of Section 703.B, Landscaping and Open Areas in Multiple-Family Development, do not apply to properties located within Downtown. (R*)

2. Where dwelling units are provided at the ground level adjacent to a Pedestrian Street, an appropriate residential Frontage Element (such as Patio, Stoop/Doorwell, Porch, or Forecourt) should be utilized to allow for individual dwelling unit access to the street. (P)

   *Rationale: Individual entrances promote more "eyes on the street", due to greater use of patios and other outdoor areas. Individual entrances also encourage pedestrian use by creating more interest, as well as a feeling of smaller-scale design.*

3. Shared Amenity Areas for the residents of multi-family dwelling units shall be provided on-site, as follows:

   a. The minimum Shared Amenity Area provided shall be per the following table (R*):

| Minimum Shared Amenity Areas for Sites with Multifamily Dwellings | |
|---|---|
| Up to 100 units | None required. |
| 101-300 units | Minimum 2500 square feet |
| 301+ units | Minimum 5000 square feet |

b. Shared Amenity Areas shall consist of the following types of spaces (R*):

   (1) On-site open space provided in accordance with the provisions of Section 1207.H.

   (2) Roof-top decks which are occupiable and do not exceed height requirements for the applicable Character Area.

   (3) Conditioned suites with amenities/shops/services.

c. All areas used to count toward the minimum Shared Amenity Area requirements must be accessible to all users, in accordance with FHA and ADA standards. (T)

d. Uses open to the public, such as retail stores, restaurants, commercial gyms, bars, etc. may be used to meet no more than 50% of the Shared Amenity Area requirement. (R)

e. A minimum of two of the following amenities shall be provided within the Shared Amenity Areas (P):

   (1) Swimming pool and/or hot tub.

   (2) Fitness center/sport court or facility.

   (3) Tot lot/playground.

   (4) Barbecue/picnic/common kitchen area.

   (5) Gathering area with focal feature (fountain, firepit/fireplace, television, game tables, kitchen etc.)

(6) Pet exercise area.

*Rationale: Shared Amenity Areas should include a variety of amenities which may be used by multiple residents, but are not shared with non-residents (such as an on-site store, restaurant, or bar). Staff may approve additional types of amenities similar to those listed above and meeting this intent. Two separate amenities in the same category may also be approved.*

H. **Open Space Development Regulations.** Open space, when provided for sustainability bonus credits per Section 1223 or as part of a multi-family Shared Amenity Area requirement, shall comply with the following:

1. Open Space shall be provided at ground level. Roof tops, areas inside structures, or areas placed underground cannot be counted as open space. Outdoor areas provided under a building overhang are permitted so long as they are fully open to at least one Frontage Zone. (R*)

2. Each Open Space area shall abut and include a Frontage Zone. The area of the Frontage Zone may be included in the minimum area and dimensions required for qualifying Open Space areas. (R*)

3. Each Open Space area shall be a minimum of 500 square feet with a minimum dimension of 20 feet in any direction. (R*)

4. All Open Space areas are subject to the design requirements for Frontage Zones, with the following modifications: (R*)

    a. No automobile uses (parking, loading, etc.) of any type may be provided within an Open Space area.

    b. Open Space areas with a dedicated public access easement may not be fenced or walled off from the street except for low walls not exceeding 40 inches in height, unless the height of the wall is further restricted by the Frontage Zone or Frontage Element requirements.

I. **Enhanced Corner Requirements.** Developments located on Enhanced Corners (per map in Section 1202.D) should be integrated with and oriented toward the corner, as follows:

1. A primary entrance that faces both streets and that serves as a main entry for the building shall be provided at each Enhanced Corner. An entrance to a single commercial suite or residence does not meet this requirement. (R*)

2. Additional building articulation, architectural features, signage, pedestrian amenities, and/or art that emphasizes the corner and draws attention to the Enhanced Corner entry of the building shall be provided. (P)

   *Rationale: An Enhanced Corner should be visually obvious and comfortable for pedestrians to use as the building's primary entrance.*

3. If an Enhanced Corner entry plaza is provided which is deeper than the applicable Frontage Zone depth(s), the building frontage along the corner entry plaza shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

J. **Structured Parking/Parking Garage Design Guidelines.**

1. Where parking structures are visible from a street or neighboring property, they should utilize approved Frontage Elements, art/murals, decorative materials, imaginative use of colors and patterns, and/or permitted signage to fully screen vehicles from view and to create interest at the ground level. (P)

   *Rationale: Parking structures, particularly ones with exterior unfinished concrete masonry or panels, do not engage or create interest for pedestrians. The side of a parking garage should never appear to be "blank".*

2. Parking structures shall be designed so that light from vehicle headlights, when parked head-in in a parking space, is fully screened from view from all perimeter streets. (R*)

3. Parking structures should be integrated with the form and materials of the main site structures, or the scale, form, color and materials of the immediately adjacent area. (P)

   *Rationale: Parking structures should not be a dominant feature of the building design, and creative solutions should be integrated and/or complement the design elements of other buildings on site or within the surrounding context area.*

4. Rooftop lighting on a parking garage should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and be mounted no higher than 12 feet above the roof deck. (P)

   *Rationale: The direct source of light should not be visible from lower levels or adjacent uses.*

5. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). Pedestrian routes should always be separated from vehicular traffic, except where required crossings can be provided safely. (T)

6. Pedestrian entrances to parking garages should be separate from vehicular entrances. (P)

7. Garage openings should be enhanced with specialty lighting, artwork, or materials to visually notify vehicle drivers that pedestrians may be crossing, and vice versa. (P)

   *Rationale for J.7 and J.8: Safety at pedestrian and vehicular crossings should be addressed with design.*

8. Underground parking may extend to a height of five feet above finished grade, provided that the garage perimeter wall does cause the Frontage Element assigned to that portion of the building façade to become non-compliant with other required development standards. (R*)

K. **General Design Guidelines.**

1. All building facades adjacent to interior property lines (i.e. not abutting or within a Frontage Zone) should have a level of trim and finish equivalent with and complementary to the Frontage Zone façade(s). (P)

   *Rationale: Most buildings within Downtown are of heights that they are visible from quite a distance. Facades visible from the street or other properties should be of a quality similar to that required for facades facing streets, and should never appear to be unfinished or "blank".*

2. All buildings over 10 stories tall should be designed with a base that is visually differentiated from the remainder of the building. The base may be between one and four stories in height. (P)

   *Rationale: All buildings should be scaled at the base to relate and connect to pedestrian uses.*

3. Windows and balconies in near proximity that face each other should receive special design treatment to increase privacy for existing adjacent residential uses by providing one (or a combination) of the following, or similar as approved by PDD staff: (P)

a. Louvers;
b. Privacy screens;
c. Windows that start a minimum of six feet above respective finished floor;
d. Frosted or tinted window treatments.

*Rationale: Existing residential units close enough to be impacted by new development should be able to maintain their level of existing privacy. Incorporating methods of screening with windows and balconies on new development can help provide the means for maintaining this privacy.*

4. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking areas. (P)

   *Rationale: Safety and security for pedestrians should be addressed by design. Hidden and obscures spaces can encourage illicit activity.*

5. Building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels. (P)

   *Rationale: Building accents and detailing should be high quality and durability and not of materials which can fade or deteriorate over time.*

6. Architectural details such as exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting should contribute to creating a coherent architectural concept. (P)

   *Rationale: While buildings should not appear too monolithic or monotonous, they should also not appear to be an assemblage of many materials or designs without a common theme.*

7. Architectural elements. Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting). (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary architectural styles and accents.*

8. Building materials. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices,

arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings. (P)

*Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary building materials.*

9. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that complements and blends with the surrounding context. (P)

   *Rationale: Corporate identity may be utilized to create a unique identity that can be recognized. However, the overall architectural theme should be the predominant feature of the building.*

10. All electric lines 12 KV and smaller, communications and cable television lines, and all on-premise wiring shall be placed underground in developments where visible from streets or adjoining properties. (T)

    *Rationale: Overhead utility lines are in many cases visually objectionable; can cause issues with proximity to balconies; can obstruct direct pedestrian and vehicular routes and visibility; and can restrict the ability to install required trees and other shading methods.*

11. Freestanding detached monument signage should be integrated with the building architecture. (P)

    *Rationale: Monument signs should incorporate elements of the building architecture through use of similar colors, materials, and/or forms.*

L. **Buffer Alley Development Regulations.** The following regulations shall apply to properties adjacent to Buffer Alleys identified in Section 1202.E, in addition to any other requirements of the Downtown Code:

1. Access to and vehicular maneuvering within a Buffer Alley is not permitted, except for developments meeting at least one of the following criteria: (R)

   a. Abutting properties that currently have legally established access to the Buffer Alley and are not subject to the applicability requirements of Sections 507.B.2 or 507.B.3.

   b. Abutting properties on which there are no more than two dwelling units and no other primary uses.

   c. Abutting subdivisions developed in accordance with Section 1203.D.27.

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED.** This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)

3. A stepback equal to the minimum required building setback, plus 10 feet, is required for all portions of buildings taller than 30 feet when adjacent to a Buffer Alley. Additional stepbacks may be required by Section 1207.E. (R)

4. For non-single-family developments, a minimum five-foot wide landscape area and minimum 6-foot high solid wall on the alley side of the landscape area must be provided along the property line abutting a Buffer Alley. The wall must be consistent with the material, design and character of the primary building. (R)

5. All new mechanical equipment, including roof mounted equipment, must be fully screened from view from a Buffer Alley. Solar panels and/or solar water heaters are exempt from this requirement. (R)

6. All trash/recycling containers must be fully screened from view from a Buffer Alley, unless alley collection services are provided by the City of Phoenix. (R)

7. Parking lot and security lighting, including building-mounted lighting, shall not exceed 15 feet in height, including lamp, pole, and base, for properties abutting a Buffer Alley. Light fixtures fully screened by a building or other structure, and not visible from the Buffer Alley, are exempt from this requirement. (R)

8. Decorative lighting (including but not limited to illuminative gases, fiber optics, or LED fixtures) and lighted signage shall not be installed where visible from an adjacent Buffer Alley. (R)

9. Windows, balconies, and rooftop decks on properties abutting a Buffer Alley should be designed to protect the existing privacy of adjacent single-family residential uses. (P)

   *Rationale: These building features should ideally be oriented away from the Buffer Alley. However, if provided, they should be mitigated with things like louvers, screening, frosted/tinted window treatments, and relative window height (i.e. at least 6 feet above the floor).*

M. **Arts, Culture, Small Business Area Development Regulations.**

1. Applicability. The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.F is subject to the following regulations. In the event of a conflict with other provisions of this Chapter, the more permissive regulation shall apply. The development regulations of Section 669 (Arts, Culture, and Overlay District (ACOD) do not apply to properties zoned Downtown Code.

2. Intent. The Arts, Culture and Small Business Overlay is intended to allow greater flexibility in land uses and standards that will contribute to the vitality of Downtown and will enhance community events.

3. Outdoor public events and performances. Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage are permitted, subject to the following: (R)

    a. The outdoor event or performance must be staffed by an employee of an existing business on the property and must comply with all applicable codes and ordinances.

    b. The business' items that are available for purchase during normal business hours may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

    c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only.

    d. Friday and Saturday events or performances shall be limited to the hours between 10:00 a.m. and 12:00 a.m. No amplified music or loudspeakers may be used outside after 10:00 p.m.

    e. Sunday outdoor events or performances shall be limited to the hours between 10:00 a.m. and 10:00 p.m. No amplified music or loudspeakers may be used after 8:00 p.m.

    f. Hours and days of outdoor events or performances may be extended subject to obtaining a use permit in accordance with the standards and procedures of the Zoning Administrator section of the Zoning Ordinance.

    g. Outdoor events or performances in Downtown shall be a minimum of 300 feet from an adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.F and from any single-family zoning district outside of Downtown.

4. Accessory uses.

a. Home occupations are permitted subject to the following:

(1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of Section 307.A.7.
(2) No more than 50 percent of the dwelling unit may be used for any home occupation.

b. The following accessory uses are permitted:

(1) Outdoor dining as accessory to a restaurant is permitted subject to the following:

(a) The outdoor dining area shall be a minimum of 30 feet from the boundary of an adjacent Character Area not included in the Arts, Culture, and Small Business Area depicted in Section 1202.F and from any single-family zoning district outside of Downtown.
(b) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter.
(c) The outdoor dining area shall not be more than 25 percent of the primary building's ground level gross floor area. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.
(d) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation.
(e) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area.

(2) Outdoor crafting of art associated with the business inside the building when the subject parcel abuts an arterial or collector street is permitted and subject to the following:

(a) Storage of materials associated with the crafting area shall not exceed eight feet in height and be limited to the rear and side yard.
(b) Storage area shall be fully screened with a solid wall or landscaping.
(c) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit.

5. Signs.

a. A-frame signs are permitted on private property, subject to the following: (R)

(1) No off-site advertising is permitted.
(2) A maximum of one A-frame sign is permitted per 25 feet of street frontage.
(3) A maximum of six square feet of signage per side of the A-frame sign is permitted.

(4) There shall be a maximum height of three feet from natural grade.
(5) All signs shall be removed daily at the close of business or event.

b. Shingle signs are permitted subject to the following: (R)

(1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade.
(2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided.
(3) A maximum of five square feet in area shall be permitted per side.
(4) No backlit or cabinet signs are permitted.

c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: (R)

(1) Wall signs.

(a) The maximum square footage permitted per Section 705.D may be increased by 25 percent.
(b) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign.

(2) Window signs. The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building.

6. Parking, yard and area requirements for nonresidential uses or mixed uses containing nonresidential uses.

a. For parking, yard and area requirements for structures existing as of May 1, 2008: (R)

(1) Regardless of change of use or occupancy no additional parking or landscaping shall be required.
(2) Structures may be increased a total of either 500 gross square feet or 25 percent of the existing structure, whichever is greater, without requiring additional parking or landscaping.
(3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays.
(4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning requirements, excluding those with Historic Preservation Overlays.

b. Outdoor dining that does not exceed 25 percent of the primary building's ground level gross floor area shall not require any additional parking. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.

c. Unless subject to Buffer Alley regulations (Section 1207.L), vehicles are permitted to maneuver in the alley when dustproofing/paving, adequate maneuvering space, and visibility are approved by the Planning and Development Department.

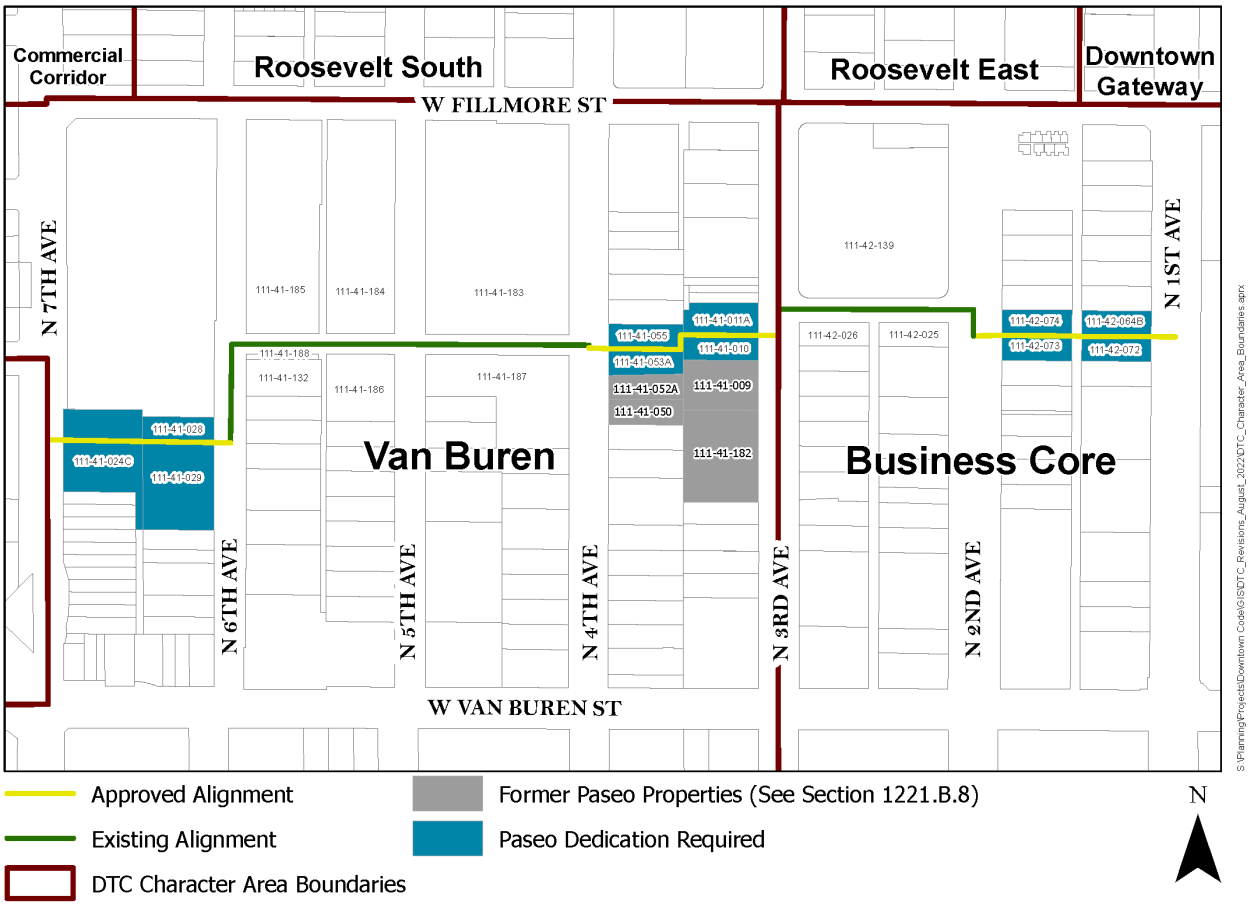
d. Unless subject to Buffer Alley regulations (Section 1207.L), when vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley.

N. **Taylor Street Pedestrian Paseo Regulations.**

1. **Intent.** The Taylor Street Paseo is intended to primarily serve pedestrians, connecting the Van Buren Character Area to the commercial, educational, and cultural resources and institutions located in the central portion of Downtown (generally east of First Avenue). The Paseo will provide a mid-block east-west route alternative located generally along the alignment of Taylor Street, to help mitigate the unusually long block lengths between Fillmore and Van Buren Streets.

2. **Applicability.** The properties abutting the alignment indicated on the map below are subject to the following special development regulations:

Taylor Street Paseo




3. **Easement dedication.** Properties abutting the Paseo alignment are required to dedicate a public pedestrian easement (hereafter referred to as "Paseo") per the alignment as shown on the map provided in this Section.

   a. The minimum width of the Paseo, and the public pedestrian easement to be dedicated at the time of development is 20 feet, subject to the following:

      (1) Where the Paseo runs between different properties, the dedication may be split between the properties so long as the Paseo dedications from all properties are made concurrently.

      (2) If the Paseo is dedicated within or abutting a public street, the public pedestrian easement dedication within the adjacent Frontage Zone shall be wide enough to provide a minimum of 20 feet from back of curb to back of easement.

b. The Paseo may be provided as a pedestrian-only corridor between private lots, or within and/or adjacent to a public street, so long as it is in compliance with all of the applicable design standards and guidelines provided below.

4. **Deviation from approved alignment.** The alignment of the Paseo may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

   a. The deviation should not result in a misalignment of more than 90 feet.

   b. A north or south connector Paseo, designed in accordance with this section, should be provided on site when a deviation results in more than 20 feet of misalignment within the block.

   c. The revised easement location shall be dedicated prior to final site plan approval.

   d. The deviated alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

5. **Paseo Streetscape and Frontage Zone standards**

   a. Streetscape and Frontage Zone standards apply as stated in the applicable Character Area Streetscape and Frontage Zone Matrix.

   b. Streetscape Zone development regulations, per Section 1204, apply when the Paseo is located within or abutting a dedicated street.

   c. Frontage Zone development regulations, per Section 1204, apply within the portion of the Paseo located on private property unless such regulations conflict with other regulations specific to development of the Paseo stated in this Section.

   d. If the Paseo is provided within or adjacent to a public street, the street should be designed with on-street parking adjacent to the Paseo. (P)

      ***Rationale:*** On-street parking provides a buffer from through traffic lanes, as well as creating an environment encouraging the use of the Paseo as the main access point to residential units or commercial suites fronting the Paseo.

   e. A minimum of 50% of the ground floor abutting the Paseo should consist of active uses and/or residential uses providing primary entrances from the Paseo. (P)

   f. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance to the Paseo. (P)

***Rationale for e and f:*** The Paseo should attract pedestrians and be a safe place for persons to walk and gather.

6. **Paseo Design Regulations**

a. An ADA compliant sidewalk a minimum of 8 feet in width and clear of obstructions shall be provided within the Paseo. (T)

b. The Paseo should be a straight as possible and avoid meanders. (T)

c. The Paseo sidewalk should be a minimum of 75% shaded. If trees are used to provide shade, the percent shading shall be calculated based upon tree canopy at maturity. Structural shade may also be used to comply with the shading requirement. (P)

d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo when located on private property. (P)

e. The Paseo should be clearly separated from vehicular maneuvering areas. (T)

f. Automobile access to on-site parking areas or garages should not cross the Paseo, unless the Paseo is located within or abutting a dedicated street. At all such crossings, a crosswalk a minimum of 20 feet wide consisting of paint or contrasting pavement should be provided. (T)

g. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and on-site vehicular traffic lanes. (T)

h. Paseo segments that cross surface parking areas should be designed with the following elements: (P)

(1) A minimum 8-foot wide grade separated walkway.
(2) A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

i. The following lighting treatment should be provided within the Paseo: (P)

(1) 15-foot maximum height of lighting fixtures. When adjacent to a street, taller streetlights may be provided in addition to the pedestrian-level lighting.
(2) A minimum of one foot-candle illumination should be maintained over the Paseo sidewalk.

(3) Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.
(4) Lighting within the Paseo should be illuminated from dusk until dawn.

j. One of the following identifying markers should be provided at each street entrance to the Paseo: (P)

(1) Bollard path light.
(2) Public art.
(3) Decorative directional signage.

k. Temporary security gating—In the event that a block's Paseo is not fully developed, and the Paseo is not located along a dedicated street, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions: (P)

(1) A pedestrian gate is provided that is unlocked during business hours.
(2) A revocable permit is obtained.
(3) The fencing is removed upon completion of the block's Paseo.

***Rationale for a through k:*** *the design of the Paseo should encourage use by pedestrians. Safety, security, and accessibility should work into all design elements, as well as uses which engage and attract pedestrians.*

O. **Lot Coverage.** When 100% lot coverage is permitted by right, or obtained by sustainability bonus points, the following apply: (R*)

1. Interior property line setbacks may be reduced or eliminated.

2. Frontage Zone depths and minimum street building setbacks may be reduced as approved by the Design Review Committee per Section 1224.A.

## Section 1208. Biomed.

**A. Intent.** The Biomed character area, which is home to the biomedical campus, should be a lively urban district with medical workers, researchers, and students. Restaurants and shops on Garfield Street, Roosevelt Row, and Arizona Center are all located within a short walk and development should be designed to reinforce pedestrian convenience to these areas through a consistent pattern of shaded sidewalks. Small plazas and courtyards are encouraged to be located along streets, typically near building entrances, providing gathering places and "cool pockets" on hot days. Landscaped courtyards interior to the campus should serve as mid-block pedestrian connections. Views of the landscaped courtyards should be visible from the street, enriching the street environment.

**B. Development Regulations.** The following development regulations apply to properties located with the Biomed character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** no maximum.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%.
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix--Biomed*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Garfield Street<br>4th St. to 6th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| McKinley Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| Pierce Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Fillmore Street<br>5th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Van Buren Street<br>5th St. to 9th St. | 0' | 20’ | 75% | ALL | 6' | 12’ |
| 4th Street<br>Garfield St. to Fillmore St. | 5' | 20’ | 75% | SD, PO, S, GA, FC | 6' | 14’ |
| 5th Street<br>Garfield St. to Fillmore St. | 0' | 20’ | 75% | S, GA, FC | 10' | 20’ |
| 5th Street<br>Fillmore St. to Monroe St. | 0' | 20’ | 75% | S, GA | 10' | 20' |
| 6th Street<br>Garfield St. to Fillmore St. | 5' | 25’ | 75% | SD, PO, S, GA, FC | 10' | 20’ |
| 7th Street<br>McKinley St. to Monroe St. | 0' | 20’ | 75% | ALL | 5' | 15’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1209. Business Core.

**A. Intent.** The Business Core character area should function as a strong regional center for employment, entertainment, conventions, tourism, and cultural institutions, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this character area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit.

**B. Development Regulations.** The following development regulations apply to properties located with the Business Core character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus (north of Madison Street): none.
   b. Bonus (south of Madison Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** no maximum.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking:**
   a. Minimum:
      (1) Residential uses: governed by Section 1206.
      (2) Non-residential uses: none.
   b. Maximum: governed by Section 1206.
   c. Bonus:
      (1) Increase: maximum 100%

(2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Taylor Street Paseo**. Certain properties within the Business Core are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N. The affected properties are shown on the map provided within that Section.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>3rd Ave. to 5th St. | 5' | 25’ | Minimum 50% | ALL | 5' | 11' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Taylor Street<br>1st St. to 3rd St. | 5' | 20' | Minimum 75% | S, GA, GR | 8' | 14' |
| Polk Street<br>Central Ave. to 2nd St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Van Buren Street<br>3rd Ave. to 5th St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Monroe Street<br>5th Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, GR | 10' | 16' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Adams Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | ALL | 5' | 13' |
| Adams Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Adams Street<br>3rd Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>8th Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>2nd St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>8th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>3rd Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Jefferson Street<br>5th St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>5th Ave. to 1st St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>4th Ave. to 1st Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>1st St. to 4th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Buchanan Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14’ |
| Lincoln Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 8th Avenue<br>Adams St. to Madison St. | 5' | 23' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Avenue<br>Adams St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 6' | 14' |
| 7th Avenue<br>Jefferson St. to Harrison St. alignment | None Required | None Required | None Required | ALL | 6' | 14' |
| 6th Avenue<br>Adams St. to Washington St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Jefferson St. to Harrison St. alignment | 5' | 25' | Minimum 50% | ALL | 8' West<br>5' East | 14' West<br>10' East |
| 4th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 4th Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 10' | 16' |

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | ALL | 8' | 14' |
| 3rd Avenue<br>Van Buren St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 3rd Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 2nd Avenue<br>Fillmore St. to Monroe St. | 5' | 25' | Minimum 75% | ALL | Per plans approved by Street Transportation Department. | |
| 2nd Avenue<br>Monroe St. to Adams St. | 5' | 25' | Minimum 75% | ALL | 10' | 16' |
| 1st Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 1st Avenue<br>Madison St. to Jackson St. | None Required | None Required | None Required | ALL | Per plans approved by Street Transportation Department. | |
| Central Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 1st Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 2nd Street<br>Fillmore St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 4th Street<br>Jefferson St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 5' | 10' |
| 4th Street<br>Jackson St. to Lincoln St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Van Buren St. to Jefferson St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 6th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 7th Street<br>Monroe St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Street<br>Jefferson St. to Lincoln St. | None Required | None Required | None Required | ALL | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**D. Signage Regulations.**

1. Signage in the Business Core Character Area shall be governed by the regulations applicable to signs for commercial land use as established in Section 705. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs.

    a. Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall:

        (1) Identify only one on-site business.
        (2) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.
        (3) Project no more than three feet into the public right-of-way.
        (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).

    b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

    c. Signs painted on the building surface or letters mounted directly to the building surface shall:

        (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet.
        (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

2. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.

3. The foregoing requirements shall not apply to signs exceeding 56 feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705.D.3.i of the Zoning Ordinance.

4. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area.

5. Second-story or basement business fronting the public right-of-way may only use a sign in a second-story window or use a wall sign. Awning signs shall not be permitted on second-story windows.

6. Corner buildings shall be allowed signage on each street frontage.

7. Freestanding or ground signs may be allowed to a maximum of 40 square feet in area if the primary building is set back 15 or more feet from the property line for more than 50 percent of the street frontage. Said sign shall be a maximum of three feet in height. Signs may be up to 20 feet in height and 100 square feet in area if a comprehensive sign plan is approved and if the project covers a full block or more.

8. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than 25 percent of the area may be devoted to business identification.

9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area.

10. Signs, banners, balloons, flags, guidons, and similar devices may be erected subject to a use permit in conjunction with special promotional events to be held within Downtown of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identity. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.

11. For master planned developments covering one or more downtown blocks (300 feet by 300 feet minimum), signs, banners, and flags may be erected subject to a use permit in compliance with a comprehensive sign plan. Findings of approval of the use permit shall include:

    a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

    b. The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.

    c. The signs and other displays shall include only logos, graphics and project name of the master planned development.

12. Wall signs on buildings in a designated historic preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

13. The following signs are prohibited:

    a. Signs placed above or on top of any portion of the roof or front parapet.

    b. Signs advertising goods or services not provided on the premises.

    c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.

14. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within Downtown.

    a. Sign types. In addition to other signs permitted in the Business Core Character Area and those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, the following sign types shall be permitted in a Master Planned Development Sign Plan: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic 0signs, and wayfinding signs.

    b. Master Planned Development Sign Plan application. A Master Planned Development Sign Plan application shall include the following elements:

        (1) Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Ground signs. Ground signs, which may be multi-faced, shall not exceed 50 feet in height and no single face shall exceed 600 square feet. The overall height of ground signs, including sign embellishments, shall not exceed 67 percent of the height of the closest building.

(b) Building mounted signs. Aggregate area for building mounted signs shall not exceed 100 percent of the facade to which the signs are attached, including the building roof. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building.

(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.

(d) Temporary signs. Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability/anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move or stream.

c. Approval of a Master Planned Development Sign Plan. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. The Planning and Development Director or designee shall approve, approve with conditions or deny such application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians.
(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
(3) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan.

d. Detailed project sign plan application. An application for approval of a detailed project sign plan for a development within the boundaries of an approved Master Planned Development Sign Plan shall include the following documents or graphics:

(1) Site plans, building elevations or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure or site.
(2) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height.
(3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination.
(4) Proposed hours for illumination of the signs.
(5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan.

e. Approval of detailed project sign plans. An application for a detailed project sign plan shall be submitted to the Planning and Development Director or designee for review for conformance with the standards, restrictions and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions, or deny a detailed project sign plan application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the applicant demonstrates the following:

(1) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan.
(2) The scale, composition and manner of display of the signs, banners, flags or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan.
(3) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan.
(4) The durability of the materials proposed for the signs, banners, flags or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags or architectural lighting.

f. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding a Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.10.e.

g. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

h. Specific signs. Requests for approval of specific, individual signs with a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department.

15. For master planned developments for sports, entertainment or concert venues with a minimum of 4,000 seats, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan. The City may approve a Master Planned Development Sign Plan to allow signs that are larger and taller than are otherwise allowed within the Business Core Character Area within Downtown. All signage permitted under this section shall be reviewed and approved in accordance with the following:

a. Sign types. In addition to other signs permitted in the Business Core Character Area, the following sign types shall be permitted in a master planned development: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs.

b. Master Planned Development Sign Plan application. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. A Master Planned Development Sign Plan application shall include the following:

(1) Design guidelines. Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of the sign. This shall include delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Building mounted signs. Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street and 10 percent on the other elevations, with the ability to transfer up to five percent from the arterial elevation to one other elevation. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. If the sign is placed at an angle to the building elevation, the applicant must specify to which elevation the sign area will be counted.

(b) Supergraphics. Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less.

(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.

(d) Temporary signs. Temporary signs may be allowed at the same sizes and heights as permanent signs. Temporary signs or graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability or anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream.

c. Approval of a Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions or deny such application. The Planning and Development Director or designee shall approve such application in writing only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance.
(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.
(3) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004.

d. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding the Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.15.c.

e. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

16. Signage may be increased by up to 25 percent if a comprehensive sign plan is approved as provided in Section 705.E of the Phoenix Zoning Ordinance.

## Section 1210. Central Park.

**A. Intent.** Central Park has a strong historic single-family form and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in the primary structure and in appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure.

**B. Development Regulations.** The following development regulations apply to properties located with the Central Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 50%.
   a. Bonus: none.
   b. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 40 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
      (1) Walls/fences taller than 40 inches may not be provided closer to the street than the front façade of the structure. This provision does not apply to street side yards.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Central Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Tonto Street<br>Alley west of 1st St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>Alley west of 1st St. to 1st St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>1st St. to 2nd St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>2nd St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, CE, S | 5' | 12' |
| 1st Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S | 5' | 12' |
| 2nd Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Central Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>South of Grant St. to north of Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 20' |
| 4th Street<br>South of Grant St. to Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1211. Commercial Corridors.

**A. Intent.** The commercial corridors should become attractive gateways into downtown. New wider and shaded sidewalks should provide safety and comfort, making it easier for pedestrians and transit riders to access services in the corridor. New mixed-use developments are envisioned to line 7th Avenue, with small restaurants, retail and other businesses serving the surrounding neighborhoods. Along Central Avenue, a street wall should be established that frames the street to create a gateway entrance into Downtown from the south.

**B. Development Regulations.** The following development regulations apply to properties located with the Commercial Corridors character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 20 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 50%
   a. Bonus: maximum 85% lot coverage.
   b. Additional lot coverage of 10% (total 60%) is allowed for an ADU.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Commercial Corridors*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| ***7th Avenue Corridor*** | | | | | | |
| 7th Avenue Alley north of Roosevelt St. to Fillmore St. | 5' | 25' | Minimum 50% | ALL | 6' | 12' |
| Roosevelt Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 11' |
| McKinley Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' west of 7th Ave.<br>14' east of 7th Ave. |
| Pierce Street Alley west of 7th Ave. to 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |
| Fillmore Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| ***Central Avenue South Corridor*** | | | | | | |
| Central Avenue Grant St. to Hadley St. | 0' | 20' | Minimum 50% | S, GA, SD, PO,CE | 5' | 11' |
| Central Avenue | 0' | 20' | Minimum 50% | S, GA, SD, PO, CE | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Hadley St. to Buckeye Rd. | | | | | | |
| Grant Street 2nd Ave. to 2nd St. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| Sherman Street 2nd Ave. to 1st Ave. crossover | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 11' |
| Hadley Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Tonto Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Buckeye Road Alley west of Central Ave. to 3rd St. | 0' | 20' | Minimum 50% | S, GA | 5' | 12' |
| Buckeye Road Alley west of 3rd St. to 4th St. | 0' | 20' | Minimum 50% | S, GA | 7' | 12’ |
| 2nd Avenue Grant St. to Sherman St. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| 1st Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 50% | S, GA | 5' | 19' |
| 1st Avenue Hadley St. to Tonto St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 18' |
| 1st Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 1st Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 2nd Street | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| South of Grant St. | | | | | | |
| 2nd Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 3rd Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 20' |
| 4th Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1212. Downtown Gateway.

**A. Intent.** The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

**B. Development Standards.** The following development regulations apply to properties located with the Downtown Gateway character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: none, except north of Garfield Street,McKinley Street and south of Portland Street where a 30% bonus is allowed.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 100%.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines:** none.

5. **Required parking:** governed by Section 1206.
   b. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines:
      (1) When a fully dedicated alley is present, view fencing shall be provided for all portions of walls above 40" in height.
      (2) When not adjacent to an alley, maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Downtown Gateway*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Coronado Road<br>Central Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| McDowell Road<br>1st Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA, GR | 8' | 16' |
| Lynwood Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Willetta Street<br>Central Ave. to 1st St. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Culver Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Roosevelt Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street | 0' | 20' | Minimum 50% | ALL | 8' | 16' |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Ave. to alley east of Central Ave. | | | | | | |
| Garfield Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| McKinley Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Pierce Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Fillmore Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| 1st Avenue<br>Alley north of Almeria Rd. to McDowell Rd. | 5' | 25' | N/A | SD, PO | 8' | 16' |
| 1st Avenue<br>Roosevelt St. to McKinley St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| 1st Avenue<br>McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Coronado Rd. to Culver St. | 0', unless more needed to comply with Central Avenue Development Standards | 20' | Minimum 75% | ALL | per adopted Central Avenue Development Standards | per adopted Central Avenue Development Standards |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Avenue<br>Culver St. to Roosevelt St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Roosevelt St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Alvarado Road<br>Coronado Rd. to McDowell Rd. | 5’ | 20’ | 50% | SD, PA, PO, S, GA | 8' | 16' |
| 1st St.<br>McDowell Rd. to Willetta St. (Cancer Survivor Park) | 0' | 20' | Minimum 75% | SD, PA, S | 8' | 16' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1213. East Evergreen.

A. **Intent.** The East Evergreen Character Area centers on its incorporation of a historic residential district along with residential offices and newer mixed-use/mid-rise developments. New developments should be compatible with the size of existing buildings, providing an alternative to high-rise housing and offices downtown. New mixed-use projects should be integrated with the historic character of the area by preserving the existing planting strips, palm trees, and landscaped yards on sites within or adjacent to the Historic District. Streets and pedestrian corridors should be inviting and conveniently link the neighborhood to services, parks, cultural facilities and public transportation.

B. **Development Standards**. The following development regulations apply to properties located with the East Evergreen character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.
   c. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 50%.
   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.
   b. Additional bonus: none.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Sides: 3 feet; combined total of 10 feet required.
      (2) Rear: 10 feet.
   b. Accessory buildings:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus: none.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—East Evergreen*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Lynwood Street<br>West of 7th St. to 4th St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 10' North<br>9' South |
| Willetta Street<br>West of 7th St. to east of 3rd St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |
| 5th Street<br>South of McDowell Rd. to Interstate 10 Freeway | 5' | 20' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—East Evergreen.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. (P)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of East Evergreen, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1214. Evans Churchill East.

A. **Intent.** The primary intent of the Evans Churchill East Character Area is to be a continuously evolving arts-oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ASU campus to the south and Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus north of Garfield Street: none.
   c. Bonus south of Garfield Street: 10% maximum increase.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:**
   a. North of Garfield Street: 50%.
   b. South of Garfield Street: 90%
   c. Bonus (both areas): maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 100%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Portland Street<br>3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Roosevelt Street<br>3rd St. to 7th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 7' | 17' |
| Garfield Street<br>4th St. to 6th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| Garfield Street<br>6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 12' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| 3rd Street<br>North of Moreland St. to Portland St. | 5' | 30' | Minimum 75% | ALL | 5' | 17' |
| 3rd Street<br>Portland St. to Roosevelt St. | 5' | 30' | Minimum 75% | ALL | 5' | 15' |
| 4th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 15' |
| 5th Street<br>Moreland St. to Roosevelt St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 5th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 6th Street<br>Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | SD, PA, S, GA | 5' | 20' |
| 7th Street | 0' | 20' | Minimum 75% | ALL | 8' | 16' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland St. to McKinley St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1215. Evans Churchill West.

A. **Intent.** The primary intent of the Evans Churchill West Character Area is to serve as a transition between the mixed-use neighborhoods to the north and east, the Downtown Gateway Corridor to the west, and the Biomed Cluster to the south. Ideally the area should embrace architecturally innovative high-density residential buildings and offer a dynamic mix of commercial and retail uses. It is the home of the downtown public market and will develop into a destination for retail, restaurants and nightlife. Adjacency to major destinations creates the potential for this area to serve as a major pedestrian thoroughfare. New developments should reflect the innovation of the area and incorporate shade structures and landscaping to create comfortable and inviting pedestrian thoroughfares. Outdoor dining and retail shops will enhance the pedestrian experience and encourage exploration and patronage. Buildings oriented to the street with ample sidewalk space allow for pedestrian amenities in addition to the tree-shaded sidewalks in parkway-like strips.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill West character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: for properties located between Pierce Street and Fillmore Street, a maximum additional 100-foot height bonus (in addition to the height permitted per Section 1202.B) may be permitted through a Sustainability Bonus approved by the Design Review Committee per Section 1224.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 100% increase.

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**: none.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 100%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill West*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>1st St. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, CE, S, GA | 5' | 20' |
| Portland Street<br>Alley east of Central Ave. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, PO, CE, S, GA | 5' | 20' |
| Roosevelt Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 12' | 18' |
| Garfield Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Pierce Street<br>Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Fillmore Street<br>Alley east of Central Ave. to 1st St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' | 14' |
| Fillmore Street<br>1st St. to 2nd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' | 15' |
| Fillmore Street<br>2nd St. to 3rd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' North<br>8' South | 10' North<br>15' South |
| Fillmore Street<br>3rd St. to 5th St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' North<br>5' South | 15’ |
| 1st Street | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | Per plans approved by Street Transportation Department. | |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland St. to Fillmore St. | | | | | | |
| 2nd Street Moreland St. to McKinley St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' |
| 2nd Street McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' East<br>25' West |
| 3rd Street Moreland St. to Portland St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' |
| 3rd Street Portland St. to alley north of Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' East<br>10' West |
| 3rd Street Alley north of Roosevelt St. to Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Street Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 4th Street Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1216. McDowell Corridor.

A. **Intent.** The McDowell Corridor should create an attractive, pedestrian-oriented mixed-use street as a gateway to the historic neighborhoods and Downtown Phoenix. The mixture of professional offices and retail establishments should become more urban and pedestrian oriented. New structures should be built closer to the street and parking should be located behind buildings.

B. **Development Regulations.** The following development regulations apply to properties located with the McDowell Corridor character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   b. Bonus: none.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 50% increase.

3. **Maximum lot coverage:** 50%
   a. Bonus: maximum 85% lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building:
      (1) Side: 5 feet.
      (2) Rear: 15 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 25%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—McDowell Corridor*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>West of 7th Ave. to east of 1st Ave. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, SD, PO, GA | 5' | 15’ |
| McDowell Road<br>3rd St. to 7th St. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, GA | 6' | 16' |
| Lynwood Street<br>East of 7th Ave. (north side only) | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 15' |
| Lynwood Street<br>5th St. to west of 7th St. | 15' | 30' | Minimum 75% | AFY, SD, PA, PO | 5' | 15' |
| 7th Avenue<br>Alley north of McDowell to Lynwood St. | 0’ | 20' | Minimum 75% | S, GA, CE | 7' | 17’ |
| 5th Avenue | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 16' |

| *Frontage and Streetscape Zone Matrix—McDowell Corridor* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Alley north of McDowell Rd. to alley south of McDowell Rd. | | | | | | |
| 3rd Avenue<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 75% | SD, S, PA, PO | 5' | North of McDowell: 10’<br>South of McDowell: as established |
| 3rd Street<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 50% | SD, S, GA, PA, PO, CE | 6' | 16’ |
| 5th Street<br>McDowell Rd. to Lynwood St. | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 15' |
| 7th Street<br>Alley north of McDowell to Moreland St. | 0' | 20' | Minimum 50% | ALL | 6' | 16', or as may be required by ADOT adjacent to freeway ramps |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1217. Roosevelt East.

A. **Intent.** The Roosevelt East Character Area is comprised of a mixture of historic buildings with larger blocks of land with high-rise entitlements. The area will serve as a transition zone from the smaller scale Roosevelt South and Roosevelt North Character Areas to the Downtown Gateway Character Area located to the east along the light rail.

B. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: maximum 25%.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: maximum 100% increase.

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side abutting HP-zoned lot: 10 feet.
      (2) Side abutting lot not zoned HP: 0 feet.
      (3) Rear: 0 feet.
   b. Accessory buildings:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking: g**overned by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Roosevelt East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>3rd Ave. to west of Central Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA, CE | As Established | As Established |
| Roosevelt Street<br>3rd Ave. to 1st Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA | As Established | As Established |
| McKinley Street<br>3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO | 5' | 15' |
| Fillmore Street<br>3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO, GA, CE | 5' | 15' North Side<br>21' South Side |

| *Frontage and Streetscape Zone Matrix—Roosevelt East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Avenue Portland St. to Roosevelt St. | 0' | 25' | Minimum 75% | SD, S, PO, CE | 6' | 16' |
| 2nd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, PA, S, PO, FC, CE | As Established | As Established |
| 2nd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 75% | AFY, SD, S, PO, FC | As Established | As Established |
| 3rd Avenue Latham St. to Roosevelt St. | 0' | 25' | Minimum 50% | SD, PA, PO, S | 6' | As Established |
| 3rd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |
| 3rd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—Roosevelt East.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

***Rationale:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt East, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1218. Roosevelt North.

B. **Intent.** Roosevelt North is part of the Roosevelt Historic District and it is comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. Properties generally have carriage houses or garages in the backyard that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt North character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: none.

3. **Maximum lot coverage:** 40%
   a. Additional lot coverage of 15% (total 55%) is allowed for accessory structures.
   b. Additional bonus: none.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Sides: 3 feet; 10 feet combined total minimum.
      (2) Rear: 10 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus: none.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt North*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>7th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Latham Street<br>5th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 7'5" |
| Culver Street<br>7th Ave. to 300' west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Willetta Street | 20' | 30' | None | AFY | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Ave. to alley west of Central Ave. | | | | | | |
| Lynwood Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| 7th Avenue<br>Lynwood St. to alley south of Portland St. | 20' | 30' | None | AFY | 6' | None Required |
| 5th Avenue<br>Alley north of Roosevelt St. to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Alley north of Roosevelt St. to Culver St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Culver Street to alley north | 10' | 25' | None | AFY~~, SY~~ | 5' | 6' |

| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| of Lynwood St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt North.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt North, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1219. Roosevelt South.

B. **Intent.** Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and dining along tree-lined streets creating a highly desirable, walkable neighborhood.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt South character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: 100%

3. **Maximum lot coverage:** 50%
   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.
   b. Bonus: maximum 75% lot coverage.

4. **Minimum setbacks from interior property lines.**
   a. Primary building:
      (1) Side abutting HP-zoned lot: 10 feet.
      (2) Side(s) abutting lot not zoned HP: 3 feet; 10 feet combined total minimum
      (3) Rear: 0 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 0 feet.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 50%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.

b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**
   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)
   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt South*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Roosevelt Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 75% | AFY, SD, PO, PA, S | 5' | 6' |
| McKinley Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 10' |
| Fillmore Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 7'5" |
| 6th Avenue<br>Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 6' |

| *Streetscape and Frontage Zone Matrix—Roosevelt South* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 5th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 14' |
| 4th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |
| 3rd Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt South.**

4. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

5. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

6. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt South, preferably by using historic materials and design elements already found within the Character Area.*

## Section 1220. Townsend Park.

A. **Intent.** The primary intent of the Townsend Park Character Area is to transition between the mixed-use neighborhoods to the east, the McDowell Corridor to the north and the Downtown Gateway to the west. The area's special potential to connect these diverse adjacent areas can be realized through incorporating mixed-use/mid-rise developments that focus on office and cultural facilities. Given the proximity to the City's largest public library and the light rail corridor, a cultural focus in any new development is essential. As with any heavily accessed cultural area, the streetscape should contain inviting and comfortable parkway strips that offer easy links to nearby cultural facilities, parks and public transportation.

B. **Development Regulations.** The following development regulations apply to properties located with the Townsend Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**
   a. Main building: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: maximum 30%.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: 100%

3. **Maximum lot coverage:** 75%
   a. Bonus: maximum 100% lot coverage.
   b. Accessory buildings may not exceed 25% of the net lot area. This coverage is included within the overall permitted lot coverage.

4. **Minimum setbacks from interior property lines**:
   a. Primary building: 0 feet.
   b. Accessory structures:
      (1) Side: 3 feet.
      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Townsend Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>1st St. to east of 3rd St. | 0' | 20’ | Minimum 75% | S, GA, CE | 5' | 5’ |
| Willetta Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Culver Street<br>1st St. to 2nd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Moreland Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| 1st Street<br>McDowell Rd. to Willetta St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' East<br>7' West | 6' East<br>West—None Required |
| 2nd Street<br>McDowell Rd. to Culver St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' | 25' |
| 3rd Street | 5' | 30' | Minimum 75% | S, SD, PA, PO, GA | 5' | 15' |

| *Streetscape and Frontage Zone Matrix—Townsend Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Rd. to Moreland St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1221. Van Buren.

**A. Intent.** The intent of the Van Buren Character Area is to establish a dense, vibrant, urban mixed-use area that is a center for commerce and high-rise urban living. This area comprises some of the tallest height entitlements within the City. The close proximity to government buildings and commercial offices makes this an ideal location for future hotels and iconic residential buildings with a strong urban focus. The active streetscape will connect the primarily residential neighborhoods to the north with the amenities and services provided within the Business Core and Van Buren Character Areas.

**B. Development Regulations.** The following development regulations apply to properties located with the Van Buren character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height.**
   a. Main building*:* governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
      (1) Bonus: none.
   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** governed by the density map, Section 1202.C.
   a. Bonus: Maximum 50% increase.
   b. For properties which dedicate the Taylor Street Paseo, see below.

3. **Maximum lot coverage:** 55%.
   a. Bonus: maximum 100% lot coverage.
   b. Accessory structures: maximum 25% total lot coverage. This amount is included in the overall allowed lot coverage.
   c. For properties which dedicate the Taylor Street Paseo, see below.

4. **Minimum setbacks from interior property lines.**
   a. Primary building: 10 feet. No setback required if property line abuts an alley which is not a Buffer Alley.
   b. Accessory structures: None.

5. **Required parking:** governed by Section 1206.
   a. Bonus:
      (1) Increase: maximum 50%
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: per the provisions of Section 1207.D.
b. Interior property lines: maximum height of 6 feet.
   (1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

8. **Taylor Street Paseo**. Certain properties within Van Buren are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N., in addition to the modified standards stated above. The affected properties are shown on the map provided within that Section.

   a. For properties that dedicate the Taylor Street Paseo, lot coverage and density are not restricted.

   b. For properties formerly required to dedicate the Taylor Street Paseo prior to the Paseo realignment, lot coverage and density are not restricted if all of the following amenities are provided within the property frontage:

      (1) A minimum 8 foot wide sidewalk is provided for the length of the property.
      (2) Two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.
      (3) Open space at the ground level on private property (minimum 500 square feet and not less than 10 feet wide any direction), with a public access easement dedicated over all portions of the open space area.
      (4) A minimum of three pedestrian amenities within the open space, such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet.

**C. Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Van Buren*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>Alley west of 7th Ave. to 7th Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 7' |
| Fillmore Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Van Buren Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 5' | 5' |
| Woodland Avenue<br>9th Ave. to alley west of 9th Ave. | 12' | 30' | Minimum 75% | AFY, SD, PA, PO, S | 5' | 10' |
| Monroe Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S | 8' | 10' |
| Adams Street<br>4th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| Adams Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 5' |
| 9th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 50% | ALL | 5' | 20' |
| 7th Avenue<br>Fillmore St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |

| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | East 5'<br>West 5' | East 8'<br>West 5' |
| 6th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | East 5'<br>West 5' | East 5'<br>West 8' |
| 5th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 4th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| 4th Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 5' | 5' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 65% | SD, PO, S, FC, GA | See Paseo Guidelines | See Paseo Guidelines |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

## Section 1222. Warehouse.

A. **Intent.** The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. **Development Regulations.** The following development regulations apply to properties located with the Warehouse character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

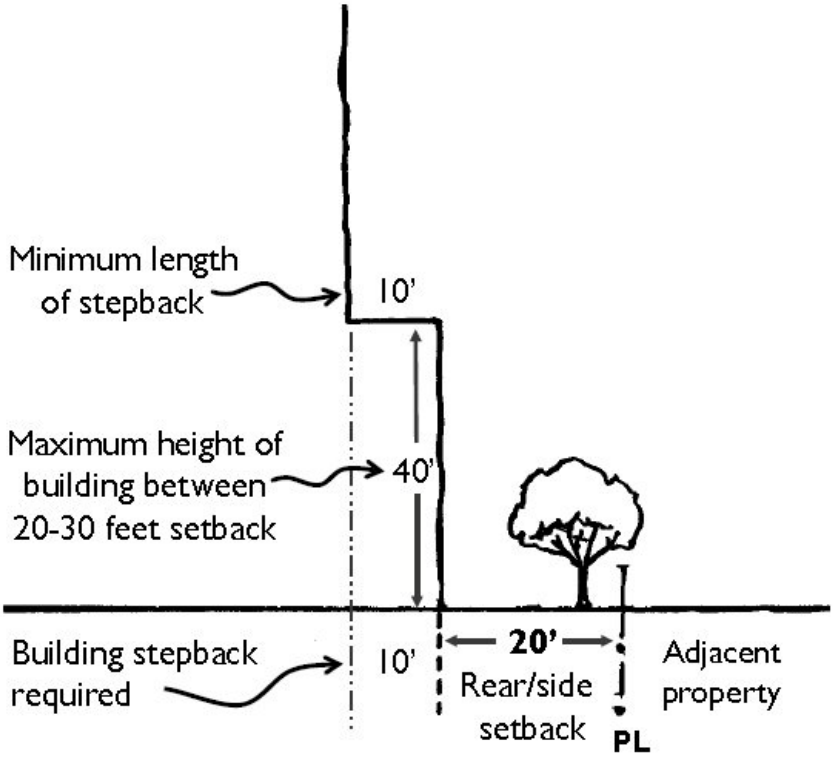
1. **Maximum height**: governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.
   a. Bonus (north of Lincoln Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.
   b. Bonus (elsewhere within Character Area): 50%. Exception: any property within a base height category of 150 feet or greater shall not be permitted a height bonus, due to Airport Downtown Zone height limits.
   c. Additional height restrictions apply for properties subject to Section 1222.B.4.

2. **Maximum density**: governed by the density map, Section 1202.C.
   a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage**: 100%.
   a. Bonus: none.

4. **Minimum setbacks from interior property lines:**
   a. For sites not abutting a property located within the Central Park Character Area: 0 feet.
   b. For sites abutting a property located within the Central Park Character Area (not including properties separated by a fully dedicated alley or street), the following regulations apply:
      (1) Side or rear lot line: Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line.

(2) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line.
(3) A stepback shall be required unless the proposed new development is located ten or more feet beyond the required setback line. A minimum stepback of ten feet in depth for the length/width of the building that is adjacent to the Central Park Character Area is required. The stepback shall be measured from the required side or rear yard setback line.




5. **Required parking:**
   a. Minimum:
      (1) Residential uses: governed by Section 1206.
      (2) Non-residential uses: none.
   d. Maximum: governed by Section 1206.
   e. Bonus:
      (1) Increase: maximum 100%.
      (2) Decrease: maximum 100%.

6. **Walls/Fences.**
   a. Frontage Zones: per the provisions of Section 1207.D.
   b. Interior property lines: maximum height of 8 feet.

7. **Signage.** Signage in the Warehouse Character Area shall be governed by the regulations applicable to signs in the commercial districts of Section 705 of the Phoenix Zoning Ordinance.

   a. Signs projecting from the front of buildings shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall require a revocable permit administered by the City of Phoenix prior to issuance of the sign permit. Each sign shall:
      (1) Identify only one on-site business.
      (2) Provide a minimum eight-foot clearance.
      (3) Project no more than three feet into the public right-of-way.
      (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign).

   b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

   c. Signs painted on the building surface or letters mounted directly to the building surface should:
      (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. May have minimum of 40 square feet.
      (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

   d. Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area.

   e. Second-story businesses may only use a sign in a second-story window, or use a wall sign. Awning signs shall not be permitted on second-story windows.

   f. Corner buildings shall be allowed signage on each street frontage.

   g. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. The maximum height of said directional signs is three feet. No more than 25 percent of the area may be devoted to business identification.

   h. The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area.

   i. Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2.a, b and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identification. In

addition to the standards enumerated in Section 705.F, findings of approval of the use permit shall include:
(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
(2) When adjoining establishments participate in an event, a single request for a use permit may be filed.

j. Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

k. The following signs are prohibited:
(1) Those placed above or on top of any portion of the roof or front parapet or facade.
(2) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
(3) Freestanding signs or ground signs.

l. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in Section 705.E of the Phoenix Zoning Ordinance.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Warehouse*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Avenue South of the train tracks to Grant St. | 0’ | 20’ | None | ALL | 5' | 10’ |
| 7th Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 75% | S, GA, SD, CE | 5' | 10’ |
| 6th Avenue | 0' | 20' | Minimum 50% | ALL | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Sherman St. to Grant St. | | | | | | |
| 5th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 4th Avenue Sherman St. to Grant St. | 0' | 20' | Minimum 50% | ALL | 5' | 12' |
| 4th Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 19' |
| 4th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 3rd Avenue Grant St. to Jackson St. | 0' | 20' | Minimum 75% | S | 5' | 20' |
| 2nd Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 23' |
| 2nd Avenue Buchanan St. to Jackson St. | 0' | 20' | Minimum 50% | S | 5' | 10' |
| 1st Avenue | 0' | 20' | Minimum 75% | S | 10' | 15' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Grant St. to Madison St. | | | | | | |
| Central Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S, GA, SD, CE | 8' | 15' |
| 1st Street Grant St. to Buchanan St. | 0' | 20' | Minimum 50% | ALL | 5' | 15' |
| 1st Street Buchanan St. to Madison St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 2nd Street Lincoln St. to alley south of Jackson St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 3rd Street South of Grant St. to Grant St. | 0' | 20' | Minimum 75% | AFY, SD, PA, PO, S | 6' | 20' |
| 3rd Street Grant St. south to Railroad Row | 0' | 20' | Minimum 75% | S | 6' | 14' |
| 4th Street Grant St. south to Character | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 10’ |

| ***Streetscape and Frontage Zone Matrix—Warehouse*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Area boundary | | | | | | |
| 5th Street Grant St. to Lincoln St. | 0' | 20’ | Minimum 50% | ALL | 6' | 14' |
| 6th Street Lincoln St. to Buchanan St. | 0' | 20’ | Minimum 50% | ALL | 8' | 13' |
| 7th Street Lincoln St. to south of Grant St. | 0' | 20’ | Minimum 75% | ALL | 6' | 14' |
| Madison Street 5th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Madison Street 1st Ave. to 1st St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Jackson Street 5th Ave. to 1st St. | 0' | 20’ | Minimum 75% | S | 8' | As Established with Tree Wells(1) |
| Buchanan Street 3rd Ave. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |
| Lincoln Street | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Ave. to 7th St. | | | | | | |
| Grant Street<br>6th Ave. to 2nd St.<br>3rd St. to 7th St. | 0' | 20’ | Minimum 50% | ALL | 5' | 19' |
| Grant Street<br>2nd St. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 19' |
| Sherman Street<br>7th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

D. **Additional Design Regulations--Warehouse.**

1. New construction from finished grade to 65 feet in height shall use concrete, brick or other quality exterior-facing materials found on the structures in the Warehouse Character Area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. (P)

2. Brick veneer and brick tile applications, when used, should give the appearance of structural brick by using wraparound corner and bullnose pieces to minimize a veneer appearance. (P)

3. Stucco should not be used as a new element on an existing building. For new construction, stucco finishes should be limited to no more than 25 percent of all facades, and located where least visible from Streetscape Zones. (P)

***Rationale for D.1 – D.3:*** *The Warehouse Character Area has a unique and historic architectural context which current development should mimic or complement.*

4. The following design elements are only permitted for use within the Warehouse Character area if approved by the Design Review Committee as a Design Alternative per Section 1224 (R*):

    a. Metal or wood siding.
    b. Parabolic arches and other nongeometric forms.
    c. Backlit awnings or panels.
    d. Plastic and acrylic components used in awnings and other accessories.
    e. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms.
    f. Curtain-wall facades.

## Section 1223. Sustainability Bonus.

**A. Applicability**. The Sustainability Bonus system is designed to provide additional entitlements to developments that exhibit enhanced and/or environmentally friendly design, or other performance elements as outlined in this Section or as approved by the Design Review Committee.

1. A Sustainability Bonus may only be awarded when allowed by the applicable Character Area development regulations.

2. Sustainability Bonus credits (as detailed in Section 1223.C) earned shall only apply to one category of bonus. If multiple bonuses are desired for one development (such as one for height increase, and another for parking increase), each bonus must earn the required bonus credits separately, unless specifically stated otherwise in this Chapter.

3. All items or improvements which are provided specifically to obtain a Sustainability Bonus shall be located on site, and not in public right-of-way, unless approved as a Technical Appeal demonstrating that all required Streetscape improvements, including shade, landscape, and minimum sidewalk width, will still be provided.

**B. Credit Categories.**

1. **Height Increase.** The allowed bonus is an increase in height calculated as a percentage of the base maximum height permitted per Section 1202.B. However, no building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

| Height Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 50% |
| 60 | 40% |
| 50 | 30% |
| 40 | 20% |
| 30 | 10% |
| 20 | 5% |

2. **Density Increase**. The allowed bonus is an increase in the number residential units calculated as a percentage of the base maximum units permitted per Section 1202.C:

| Density Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 100% |
| 60 | 80% |
| 50 | 60% |
| 40 | 40% |
| 30 | 25% |
| 20 | 10% |

3. **Increase of Lot Coverage**. The allowed bonus is the amount of additional lot coverage allowed in addition to the lot coverage permitted by the applicable Character Area; e.g. a development earning 20 bonus credits is allowed an additional 10% lot coverage.

| Increase of Lot Coverage | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 50% |
| 40 | 25% |
| 30 | 15% |
| 20 | 10% |
| 10 | 5% |

4. **Increase of Maximum Parking.** The allowed bonus is an increase calculated as a percentage of the maximum parking allowed per Section 1206.

| Increase of Maximum Parking | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 100% |
| 40 | 75% |
| 30 | 50% |
| 20 | 25% |
| 10 | 15% |
| 5 | 10% |

5. **Decrease in Minimum Parking.** The allowed bonus is a decrease calculated as a percentage of the minimum parking required per Section 1206.

| Decrease of | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 25 | 100% |
| 20 | 75% |
| 15 | 50% |
| 10 | 25% |
| 5 | 10% |

C. **Sustainability Bonus Credit Matrix.**

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 1. Provide a vertical mixed-use development which incorporates commercial suites at the ground level intended for patronage by the general public, and not associated with the operation of the overall development. Each suite shall have a primary entrance from the Frontage/Streetscape zone. | 25% of gross ground area of building | 5 |
| | 50% + of gross ground floor area of building | 10 |
| 2. Provide pedestrian amenities within the Frontage Zone (or Streetscape Zone if approved through a Technical Appeal and Street Transportation) such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. (Must be in addition to any required amenities.) | 3 Different Types of Amenities | 5 |
| | 6+ Different Types of Amenities | 10 |
| 3. Provide outdoor dining within the Frontage Zone. Also applies to outdoor dining provided within a Forecourt or a Gallery/Arcade, but only if the minimum sidewalk width required by the Character Area is maintained. | Minimum 400 sf | 5 |
| | 800+ sf | 10 |
| 4. Provide additional bicycle amenities (beyond any required), as follows in 4a and 4b: | | |
| 4a. For any use type, provide additional amenities such as a secured bicycle parking room; bicycle lockers, tire air-up facilities, and/or bicycle maintenance area or room. | Secured parking room for minimum 50% required bicycle parking | 5 |
| | Bicycle lockers for minimum 50% required bicycle parking | 5 |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| | Tire air-up facility or bicycle maintenance area/room | 3 (each) |
| 4b. For non-residential uses, provide showers and/or personal lockers within changing rooms for use by the building's tenants. | Shower | 4 (each); maximum 20 points |
| | Personal lockers in changing room | 3 points for each 5 lockers, maximum 15 points |
| 5. Provide a public art installation within or on the building abutting a Frontage Zone. | Art installation (as approved by PDD) | 5 points per installation |
| 6. Provide on-site permeable paving, structured soil/grass, open grid paving or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The areas provided may include on-site pedestrian walkways, private driveways/aisles and parking stalls, but shall not include loading areas or hardscape located within public ROW. | minimum 250 sf area | 2 |
| | >250 sf to 500sf area | 4 |
| | >500 sf to 1000 sf area | 8 |
| | >1000 sf area | 15 |
| 7. Utilize non-potable gray water and/or rainwater to supplement required landscape irrigation water. | Either gray water or rainwater harvesting system provided | 3 |
| | Both systems provided (may be combined) | 6 |
| 8. Outperform the currently adopted energy code standard by the following percentages, measured by the percent (%) over required energy code standard. | 5%—9% | 5 |
| | 10%—14% | 10 |
| | 15%+ | 15 |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 9. Provide on-site renewable energy for the entire building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. Based on the load of the service and the percent of load being provided by a renewable source. | | 1 point for each % of building energy usage being provided |
| 10. Provide a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. Measured by percent (%) of power purchased to meet the energy demand for the building. | 10%—35% | 5 |
| | 35%+ | 10 |
| 11. Provide a minimum 8 foot wide public sidewalk for the length of the property frontage (applicable only when the required minimum width is less than 8 feet). | | 5 per street frontage |
| 12. Provide two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk. | Second row trees matching Streetscape minimum requirements | 10 per street frontage |
| 13. Provide a minimum 30-year historic preservation conservation easement for the original footprint of a building on a property designated HP or HP-L, as approved by the Historic Preservation Officer. | Easement provided on a property located within Downtown | 20 |
| | Easement provided on a property located within same Character Area as development | 10 (in addition to the base 20 points) |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 14. Rehabilitate a structure (including building stabilization) on a property zoned HP or HP-L located within Downtown, as approved by the Historic Preservation Officer. | | 30 |
| 15. Provide open space at the ground level on private property (minimum 500 sf and not less than 10 feet wide any direction), as follows: | Provide at least 5% of the gross site area. | 5 |
| | Provide at least 10% of the gross site area. | 10 |
| | Dedicate a public access easement over the full open space area used to qualify for bonus | 10 additional |
| 16. Provide affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department. | 10%—24% | 10 |
| | 25%—49% | 15 |
| | 50%+ | 20 |
| 17. Provide solar panels on the roof of the building(s), as follows: | At least 25% of the total roof area, up to 50% | 5 |
| | More than 50% up to 75% of the total roof area | 10 |
| | More than 75% of the total roof area | 15 |
| 18. Provide electric vehicle charging spaces with installed electric vehicle charging stations (maximum 30 points total). | For use by building owners or tenants only | 2 per EVC space |
| | For use by building visitors and/or general public | 4 per EVC space |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 19. Provide below grade and/or lower level parking areas only.<br>(not applicable if no parking provided).<br><br>**not including required ADA spaces* | No parking provided above the ground floor level | 10 |
| | All parking* provided below finished grade | 20 |
| 20. Provide shade for a minimum of 50% of all occupiable roof areas. | | 5 |

## Section 1224. Appeals.

**A. Design Alternative Appeals.** A Design Alternative appeal is a requested deviation from development regulations indicated with (R*), or an appeal of a decision by the Planning and Development Department regarding compliance with a presumption (P). Approval of a Design Alternative appeal shall result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area, as approved by the DRC, as follows:

1. A Design Alternative appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of development regulations as part of a Design Alternative appeal.

3. The DRC may impose conditions or stipulations with an approval of a Design Alternative appeal.

4. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R*), and (R), but not items indicated with (T). **"RELATED" IN THIS CONTEXT MEANS THAT RELIEF FROM AN ITEM INDICATED BY (P), (R*), OR (R) IS NECESSARY TO APPROVE THE PROPOSED DESIGN ALTERNATIVE.**

5. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. For properties with a Historic Preservation (HP) designation, a Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing the appeal and a copy submitted with the appeal application;
    b. A listing of each of the development regulations that are the subject of the proposed Design Alternative, including all additional items indicated with (P), (R*) and (R) which also require relief to attain the proposed Design Alternative;
    c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the applicable Character Area, and would satisfy the findings required for approval;
    d. Site plan;
    e. Building elevations;
    f. Context plan (per Section 507.E);
    g. Landscaping and shading plan;
    h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

i. Such other information as may be required by the Planning and Development Director or the DRC.

6. In order to approve a Design Alternative appeal, the DRC must make findings as follows:

a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, forms, and materials.
(2) Permeability and connectivity which enables people to move within, around and through the project with ease.
(3) That the design alternative would improve safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enable "eyes on the street."
(4) The design alternative will incorporate materials and design which enhance thermal comfort.

**B. Sustainability Bonus Appeals.** An applicant may ~~**file a request for the Design Review Committee to**~~ appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223~~.~~**,TO THE DESIGN REVIEW COMMITTEE, AS FOLLOWS:**

1. A Sustainability Bonus appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of specific bonus credits as part of a Sustainability Bonus appeal.

3. The DRC may impose conditions or stipulations with an approval of a Sustainability Bonus appeal.

4. Each Design Alternative appeal application shall include, at a minimum, the following:

a. A listing of the credits that are being utilized and any support**ING** documentation (to be sealed by a licensed professional);
b. Site plan;
c. Building elevations;
d. Context plan (per Section 507.E);
e. A narrative statement describing any deviation from the prescribed bonus credit(s) that indicates how the proposed standard is furthering the goals and policies of the

Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;
g. Such other information as may be required by the Planning and Development Director or DRC.

5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows:

   a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and

   c. That the increased entitlements are consistent with the improved performance of the building(s).

**C. Variances/Zoning Adjustment.** A variance is a requested deviation from a development regulation designated as a requirement, or (R), and shall comply with the provisions of Section 307.A.9, in addition to the following:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request**, UNLESS THE REQUEST IS NOT DESIGN-RELATED, AS DETERMINED BY THE DESIGN ADVISOR, OR IS REGARDING A SIGN REGULATION.** The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:

   a. Whether the request is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. Whether the request is consistent with the intended Streetscape design and shade requirements for the applicable Streetscape and Frontage Zones.

2. The applicant shall provide a written narrative for the DRC to review and address as part of its written recommendation regarding the variance request. The narrative shall, at a minimum, include the following items:

a. How much relief has, or could be obtained through application of a Sustainability Bonus;

b. A written explanation why a Sustainability Bonus cannot be applied or obtain the relief desired by the variance request; and

c. A written explanation of how the development and the variance request is consistent with the intent, goals, and polices stated for the applicable Character Area.

********** **END** **********

# ATTACHMENT D

## Z-TA-5-22-4-7-8 Downtown Code
## Village Planning Committee Summary Results

| Village | Information Only Date | Recommendation Date | Recommendations | Vote |
|---|---|---|---|---|
| Central City | 8/12/2024 | 9/9/2024 | Approval, per the staff recommendation | 12-0 |
| Encanto | 8/5/2024 | 9/9/2024 | Approval, per the staff recommendation | 9-1 |

Central City
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-TA-5-22-4-7-8
## INFORMATION ONLY

| | |
|---|---|
| **Date of VPC Meeting** | August 12, 2024 |
| **Request** | Add a new Section 312 and amend the following sections of the Phoenix Zoning Ordinance to revise and clarify definitions, and variance and Design Review appeal processes and to clarify how other sections interact with Chapter 12 (Downtown Code):<br><br>Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls), Chapter 12 (Downtown Code) |

**VPC DISCUSSION:**

*No members of the public registered to speak on this item.*

STAFF PRESENTATION
**Christopher DePerro**, staff, provided a presentation about the proposed amendments to the Downtown Code, highlighting the revisions to the appeals processes, frontage and streetscape zones, the Taylor Street Paseo, and clarifications about issues in the right-of-way, further reviewing the timeline for the text amendment.

QUESTIONS FROM COMMITTEE
**Committee Member Sonoskey** asked about variances and if adding DRC review will make it take longer to get a variance. **Mr. DePerro** replied that a lot of other changes to the DTC will make variances necessary less often and that in some cases a variance can be obtained in conjunction with the DRC review.

**Mr. Sonoskey** asked if valet parking is currently allowed in the DTC. **Mr. DePerro** replied that the text doesn't currently say whether it's allowed and that the proposed

text requires Street Transportation Department approval for valet parking within the right-of-way.

**Vice Chair Gaughan** asked how long this revision has been in the works. **Mr. DePerro** replied that it has been since 2021.

PUBLIC COMMENTS
None.

Encanto
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-TA-5-22-4-7-8
## INFORMATION ONLY

| | |
|---|---|
| **Date of VPC Meeting** | August 5, 2024 |
| **Request** | Add a new Section 312 and amend the following sections of the Phoenix Zoning Ordinance to revise and clarify definitions, and variance and Design Review appeal processes and to clarify how other sections interact with Chapter 12 (Downtown Code):<br><br>Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls), Chapter 12 (Downtown Code) |

**VPC DISCUSSION:**

*No members of the public registered to speak on this item.*

STAFF PRESENTATION

**Chris DePerro** introduced himself and stated that changes to the Downtown Code have been in development for some time and there is a portion that is within the Encanto Village. Mr. DePerro stated the downtown area is between 7th Street and 7th Avenue extending to Buckeye Road to the south. Mr. DePerro stated that one of the reasons for changes was due to unclear language and over the years other changes were not made to update different provisions, tables and there was the intent to have a more traditional downtown code. Mr. DePerro stated that one of the big changes is clarification to the appeal process that was discovered when addressing large projects. Mr. DePerro said they also updated development requirements to be consistent and there were revisions to format, terminology, and grammar to have better interactivity with the rest of the ordinance. Mr. DePerro stated that what has not changed are the existing entitlements, the street classifications and character areas. Mr. DePerro said that one update that

was made was the inclusion of a parcel at the corner of 7th Avenue and Lynwood Street which was added back in to provide full coverage for the area. Mr. DePerro said no changes were made to permitted land uses with exception of one interpretation that was in error which was adjusted, and valet parking was added to the development standards. Mr. DePerro stated that Chapter 12 has been rewritten in the style of Section 507, Tab A and includes a reference to variance requirements and presumptions and technical appeals. Mr. DePerro said that performance standards can be evaluated by technical staff to evaluate the situation but does not go to a public hearing but can be appealed to the City Manager's representative. Mr. DePerro stated that variance relief would be maintained as required by state law. Mr. DePerro stated that what has been added is a process for design related items to go to the Design Review Committee for a recommendation addressing how the requirement items are met. Mr. DePerro stated that provisions were added for some items that are not design related that would be addressed by a design advisor. Mr. DePerro stated the 35 percent limitation on relief was removed and allowed for adjustments for alternative designs like storefront when they did not meet all the specific details. Mr. DePerro discussed the changes to frontages and streetscape zone to put more focus on the ground level environment for shade and landscaping. Mr. DePerro stated that provisions were added for sidewalks, bicycle parking, and amenities that match the WU (Walkable Urban) Code to be consistent. Mr. DePerro stated ride share and delivery space were added, and commercial loading remains to be kept off the street. Mr. DePerro discussed the streetscape zone that would include the minimum sidewalk and landscape setback. Mr. DePerro discussed the frontage setback zone and adjustments to the maximum setbacks to allow full use of the property as well as projections. Mr. DePerro displayed examples of commercial mixed-use frontages and residential frontages and how they will be expected to be developed in the future. Mr. DePerro discussed how public art would be utilized and placed in designated areas and corridors for display. Mr. DePerro stated that with the updates there would be new terminology, some terms would be updated to be consistent with the Zoning Ordinance to clearly express what is allowed with what is permitted. Mr. DePerro stated that certain terms like door yard, grand entry and traditional entry were updated to adapt to the WU Code and to be more functional options. Mr. DePerro stated that adjustments were added for windows, glazing and setbacks to encourage frontage options. Mr. DePerro discussed the Taylor Street Paseo which was updated to include portions of the character area and match the intended areas that were originally planned for. Mr. DePerro stated the Paseo would be preserved and there would be development incentives. Mr. DePerro stated that in making changes they evaluated streets and right of ways and driveways to maintain pedestrian activity and passenger loading. Mr. DePerro stated that the updates include provisions for valet parking that can be utilized across the street, but no new or additional parking is granted. Mr. DePerro stated that with adjusting the right of way allowances it still allows the Street Transportation Department to have flexibility and

does not override their role. Mr. DePerro discussed Historic Preservation and the general provisions of Chapter 12 and there would be no changes in preserving the existing developments. Mr. DePerro stated features such as height bonuses and corporate areas have been clarified when being rehabilitated. Mr. DePerro stated the availability of sustainability bonus points for reduced parking, additional lot coverage and the work with preservation and historical structures. Mr. DePerro stated the timeline for the proposed changes which began in 2022 and they have made the changes which are being presented. Mr. DePerro stated that the proposed changes will affect the Encanto Village and the Central City Village.

QUESTIONS FROM THE COMMITTEE

**Committee Member Procaccini** asked when there is a historic designation does it have to be nationally registered. **Mr. DePerro** responded this is addressed in Chapter 8 of the Ordinance when a site or building is designated HP (Historic Preservation) it is consider historic by City designation. Committee Member Procaccini asked if a site would be federally designated for preservation. Mr. DePerro stated he would check with the City's Historic Preservation Department for clarification.

**Committee Member Warnicke** stated there were changes made to the tree matrix and landscaping, but caliper size was not mentioned. **Mr. DePerro** responded that this was not addressed but there are installation requirements for tree size.

**Chair Wagner** stated the proposed changes will have a greater impact on Central City with some limited application on the southern boundary of the Encanto Village. Chair Wagner asked about the Design Review Committee and their decision that is final and non-appealable, noting that from the Village they address design questions without sufficient design details. Chair Wagner asked why there was a decision to grant power to a few people on a committee rather than a more public process. **Mr. DePerro** responded that the Design Review Committee was established with the original Downtown Code, and the committee was the final decision maker. Mr. DePerro stated that other options were considered for appeals that include a Design Advisor with a different board and at this time the updates are a major clarification of items that have been in practice for the last ten years and the focus has been on codification for clarity. Chair Wagner asked if staff could obtain the minutes from the Central City Village Planning Committee Meeting. Chair Wagner stated that it would be helpful to get information from the Central City Village perspective as well as seeing how the outreach was conducted. Mr. DePerro responded that they worked with the Downtown Phoenix Partnership, the Phoenix Community Alliance, the Rosevelt Action Association, and there was a work group that reviewed the language. Mr. DePerro stated that there will be additional presentations made to other groups. Chair Wagner asked if the City is currently rewriting other parts of the ordinance, to get a heads up on future changes. Mr. DePerro responded that there will be some upcoming changes based on the state

mandated requirements including revision to ADU's. Mr. DePerro stated they will be making some revisions to Adaptive Reuse as a follow up to SB 2297. Mr. DePerro stated there are many provisions that have to be updated but there is no immediate hurry, but they will be in progress.

PUBLIC COMMENTS

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

None.

Central City
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-TA-5-22-4-7-8

| | |
|---|---|
| **Date of VPC Meeting** | September 9, 2024 |
| **Request** | Add a new Section 312 and amend the following sections of the Phoenix Zoning Ordinance to revise and clarify definitions, and variance and Design Review appeal processes and to clarify how other sections interact with Chapter 12 (Downtown Code):<br><br>Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls), Chapter 12 (Downtown Code) |
| **VPC Recommendation** | Approval, per the staff recommendation |
| **VPC Vote** | 12-0 |

**VPC DISCUSSION:**

*No members of the public registered to speak on this item.*

*Committee Member Nervis joined the meeting during this item and Committee Member Burton declared a conflict of interest on this item, bringing quorum to 12 members.*

STAFF PRESENTATION
**Christopher DePerro**, staff, provided a presentation about the proposed amendments to the Downtown Code, highlighting the revisions to the appeals processes, frontage and streetscape zones, the Taylor Street Paseo, and clarifications about issues in the right-of-way, further reviewing the timeline for the text amendment.

QUESTIONS FROM COMMITTEE
**Committee Member Olivas** asked if there were any provisions in the proposal that have had opposition. **Mr. DePerro** stated that the proposal has been designed to

respond to comments from the community, highlighting the addition of a maximum grade for sidewalks.

**Committee Member Martinez** asked about the outreach conducted for this proposal. **Mr. DePerro** reviewed the process of conducting outreach to several organizations.

**Chair O'Grady** asked about the tree species matrix. **Mr. DePerro** described the purpose and history of the tree species matrix and the proposed text to allow alternatives to be approved administratively.

PUBLIC COMMENTS
None.

COMMITTEE DISCUSSION
**Committee Member Olivas** asked if this has gone to any other VPCs. **Mr. Hales** responded that the item is being heard at Encanto tonight.

**MOTION**
**Vice Chair Gaughan** made a motion to recommend approval of Z-TA-5-22-4-7-8 per the staff recommendation. **Rachel Frazier Johnson** seconded the motion.

**VOTE**
**12-0;** Motion to recommend approval of Z-TA-5-22-4-7-8 per the staff recommendation passed; Committee Members Ban, Burns, Greenman, R. Johnson, Martinez, Nervis, Olivas, Sonoskey, Starks, Vargas, Gaughan, and O'Grady in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Encanto
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-TA-5-22-4-7-8

| | |
|---|---|
| **Date of VPC Meeting** | September 9, 2024 |
| **Request** | Add a new Section 312 and amend the following sections of the Phoenix Zoning Ordinance to revise and clarify definitions, and variance and Design Review appeal processes and to clarify how other sections interact with Chapter 12 (Downtown Code):<br><br>Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls), Chapter 12 (Downtown Code) |
| **VPC Recommendation** | Approval, per the staff recommendation |
| **VPC Vote** | 9-1 |

**VPC DISCUSSION:**

*No members of the public registered to speak on this item.*

*Committee Member Kleinman left the meeting room during this item, bringing quorum to 10 members.*

STAFF PRESENTATION

**Tricia Gomes,** Planning and Development Department Deputy Director, introduced herself and provided a recap of the changes, explaining the updates aim to improve clarity, address contradictions, and simplify the language of the Downtown Code. Ms. Gomes stated the revisions focus on several key areas including appeals, an analysis of the pedestrian environment to improve shade, development regulations and some updated language and grammar. Ms. Gomes stated what is not changing are existing entitlements, pedestrian side streets, buffer alleys and character areas with one exception at the corner of Lynwood Street and 7th Avenue which had a unique update.

Ms. Gomes stated that the changes to the land use portions were interpretations for valet parking as an accessory use. Ms. Gomes stated that Chapter 12 was reevaluated and rewritten addressing technical appeals and design related variances and to address how other sections would interact with the changes. Ms. Gomes discussed the letters associated to the designations for the type of appeal and rationale behind them including T (Technical Appeal), R (Variance), R* (Design Review Committee) and P (Staff Discretion). Ms. Gomes stated that the Technical Appeal Committee is a newly added requirement and will address safety or performance standards and will be appealable to the City Manager (CMR) or the Design Advisory Board (DAB). Ms. Gomes said that design related variances will be reviewed by the Design Review Committee (DRC) for recommendations, allowing flexibility in design without requiring a variance for a minor adjustment. Ms. Gomes noted that the appeals for variances are handled by the Board of Adjustment or Superior Court focusing on hardship or unique circumstances. Ms. Gomes stated that design related items would be routed to the DRC for recommendation prior to a hearing. Ms. Gomes discussed the DRC public hearing, the removal of 35 percent limitation on relief, requests made with a design alternative and a new role of providing recommendations for design related variances. Ms. Gomes said frontages and streetscapes were addressed to include a minimum sidewalk width and setbacks were increased 10-15 feet and projections were added within frontage zones. Ms. Gomes stated the Grand Entry was added to allow prominent and large-scale developments such as hotels and this element is intended to create significant and welcoming entryways for high-traffic areas. Ms. Gomes discussed the Taylor Street Paseo which is now included and updated in the maps and provisions for paseo lines to connect parcel areas. Ms. Gomes said the new alignments and approved locations have been codified and allow incentives for properties along existing lines to provide advanced frontages if desired. Ms. Gomes discussed revisions to address vehicular access and driveway separation, providing greater flexibility while recognizing existing rights. Ms. Gomes stated this update aims to balance pedestrian needs with vehicular access requirements. Ms. Gomes stated that all the revisions regarding Historic Preservation have been revised to clarify the significance of historic designations noting the Chapter 8 (Historic Preservation) remains prominent in development actions. Ms. Gomes stated the changes provide clarity on Warehouse and Business Core Character Areas and outline the Sustainability Bonus Points for historic structure preservation and rehabilitation. Ms. Gomes thanked the Committee and noted staff recommends approval and asked the committee for their support noting Z-TA-5-22-4-7-8 will be heard by the Planning Commission in October.

QUESTIONS FROM THE COMMITTEE

**Committee Member Mahrle** asked if the appeals apply only to the DTC or does it apply to any place in the City. **Ms. Gomes** responded that with the appeal structure it is for the whole city but items identified by the T designation only exist in the downtown area.

**Committee Member Warnicke** commented that the larger caliper trees from the WU Code should be applied to the revisions.

**Chair Wagner** reiterated that the DTC extends only to the most southern portion of the Encanto Village and includes the Central City Village.

PUBLIC COMMENTS

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION, AND VOTE

**MOTION:**

**Committee Member Jayson Matthews** motioned to recommend approval of Z-TA-5-22-4-7-8 per the staff recommendation.

**Committee Member Steve Procaccini** seconded the motion.

**VOTE:**

**9-1;** motion to approve Z-TA-5-22-4-7-8 per the staff recommendation passes with Committee Members Carranza, Doescher, George, Jewett, Mahrle, Matthews, Procaccini, Montaño Searles and Chair Wagner in support and Committee Member Warnicke opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

No comments.

# ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
November 7, 2024

| | |
|---|---|
| ITEM NO: 3 | |
| | DISTRICT NO.: 4, 7, and 8 |
| SUBJECT: | |
| | |
| Application #: | Z-TA-5-22-4-7-8 (Continued from October 10, 2024) |
| Proposal: | Amend the following sections of the Phoenix Zoning Ordinance, as follows:<br>1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12(Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls).<br>2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee.<br>3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text. |
| Applicant: | City of Phoenix, Planning Commission |
| Representative: | City of Phoenix, Planning and Development Department |

**ACTIONS:**

Staff Recommendation: Approval, as shown in Exhibits A and B in the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:
**Central City** 8/12/2024 Information only.
**Encanto** 8/5/2024 Information only.
**Central City** 9/9/2024 Approval, per the staff recommendation. Vote: 12-0.
**Encanto** 9/9/2024 Approval, per the staff recommendation. Vote: 9-1.

Planning Commission Recommendation: Approval, per the staff recommendation in the Addendum A Staff Report.

Motion Discussion:

There was discussion regarding the questions posed by Commissioner Boyd at the October 10, 2024 Planning Commission Hearing regarding possible prohibition of particular land uses. Daniel Inglese from the Law Department and Tricia Gomes, Planning and Development Department Deputy Director, confirmed for the Commission that the notification requirements for the case would be different if there are proposed land use changes, and those requirements had not been met for the current proposal. Further changes to allowed land uses could be addressed in a later Text Amendment.

Motion details: Commissioner Boyd made a MOTION to approve Z-TA-5-22-4-7-8, per the staff recommendation in the Addendum A Staff Report.

Maker: Boyd
Second: Jaramillo
Vote: 9-0
Absent: None
Opposition Present: No

Findings: This proposed text amendment is quite extensive due to the many items identified by stakeholders needing clarification, revisions, or codification of standards in practice but not included in the current version of the Downtown Code. The intent of this amendment is to streamline Downtown development while still implementing the pedestrian-oriented vision of the Downtown Phoenix Urban Form Project.

Proposed Language:

**Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:**

***

*Alley, Buffer:* ~~An alley that is adjacent to a single-family residential use as identified on Map 1202.F, and in Sections 1207.O and P~~. AN ALLEY ABUTTING BOTH SINGLE-FAMILY AND COMMERCIAL USES, DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE).

***

*CITY MANAGER'S REPRESENTATIVE (CMR):* SEE SECTION 32-3 OF THE CITY CODE.

***

*FRONTAGE ZONE:* THE PORTION OF A LOT OR PARCEL LOCATED DIRECTLY ADJACENT TO A STREET, OF A DEPTH REQUIRED BY THE APPLICABLE ZONING DISTRICT AND/OR CHARACTER AREA.

***

~~*Off-Street Loading Spaces:* An on site space for the standing, loading, and unloading of vehicles.~~

***

~~*Off-Street Passenger Loading:* The provision of space off the street and adjacent to a building entrance for the loading and unloading of automobile passengers. The design of such space shall be subject to the approval of the Street Transportation Department.~~

***

*SERVICE/GOODS LOADING SPACE:* A DESIGNATED AREA WHICH IS PROVIDED FOR THE LOADING AND UNLOADING OF GOODS AND SERVICES FOR BUSINESSES AND COMMERCIAL USERS.

***

~~*Street, Front:* A street identified by an area plan towards which the front of buildings are oriented to minimize driveway cuts. If no area plan is adopted, all single-frontage lots adjoining a front street must orient the front of the building to the front street. For multi-frontage lots, the street with the most pedestrian activity is the front street. When lots adjoin two or more streets with an equal amount of pedestrian activity, both are front streets. Front streets are not necessarily the street adjoining the lot front.~~

***

~~*Street, Pedestrian:* Sidewalk, landscape, driveway and buildings are designed to create a safe, pleasant and enjoyable experience for pedestrians. Building openings are oriented toward the~~

~~street and vehicular conflicts with pedestrians are minimized. Designated on Map 1202.E and individual character areas in Chapter 12.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH IS SUBJECT TO DEVELOPMENT REGULATIONS AND VEHICULAR RESTRICTIONS INTENDED TO ENHANCE THE PEDESTRIAN ENVIRONMENT.

***

*Street, Side:* ~~A street identified by an area plan towards which the side of buildings are oriented. If no area plan is adopted, the street with the least amount of pedestrian activity is the side street for multi-frontage lots. Side streets are not necessarily the street adjoining the lot side.~~ A STREET DESIGNATED ON THE REGULATING MAPS IN CHAPTER 12 (DOWNTOWN CODE), WHICH PERMITS A MIX OF USES AND TYPES OF ACCESS, SUCH AS (BUT NOT LIMITED TO) PEDESTRIAN, VEHICULAR, SERVICE, AND LOADING ACCESS.

*STREETSCAPE:* THE LANDSCAPE, SHADE, STREET IMPROVEMENTS, SIDEWALK, AND OTHER AMENITIES PROVIDED DIRECTLY ADJACENT TO A STREET.

*Streetscape Zone:* ~~*The area located behind the right-of-way curb that has either landscaping per Section 1207 or public amenities (such as seating, artwork).*~~ THE PORTION OF A DEDICATED STREET PROVIDING STREETSCAPE IMPROVEMENTS AND LOCATED BETWEEN THE BACK OF CURB AND THE FRONTAGE PROPERTY LINE. THE STREETSCAPE ZONE MAY ALSO INCLUDE A PORTION OF ABUTTING PRIVATE PROPERTY, PER THE PROVISIONS OF CHAPTERS 12 AND 13.

***

**Amend Chapter 3, Section 307.A (Authority and duties of the Zoning Administrator) to add a requirement for the Design Review Committee to review and make a recommendation for variance applications within Downtown, as follows:**

A. **Authority and duties of the Zoning Administrator.** There is hereby created in the City Planning and Development Department a Zoning Administrator. The Zoning Administrator shall be appointed by the Planning and Development Director and shall be under ~~his~~ THEIR direction. The Zoning Administrator may appoint Deputy Zoning Administrators to perform the functions of the Zoning Administrator and to act under ~~his~~ THEIR direction. The Zoning Administrator shall**:**

***

9. Authorize upon application and hearing such variance from the terms of this ZONING Ordinance as will not be contrary to the public interest, when owing to special conditions, a literal enforcement of any provisions of the ordinance would result in unnecessary property hardship.

   A variance shall not be authorized unless the Zoning Administrator shall find upon sufficient evidence:

   a. That there are special circumstances or conditions applying to the land, building, or use referred to in the application and which do not apply to other properties in the district; and

   b. That such special circumstances were not created by the owner or applicant; and

c. That the authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and

d. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

e. THAT WHEN A VARIANCE IS REQUESTED FOR A PROPERTY SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), THE DESIGN REVIEW COMMITTEE **~~MUST~~ SHALL** FIRST REVIEW AND PROVIDE A WRITTEN RECOMMENDATION REGARDING THE VARIANCE REQUEST, AS **~~FURTHER REFERENCED~~ REQUIRED** IN SECTION 1224.C.

***

**Amend Chapter 3 to add a new Section 312 (Technical Appeals Committee) to establish a technical review committee to review and decide technical appeals:**

**SECTION 312. TECHNICAL APPEALS COMMITTEE**

A. **POWERS AND DUTIES.** THE TECHNICAL APPEALS COMMITTEE (TAC) SHALL HAVE THE POWER AND DUTY UNDER THE PROVISIONS OF THESE REGULATIONS TO HEAR SPECIFIC ITEMS APPEALED BY THE APPLICANT CONTESTING A DECISION ON A TECHNICAL ITEM OR INFRASTRUCTURE REQUIREMENT IMPOSED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, OR A DEVELOPMENT REGULATION INDICATED AS (T) IN SECTION 507 TAB A AND ALL OTHER ZONING ORDINANCE REQUIREMENTS (INCLUDING OVERLAYS) WHICH USE (T) TO INDICATE TECHNICAL ITEMS.

B. **MEMBERSHIP.** THE TECHNICAL APPEALS COMMITTEE SHALL CONSIST OF THE SAME MEMBERS AS THE SUBDIVISION COMMITTEE AS SET FORTH IN CHAPTER 32 OF THE CITY CODE. THE PLANNING AND DEVELOPMENT DIRECTOR IS AUTHORIZED TO APPOINT AND REMOVE ANY MEMBER AT ANY TIME, WITH OR WITHOUT CAUSE, AND MAY ALSO APPOINT ADDITIONAL TECHNICAL CITY STAFF TO THE TAC, SUCH AS LANDSCAPE, FIRE PREVENTION/LIFE SAFETY, WATER/SEWER, AND BUILDING SAFETY.

**Amend Chapter 5, Section 507 (Development Review Approval) as follows:**

***

B. **Applicability.**

1. Development review applies to all public and private facilities in residential, commercial and industrial developments in the City in all zoning districts. The only complete exceptions to compliance with this section are as follows:

~~a. Single-family and duplex dwelling units constructed prior to May 1, 1998;~~

~~b.~~ a. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;

~~c.~~ b. Nonstructural remodeling of facade treatment (SUCH AS PAINT);

~~d.~~ c. Sign permits for properties not otherwise subject to development review~~;~~

~~e. Development submitted for site plan approval prior to the effective date of this section.~~

2. Exterior structural remodeling ~~or~~ / new BUILDING facade treatment~~,~~ ~~to buildings~~ AND/OR MODIFICATIONS TO EXISTING SITE IMPROVEMENTS (DRIVEWAYS, PARKING, SITE WALLS, LANDSCAPE, DRAINAGE FACILITIES, OR SIMILAR), OR PROPERTIES WITH ADDITIONS (INCLUDING NEW ACCESSORY STRUCTURES) OF UP TO 2000 SQUARE FEET, ~~without additional square footage is~~ ARE subject to development review approval as follows:

   a. ~~For properties located within the boundary of the Downtown Code, the following shall apply:~~ COMPLIANCE WITH DEVELOPMENT REGULATIONS APPLICABLE ONLY TO THE EXTERIOR PORTION OF THE BUILDING AND/OR SITE IMPROVEMENTS BEING MODIFIED, UNLESS OTHERWISE STIPULATED WITH A REZONING OR ZONING ADJUSTMENT ACTION.

      ~~(1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified.~~

      ~~(2) Provision of landscaping in accordance with adopted streetscape designs unless prohibitive because of existing public utilities.~~

   b. ~~Reserved.~~ FOR SITES SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12) OR WALKABLE URBAN CODE (CHAPTER 13), PROVISION OF SHADE, LANDSCAPING AND SIDEWALKS IN ACCORDANCE WITH ADOPTED STREETSCAPE STANDARDS. UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES OR OTHER EXISTING SITE CONSTRAINTS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. ~~Additions to buildings are subject to development review approval as follows:~~ CHANGE OF USE OR OCCUPANCY TYPE, OR INTERIOR STRUCTURAL REMODELING (“TENANT IMPROVEMENTS”), WITH OR WITHOUT ADDITIONAL SQUARE FOOTAGE, ARE SUBJECT TO THE FOLLOWING:

a. ~~An addition of two thousand square feet or less to an existing building may be required to submit a site plan to the Department of Planning and Development but shall not be subject to the design review principles and guidelines set forth in Tab A of Section 507 if the impacts of the addition are not significant, with the exception that new structures or additions of 500 square feet or greater on properties located within the boundary of the Downtown Code shall be required to meet the shading requirements in Section 1207.D. The Department of Planning and Development shall determine the significance of an addition's impacts on adjacent properties based on noise, odor, lighting, glare, vibration, visibility from a public street, and removal of site amenities which are included in a design review principle or guideline. Surface parking as a primary use is subject to the provisions of development review if the use is determined to have impact on adjacent uses or visibility from a public street as determined by the Department of Planning and Development.~~
COMPLIANCE WITH CURRENT STANDARDS FOR REQUIRED AUTOMOBILE AND BICYCLE PARKING.

b. ~~When an addition of two thousand square feet or less to an existing building is determined by the Department of Planning and Development as having significant impacts, as described above, the addition shall be subject to full development review including the design review principles and guidelines.~~
SPECIFIC REQUIREMENTS RELATED TO THE USE OR OCCUPANCY AS OTHERWISE INDICATED IN THE ZONING ORDINANCE.

c. ~~When additions to a property after the effective date of this ordinance total more than two thousand square feet, the property shall be subject to full development review including the design review principles and guidelines.~~
REQUIREMENTS OF SECTION 507.B.2 IF EXTERIOR REMODELING AND/OR ADDITIONS UNDER 2000 SF ARE ALSO INCLUDED.

4. PROPERTIES WITH ADDITIONS OF 2000 SQUARE FEET OR LARGER, VACANT PROPERTIES, AND/OR PROPERTIES UNDERGOING FULL DEMOLITION AND REDEVELOPMENT ARE SUBJECT TO FULL DEVELOPMENT REVIEW, INCLUDING ALL APPLICABLE DESIGN REVIEW PRINCIPLES AND GUIDELINES, UNLESS STATED OTHERWISE WITHIN THIS ZONING ORDINANCE.

~~4.~~ 5. Subdivision plats are processed in accordance with Chapter 32 of the City Code. Preliminary subdivision plats have the additional requirement to be reviewed and approved in accordance with the provisions ~~of this section for context plan and the design review guidelines for subdivisions of~~ Section 507 Tab A (DESIGN REVIEW) AND ALL OTHER CODES AND POLICIES TO WHICH SUBDIVISIONS ARE SUBJECT.~~II.C, "Subdivision design."~~

~~5.~~ 6. DEVELOPMENT WHICH EXISTED AT THE TIME OF ANNEXATION, OR FOR WHICH ALL REQUIRED PERMITS WERE ISSUED BY THE CITY, IS ASSUMED TO HAVE A VALID DEVELOPMENT REVIEW PLAN, EVEN IF NO APPROVED SITE PLAN EXISTS. A SITE PLAN MAY BE REQUIRED BASED ON THE SCOPE OF ANY PROPOSED REMODEL, REVISION, ADDITION, OR REDEVELOPMENT.
~~Existing legally constructed development with or without an approved site plan as of the date of this Ordinance is assumed to have a valid development review plan. Any site plans which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~

~~6.~~ 7. ~~Implementation of single-family design review shall begin on May 1, 1998, for all subdivision applications which have not obtained preliminary development review approval. Any site plans or subdivision plats which received preliminary or final approval from the Department of Planning and Development prior to the enactment of this section shall remain and continue in full force and effect until such time as the plan is amended or its approval expires.~~
**ADAPTIVE REUSE.** DEVELOPMENT QUALIFYING AS ADAPTIVE REUSE MAY BE GRANTED FULL OR PARTIAL ADMINISTRATIVE RELIEF FROM ZONING ORDINANCE REQUIREMENTS IN ACCORDANCE WITH POLICIES ADOPTED BY CITY COUNCIL. IN SUCH CASES, THE RELIEF PROVIDED SHALL BE NOTED ON THE SITE PLAN, OR THE CONSTRUCTION PLANS IF NO SITE PLAN IS REQUIRED.

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C. **Design Review Principles and Guidelines.** Design review principles~~,~~ and guidelines are listed in Tab A and other sections of ~~this~~ THE ZONING Ordinance. The principles reflect desired goals and policies for the City. The guidelines indicate specific implementation standards. The guidelines consist of requirements, presumptions and considerations.

1. **Requirements (R)**. Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature.

2. **Presumptions (P).** Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

a. *Overcoming a presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate~~, unless the property is located within the boundary of the Downtown Code~~. The Planning and Development Department may approve an alternative that achieves the intent of the presumption.

Appropriate reasons for overcoming a presumption include:

(1) Demonstrating that in this instance the underlying design principles will not be furthered by the application of the presumption;

(2) Showing that another design principle is enhanced by not applying the presumption;

(3) Demonstrating an alternative method for achieving the intent of the presumption;

(4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping.

Increase in the cost of development is not an acceptable reason to waive a guideline or determine that a guideline is inappropriate.

b. *Appeals.* In the event that a presumption is not incorporated or overcome, AS DETERMINED BY PDD STAFF, ~~or if the property is located within the boundary of the Downtown Code an appeal may be filed by the applicant with the Design Review Committee. Appeals to presumptions (P) and requirements followed by an asterisk (R*) located in Tab A.II.C, "Subdivision design," shall be heard by the Design Review Committee.~~ THE APPLICANT MAY FILE AN APPEAL TO BE HEARD BY THE DESIGN REVIEW COMMITTEE PER SECTION 507.G.

~~c.~~ ~~*Purpose and intent of single-family design guidelines.*~~ ~~Notwithstanding the above, there are differences in the application of design guidelines for single-family development. In the R1-10 through R-5 zoning districts, the conventional development option establishes the baseline development conditions for single-family detached development. Deviations from these standards for the entire subdivision will require application of the planned residential development (PRD) option and the associated design guidelines found in subsection 507 Tab A.II.C. When applying these guidelines, staff will consider the unique conditions of each site, such as context area, lot size and shape, slope, natural vegetation, and drainage. In addition, staff will strive to ensure that affordable housing opportunities are not precluded. The PRD option is intended to encourage quality and creative design solutions through the use of flexible development standards. This design review structure is intended to foster a dialogue between staff and the applicant which facilitates creative responses to unique site conditions while being mindful of housing affordability.~~

3. **TECHNICAL ITEMS (T).** DEVELOPMENT REGULATIONS INDICATED BY (T) WITHIN THIS AND OTHER SECTIONS OF THE ZONING ORDINANCE ARE CONSIDERED TECHNICAL ITEMS. TECHNICAL ITEMS MAY BE APPEALED THROUGH THE TECHNICAL APPEAL PROCESS SPECIFIED IN SECTION 507.H.

~~3.~~ 4. **Considerations (C).** Design guidelines listed in the adopted design review guidelines as considerations (C) are issues and concepts that an applicant should consider in preparing a plan. Their omission is not grounds for rejecting a plan, but their inclusion or recognition is encouraged and may assist in overcoming certain presumptions and in gaining acceptance for a plan.

5. ITEMS WITHIN SECTION 507 TAB A AND OTHER SECTIONS OF THE ZONING ORDINANCE WHICH ARE NOT QUALIFIED BY AN (R), (R*), (P), (T) OR (C) SHALL BE TREATED AS REQUIREMENTS (R), UNLESS EXPLICITLY STATED OTHERWISE.

D. **Process.** The development review process includes the following steps:

1. Pre-application conference with the Planning and Development Department staff (see subsection E);

2. Preliminary review (see subsection F);

   a. Submittal of ~~design~~ DEVELOPMENT review documents by the applicant/property owner;

   b. Routing of documents to various departments and agencies for comment where needed;

   c. Staff review and consolidation of comments;

d. Preliminary design review meeting with applicant and any interested citizen where needed;

3. Consideration of any DESIGN REVIEW appeals (see subsection G);

4. ~~Review~~ CONSIDERATION of ANY technical APPEALS ~~documents~~ (see subsection H);

5. Final document submittal responding to staff comments (see subsection I);

6. Final approval of development review documents (see subsection J);

7. Building permit issuance (see subsection J);

8. Site inspection and issuance of certificate of occupancy (see subsection J);

9. Follow-up inspection (see subsection J).

***

~~G.~~ **~~Design Alternatives and Sustainability Bonus Appeals.~~** ~~A design alternative or sustainability bonus appeal is a deviation from the prescribed standards and design guidelines. Design alternatives and sustainability bonus appeals apply to properties within the boundary of the Downtown Code, which would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject character area as approved by the DRC. Design alternatives apply to properties with Walkable Urban Code zoning, which would result in a furtherance of the goals and policies of Transit Oriented Policy Plans or other relevant policy plans.~~

~~1.~~ ~~Each design alternative application shall include, at a minimum, the following:~~

~~a.~~ ~~A Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing for any property with a Historic Preservation (HP) zoning designation;~~

~~b.~~ ~~A listing of the standard(s) or guideline(s) that are the subject of the proposed design alternative;~~

~~c.~~ ~~A narrative statement describing the justification for the design alternative and the manner in which the proposed design alternative would result in a furtherance of the goals and policies of the Downtown Phoenix Plan, Transit Oriented Policy Plans, or other relevant policy plans and would satisfy the findings required for approval;~~

~~d.~~ ~~Site plan;~~

~~e.~~ ~~Building elevations;~~

~~f.~~ ~~Context plan;~~

g. Landscaping and shading plan;

h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

i. Such other information as may be required by the Planning and Development Director or DRC.

2. Each sustainability bonus appeal application shall include, at a minimum, the following:

a. A listing of the credits that are being utilized and any support documentation (to be sealed by a licensed professional).

b. Site plan;

c. Building elevations;

d. Context plan;

e. A narrative statement describing any deviation from the prescribed credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

3. Within 15 calendar days of the date of filing a design alternative or sustainability bonus appeal application, the applicant shall mail a notice by first class mail to all property owners within 150 feet of the subject site explaining the request and providing the date, time and location of the DRC meeting at which the application will be reviewed.

4. In order to approve a design alternative, the DRC must make findings as follows:

a. That the project is consistent with the intent stated for the subject character area in the Downtown Code;

b. That the project demonstrates design excellence by addressing at least two of the following:

(1) Design innovation and the imaginative use of space, form and materials.

~~Permeability and connectivity which enables people to move within, around and through the project with ease.~~

~~The project improves safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enables "eyes on the street."~~

~~The project incorporates materials and design which enhance thermal comfort.~~

~~Modifications from prescribed standards as per Section 1313; and~~

~~c.~~ ~~That the project demonstrates design excellence by addressing design alternatives that demonstrate conformance with the intent of the Walkable Urban Code as set forth in Section 1301.B and in general conformance with the policies contained within the Transit Oriented Policy Plans or other relevant policy plans. The modifications must meet the standards set forth in Section 1313.~~

~~5.~~ ~~In order to approve a sustainability bonus appeal, the DRC must make findings as follows:~~

~~a.~~ ~~That the project is consistent with the intent stated for the subject character area;~~

~~b.~~ ~~That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and~~

~~c.~~ ~~The increased entitlements are consistent with the improved performance of the building(s).~~

~~6.~~ ~~In approving a design alternative or sustainability bonus appeal, the DRC may impose any reasonable conditions to ensure that the approval complies with the findings required above.~~

~~7.~~ ~~A design alternative or sustainability bonus appeal application will be reviewed at a public meeting within 30 calendar days from the date of submission of the application. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of the meeting.~~

~~8.~~ ~~A decision on the design alternative or sustainability bonus appeal application will be made by the DRC on the date of the public meeting unless continued at the discretion of the Committee and a certificate of approval shall be transmitted to the applicant in writing.~~

G. **DESIGN REVIEW APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION ON A DESIGN REVIEW ITEM TO THE DESIGN REVIEW COMMITTEE, WHO SHALL HEAR THE APPEAL PER SECTION 309, AS FOLLOWS:

   a. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH:

      (1) DESIGN REVIEW PRESUMPTIONS, WHICH ARE TYPICALLY INDICATED AS (P); OR

      (2) OTHER PRESUMPTIVE STANDARDS OR CRITERIA INDICATED BY THE WORD “SHOULD”.

   b. A DESIGN REVIEW REQUIREMENT INDICATED WITH AN (R*).

   c. AN ACTION OR DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT IMPOSING CONDITIONS IN ACCORDANCE WITH URBAN DESIGN PRINCIPLES, ADOPTED DESIGN REVIEW POLICIES, OR DESIGN DECISIONS WHICH ARE IMPOSED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

   d. A DESIGN ALTERNATIVE APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12, OR IN THE WALKABLE URBAN CODE, CHAPTER 13.

   e. A SUSTAINABILITY BONUS APPEAL, AS PROVIDED IN THE DOWNTOWN CODE, CHAPTER 12.

2. **DESIGN REVIEW COMMITTEE HEARING PROCESS**. AN APPEAL TO THE DESIGN REVIEW COMMITTEE MUST BE SUBMITTED NO LATER THAN 30 CALENDAR DAYS AFTER A DECISION HAS BEEN ISSUED BY THE PLANNING AND DEVELOPMENT DEPARTMENT REGARDING THE SUBJECT DESIGN REVIEW ITEM.

   a. APPEALS SHALL BE IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND SHALL INCLUDE ONLY THOSE ITEMS APPEALABLE TO THE DESIGN REVIEW COMMITTEE.

   b. AN APPEAL SUBMITTAL MUST BE COMPLETE BASED UPON THE REQUEST AND REQUIREMENTS ON THE SUBMITTAL CHECKLIST BEFORE IT IS SCHEDULED FOR A HEARING. STAFF WILL REVIEW THE SUBMITTAL FOR COMPLETENESS AND PROVIDE A WRITTEN LIST OF ANY DEFICIENCIES TO THE APPLICANT WITHIN 15 CALENDAR DAYS OF RECEIPT OF THE SUBMITTAL.

c. ONCE DETERMINED TO BE COMPLETE, AN APPEAL WILL BE SCHEDULED FOR THE NEXT DESIGN REVIEW COMMITTEE HEARING, BUT NO SOONER THAN 15 CALENDAR DAYS FROM STAFF DETERMINATION THAT THE SUBMITTAL IS COMPLETE. BY MUTUAL CONSENT OF PDD STAFF AND THE APPLICANT, THE APPEAL MAY BE SCHEDULED FOR A LATER DRC HEARING.

d. NO LATER THAN 15 CALENDAR DAYS PRIOR TO THE SCHEDULED DESIGN REVIEW COMMITTEE HEARING, THE APPLICANT SHALL MAIL A NOTICE TO ALL PROPERTY OWNERS AND REGISTERED NEIGHBORHOOD ASSOCIATIONS WITHIN 150 FEET OF THE SUBJECT SITE EXPLAINING THE REQUEST AND PROVIDING THE DATE, TIME AND LOCATION OF THE DRC MEETING AT WHICH THE APPLICATION WILL BE REVIEWED.

e. ANY PERSON WHO HAS BEEN OR WILL BE INVITED TO THE PRELIMINARY SITE PLAN REVIEW MEETING WITH THE APPLICANT SHALL BE INFORMED BY THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE DATE, TIME AND LOCATION OF DRC APPEAL HEARING.

f. IN APPROVING AN APPEAL, THE DRC MAY IMPOSE ANY REASONABLE CONDITIONS TO ENSURE THAT THE APPROVAL COMPLIES WITH ANY FINDINGS REQUIRED.

g. A DECISION ON THE APPEAL WILL BE MADE BY THE DESIGN REVIEW COMMITTEE ON THE DATE OF THE HEARING UNLESS CONTINUED TO A FUTURE DRC HEARING AT THE DISCRETION OF THE DESIGN REVIEW COMMITTEE. THE DECISION SHALL BE TRANSMITTED BY PDD STAFF TO THE APPLICANT IN WRITING WITHIN 15 CALENDAR DAYS OF THE DECISION.

h. THE DECISION OF THE DESIGN REVIEW COMMITTEE IS FINAL AND NON-APPEALABLE.

~~H.~~ **~~Appeals.~~** ~~There are two distinct categories of review standards, design and technical:~~

~~1.~~ **~~Appeal of design review decisions.~~** ~~An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed to the Design Review Committee within 15 calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date.~~

~~a.~~ ~~Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.~~

b. An appeal will be heard within 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

c. A decision on the appeal will be made by the Design Review Committee on the date of the hearing unless continued at the discretion of the Committee and shall be transmitted to the applicant in writing. The decision of the Design Review Committee shall be final.

2. **Appeal of technical requirements.** An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed within 15 calendar days to the City Manager's representative. The Planning and Development Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date.

a. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items being appealed.

b. An appeal will be heard within 15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

c. A decision on the appeal will be made by the City Manager's representative within five calendar days from the date of the hearing and transmitted to the applicant and interested parties in writing.

d. *Appeal to Development Advisory Board.* An appeal of the decision of the City Manager's representative may be made to the Development Advisory Board within 15 calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within 30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the Development Advisory Board and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The Development Advisory Board shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.

e. *Development Advisory Board action.* The Development Advisory Board may:

(1) Affirm the decision of the City Manager's representative;

(2) Remand the matter for further proceedings before the City Manager's representative; or

~~(3) Reverse or modify the City Manager's representative's decision.~~

~~The decision of the Development Advisory Board is final.~~

H. **TECHNICAL APPEALS**

1. THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE MAY APPEAL A DEPARTMENT DECISION REGARDING A TECHNICAL ITEM, AN INFRASTRUCTURE REQUIREMENT IMPOSED BY THE DEPARTMENT, OR AN ITEM INDICATED AS (T) IN SECTION 507 TAB A, CHAPTER 12 AND OTHER SECTIONS OF THE ZONING ORDINANCE TO THE TECHNICAL APPEALS COMMITTEE (TAC) PER SECTION 312, AS FOLLOWS:

   a. ANY APPEAL SHALL BE FILED NO LATER THAN 15 CALENDAR DAYS FOLLOWING A DECISION OF THE PLANNING AND DEVELOPMENT DEPARTMENT.

   b. THE TAC MAY GRANT AN APPEAL IF THE APPELLANT CAN DEMONSTRATE THAT THERE EXISTS EXTRAORDINARY CONDITIONS OF TOPOGRAPHY, LAND OWNERSHIP, OR ADJACENT DEVELOPMENT, OR OTHER CIRCUMSTANCES NOT PROVIDED FOR IN THESE REGULATIONS. THE TAC MAY MODIFY THE REQUIREMENT(S) IN SUCH A MANNER AND TO SUCH EXTENT AS MAY BE APPROPRIATE TO THE PUBLIC INTEREST SOUGHT TO BE PROTECTED BY THE REQUIREMENT(S) REQUESTED TO BE MODIFIED. IN MODIFYING THE REQIREMENT(S), THE TAC MAY MAKE SUCH ADDITIONAL REQUIREMENTS AS APPEAR NECESSARY TO SUBSTANTIALLY SECURE THE OBJECTIVES OF THE MODIFIED REQUIREMENT(S).

   c. IN ADDITION TO THE REQUIREMENTS OF H.1.B, REQUESTS FOR TECHNICAL APPEALS ARISING FROM DEVELOPMENTS SUBJECT TO THE DOWNTOWN CODE (CHAPTER 12), WALKABLE URBAN CODE (CHAPTER 13) AND ANY OTHER AREA-SPECIFIC TECHNICAL REQUIREMENTS SHALL BE APPROVED ONLY IF THE MODIFICATION IS CONSISTENT WITH ANY STATED RATIONALE, GOAL, OR INTENT SPECIFIC TO THE CHARACTER AREA AND APPLICABLE STREETSCAPE STANDARDS. THE TAC MAY IMPOSE STIPULATIONS TO ENSURE COMPLIANCE WITH SUCH RATIONALE, GOAL OR INTENT WHEN APPROVING A TECHNICAL APPEAL.

2. **APPLICATION.** TECHNICAL APPEALS SHALL BE FILED IN WRITING ON A FORM PROVIDED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AS FOLLOWS:

   a. THE REQUEST SHALL ADDRESS ONLY THOSE ITEMS BEING APPEALED.

b. THE REQUEST SHALL INCLUDE TECHNICAL INFORMATION AND A NARRATIVE RELATED TO THE APPEAL, CLEARLY EXPLAINING WHY THE PROPOSED ALTERNATIVE IS EQUIVALENT TO OR BETTER THAN THE TECHNICAL ITEM BEING APPEALED.

3. THE TAC WILL CONDUCT A REVIEW OF THE APPEAL AT THEIR FIRST REGULARLY SCHEDULED MEETING FOLLOWING A COMPLETE SUBMITTAL.

   a. THE TAC MAY CHOOSE TO DEFER ACTION ON THE APPEAL AND INSTEAD SEND THE APPEAL REQUEST DIRECTLY TO THE CITY MANAGER'S REPRESENTATIVE (CMR) FOR HEARING, AS OUTLINED BELOW.

   b. THE TAC MAY CHOOSE TO REQUEST ADDITIONAL INFORMATION PRIOR TO RENDERING A DECISION.

4. THE TAC SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, FORWARD FOR CMR HEARING WITHOUT RECOMMENDATION, OR CONTINUE TO A SUBSEQUENT TAC MEETING IF ADDITIONAL INFORMATION IS REQUIRED FOR REVIEW BEFORE RENDERING A DECISION.

5. A DECISION OF THE TAC SHALL BE CONSIDERED FINAL IF NOT APPEALED TO THE CMR WITHIN 15 CALENDAR DAYS OF THE DECISION.

6. **CITY MANAGER'S REPRESENTATIVE APPEAL HEARING.** A DECISION OF THE TAC MAY BE APPEALED TO THE CMR BY THE PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE WITHIN 15 CALENDAR DAYS.

   a. SCHEDULING OF CMR HEARING. A TECHNICAL APPEAL WILL BE HEARD BY THE CMR WITHIN 30 CALENDAR DAYS FROM THE DATE OF FORWARDING FROM TAC. THE APPLICANT SHALL BE NOTIFIED IN WRITING OF THE DATE OF THE CMR HEARING NO LATER THAN SEVEN CALENDAR DAYS PRIOR TO THE HEARING.

   b. CITY MANAGER'S REPRESENTATIVE'S DECISION. A DECISION ON THE APPEAL WILL BE MADE BY THE CMR AT THE HEARING. THE CMR SHALL TAKE ONE OF FIVE ACTIONS ON THE APPEAL: APPROVE, APPROVE WITH STIPULATIONS, DENY, CONTINUE TO A SUBSEQUENT CMR HEARING FOR FURTHER CONSIDERATION, OR ISSUE A RULING AT A LATER DATE IN ORDER TO FIRST SEEK ADDITIONAL INFORMATION AND/OR PROFESSIONAL ADVICE. THE FINAL CMR DECISION SHALL BE TRANSMITTED IN WRITING TO THE APPLICANT AND ANY INTERESTED PARTIES WHO WERE IN ATTENDANCE AT THE HEARING.

7. **APPEAL TO DEVELOPMENT ADVISORY BOARD.** AN APPEAL OF THE DECISION OF THE CMR MAY BE MADE TO THE DEVELOPMENT ADVISORY BOARD, AS ESTABLISHED UNDER CHAPTER 2, ARTICLE IX OF THE CITY CODE. NOTWITHSTANDING THE PROCESS OUTLINED IN CHAPTER 2, ARTICLE IX, SECTION 2-172, AN APPEAL UNDER THIS PROVISION MUST BE FILED WITHIN 15 CALENDAR DAYS OF THE DATE OF THE CMR DECISION.

***

**Amend Chapter 6, Section 669 (Arts, Culture, and Small Business Overlay District) as follows:**

***

B. **Applicability.** The Arts, Culture and Small Business Overlay may be applied to land bounded by Interstate 10 Inner Loop (Papago Freeway) on the north, 20th Street to the east, Buckeye Road to the south and 19th Avenue to the west. ~~The application of the overlay on specific parcels will occur subject to approval by City Council through the rezoning process in accordance with zoning map amendment section of the Zoning Ordinance. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts or other overlay districts, except as expressly modified by the following regulations and as regulated by other provisions of City Code. Where there is a conflict with other Zoning Ordinance provisions, the more permissive shall apply.~~

1. FOR PROPERTIES NOT ZONED DOWNTOWN CODE (DTC), THE APPLICATION OF THE OVERLAY ON SPECIFIC PARCELS WILL OCCUR SUBJECT TO APPROVAL BY CITY COUNCIL THROUGH THE REZONING PROCESS IN ACCORDANCE WITH SECTION 506.B. THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS OR OTHER OVERLAY DISTRICTS, EXCEPT AS EXPRESSLY MODIFIED BY THE FOLLOWING REGULATIONS AND AS REGULATED BY OTHER PROVISIONS OF CITY CODE. WHERE THERE IS A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.

2. FOR PROPERTIES ZONED DOWNTOWN CODE (DTC), APPLICATION OF THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEVELOPMENT REGULATIONS ON AFFECTED PROPERTIES SHALL BE AS SPECIFIED BY SECTION 1207.M.

***

Amend Chapter 7, Section 702 (Off-Street Parking and Loading) to correct a numbering error for Section 702.B (Off-Street Loading Spaces), which immediately follows Section 702.G, and to make other minor changes to terms used.

~~B.~~H. ~~Off-Street~~ SERVICE/GOODS Loading Spaces.

1. General provisions, requirements for space size. ~~Off-street~~ SERVICE/GOODS loading spaces shall be not less than ten (10) feet in width and thirty (30) feet in length, exclusive of access aisles and maneuvering space.

2. ~~Off-Street~~ SERVICE/GOODS loading spaces required. The following shall apply to all developments, except for single family developments and vehicular parking areas.

    a. Commercial developments (excluding office) less than 60 feet in height and industrial developments, shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    b. Office development less than 60 feet in height shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    c. Multi-family residential development shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

    d. Commercial or office developments (excluding multi-family) over 60 feet in height and all hotel or resort developments shall provide the following ~~off-street~~ SERVICE/GOODS loading spaces:

    ***

3. ~~The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve.~~ SERVICE/GOODS LOADING SPACES SHALL BE LOCATED ON-SITE UNLESS SPECIFICALLY PERMITTED ELSEWHERE BY THE ZONING ORDINANCE. In no case shall the required off-street loading space be ~~part of the area~~ USED to satisfy ~~the~~ off-street parking requirements~~ of this Ordinance~~.

***

Amend Chapter 7, Section 703 (Landscaping, Fences and Walls) to correct a provision regarding when a Certificate of No Effect or Certificate of Appropriateness is required for a wall/fence.

A. Height of Fences and Retaining Walls.

***

2. The following shall apply to all residence districts:

    a. For lots fronting on a public street, private accessway or private drive, no fence or freestanding wall (not supporting a building or structure) within or bounding the required front yard, shall exceed a height of 40 inches, provided:

(1) ~~For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.~~

HISTORIC PRESERVATION DESIGNATED PROPERTIES. FOR PROPERTIES DESIGNATED HP AND HP-L, FENCES OR FREESTANDING WALLS IN THE FRONT YARD (THE AREA BETWEEN THE STRUCTURE AND THE STREET RIGHT-OF-WAY LINE) SHALL NOT EXCEED A MAXIMUM HEIGHT OF THREE FEET. THIS HEIGHT LIMITATION EXTENDS THREE FEET BACK FROM THE FRONT FAÇADE INTO THE SIDE YARD(S).

**Repeal Chapter 12, and replace with a new and revised Chapter 12, as follows:**

# Chapter 12
# DOWNTOWN CODE


**Section 1201.** **Code Administration.**
**Section 1202.** **Regulating Maps.**
**Section 1203.** **Land Use Matrix.**
**Section 1204.** **Streetscape and Frontage Zones.**
**Section 1205.** **Frontage Elements.**
**Section 1206.** **Parking, Loading, and Vehicular Access.**
**Section 1207.** **General Development Regulations.**
**Section 1208.** **Biomed.**
**Section 1209.** **Business Core.**
**Section 1210.** **Central Park.**
**Section 1211.** **Commercial Corridors.**
**Section 1212.** **Downtown Gateway.**
**Section 1213.** **East Evergreen.**
**Section 1214.** **Evans Churchill East.**
**Section 1215.** **Evans Churchill West.**
**Section 1216.** **McDowell Corridor.**
**Section 1217.** **Roosevelt East.**
**Section 1218.** **Roosevelt North.**
**Section 1219.** **Roosevelt South.**
**Section 1220.** **Townsend Park.**
**Section 1221.** **Van Buren.**
**Section 1222.** **Warehouse.**
**Section 1223.** **Sustainability Bonus Points.**
**Section 1224.** **Appeals.**

**Section 1201. Code Administration.**

A. **Purpose and Intent.** The purpose of the Downtown Code is to implement the vision, goals and policies of the Downtown Phoenix Plan and provide the physical environment necessary to create a pedestrian-oriented, dynamic urban center with an authentic sense of place. The intent of the Downtown Code is to address design that impacts the public realm by establishing standards and guidelines that will allow projects to develop over time in a scale and character consistent with the Downtown Phoenix Plan and with the vision and goals of PlanPHX.

B. **Applicability**. The Downtown Code applies to all land uses, subdivisions, and development within the boundary specifically identified in Section 1202.A and generally bounded by McDowell Road on the north, 7th Street on the east, Buckeye Road on the south, and 7th Avenue on the west. This boundary shall be hereafter known as “Downtown”. The “Downtown Code” may be abbreviated as “DTC”.

1. Historic Preservation**.** Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event of a conflict between the provisions of Chapter 8 and Chapter 12, the provisions of Chapter 8 shall prevail.

2. If a conflict occurs between requirements of the Downtown Code and other provisions the City of Phoenix Zoning Ordinance (not including Chapter 8), the requirements of the Downtown Code shall prevail.

3. Development review of sites located within Downtown shall be in conformance with the provisions of Section 507.B, unless specifically stated otherwise within this Chapter.

C. **Approval Requirements.** Each structure and land use shall be established, constructed, reconstructed, enlarged, altered, moved or replaced in compliance with the following requirements:

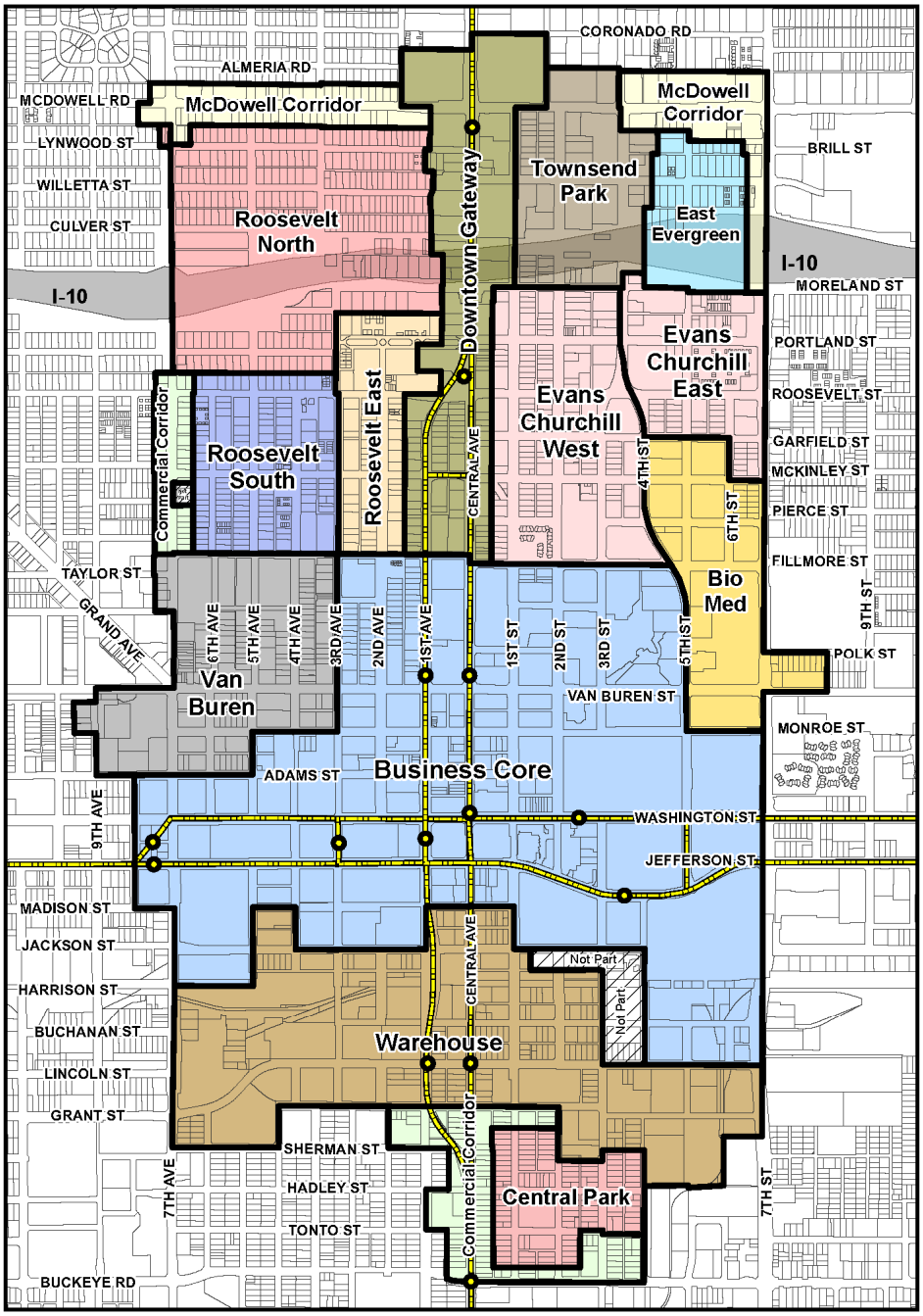
1. The land use or function must be allowed by the Use Matrix in the Character Area where the site is located, unless subject to the provisions of Chapter 9, Nonconformities.

2. Development review approval shall be obtained in accordance with the procedures outlined in Section 507, Development Review Approval.

3. Guidelines, standards, and requirements in this Chapter indicated with the markers (R), (R*), (P), (T), and (C) shall be applied and enforced in the same manner as indicated in Section 507. Items not indicated with an (R), (R*), (P), (T), and (C) shall be treated as (R).

**Section 1202. Regulating Maps.**

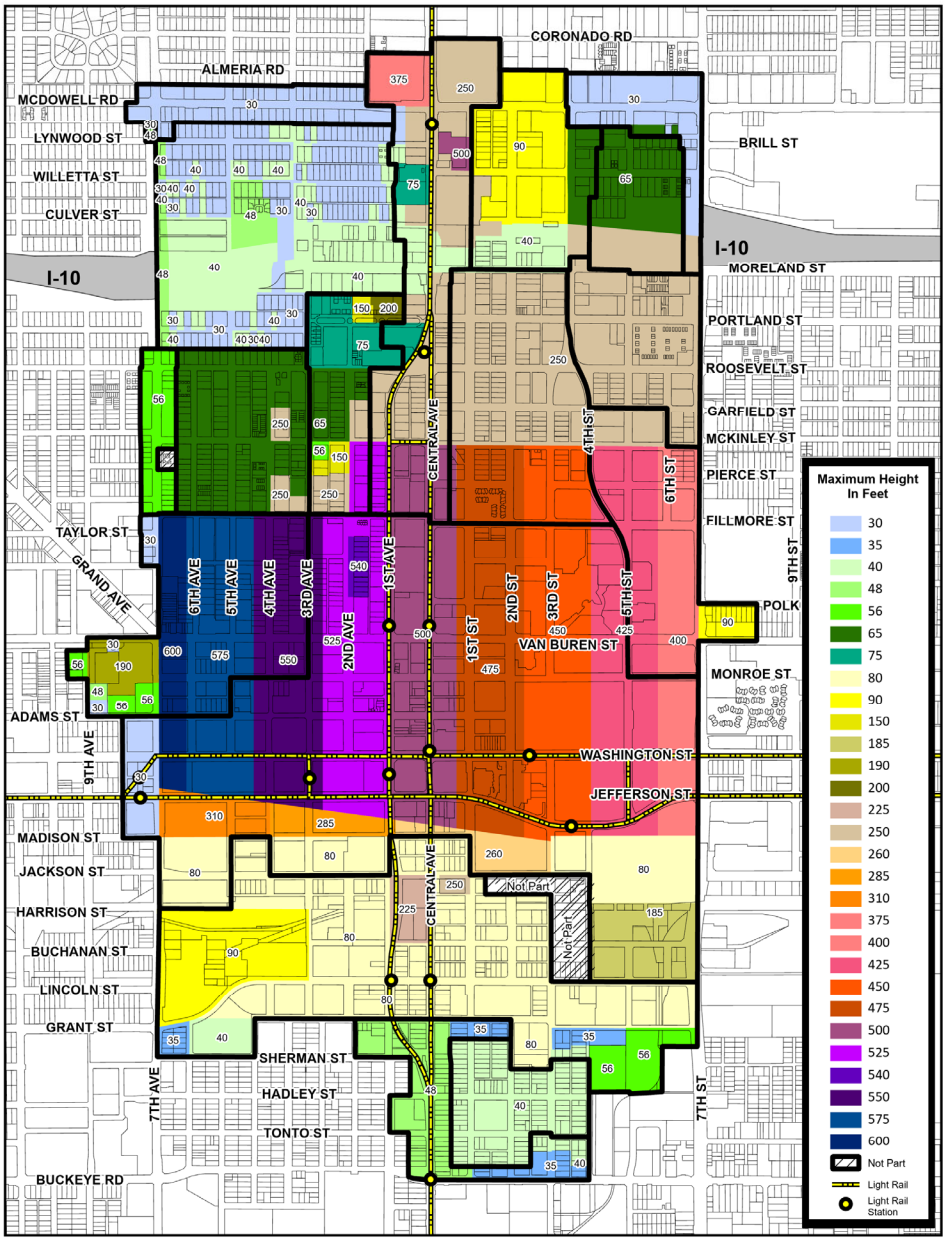
A. **Character Areas.** This map designates the Character Area boundaries for the Downtown Code:



B. **Maximum Building Height.** This map designates maximum building heights within Downtown.

1. The height limits shown on the following map are the base requirements and do not include any height bonuses which may be allowed per other sections of this Chapter. Additional setbacks may apply at the boundary between different height zones, per Section 1207.E.

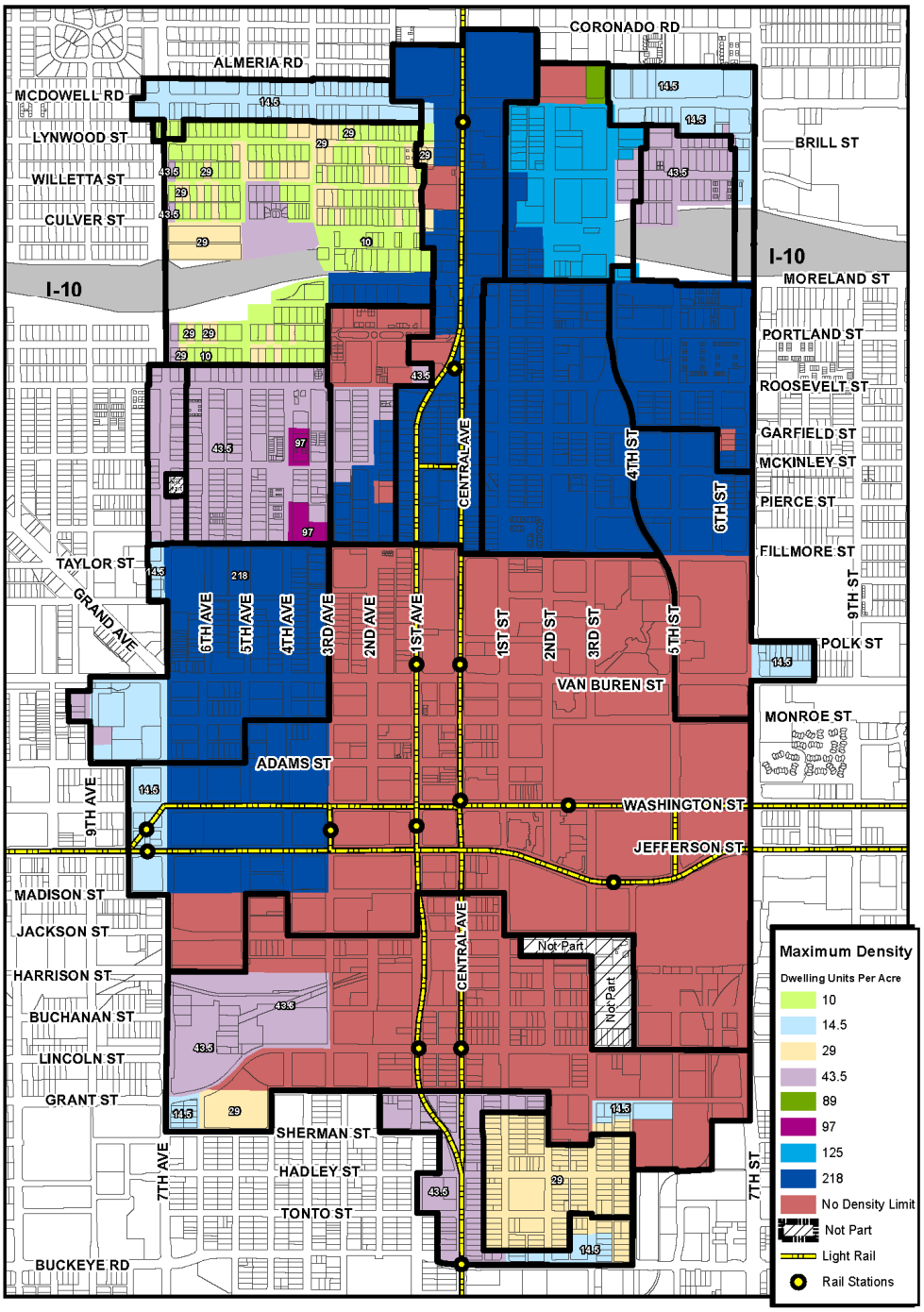
2. No building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.



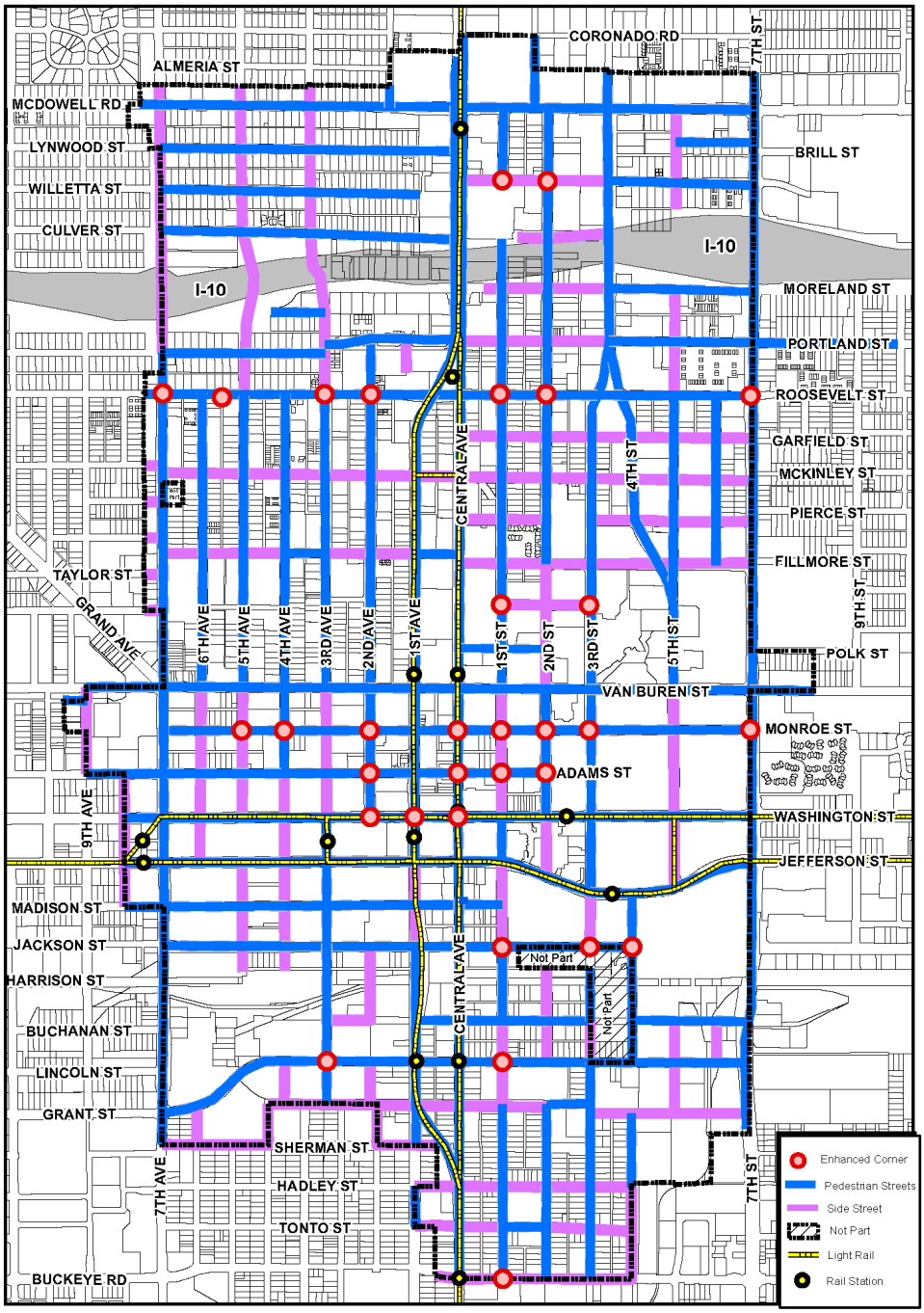

WHERE THERE EXISTS A CONFLICT BETWEEN THE HEIGHT LIMITATION PRESCRIBED IN THE CHAPTER AND ANY OTHER REGULATIONS IN CHAPTER 4 OF THE PHOENIX CITY CODE, THE LOWER LIMITATION SHALL GOVERN AND PREVAIL. (SEE PHOENIX CITY CODE SEC. 4-247)

C. **Maximum Density.** This map designates maximum density limits within Downtown.

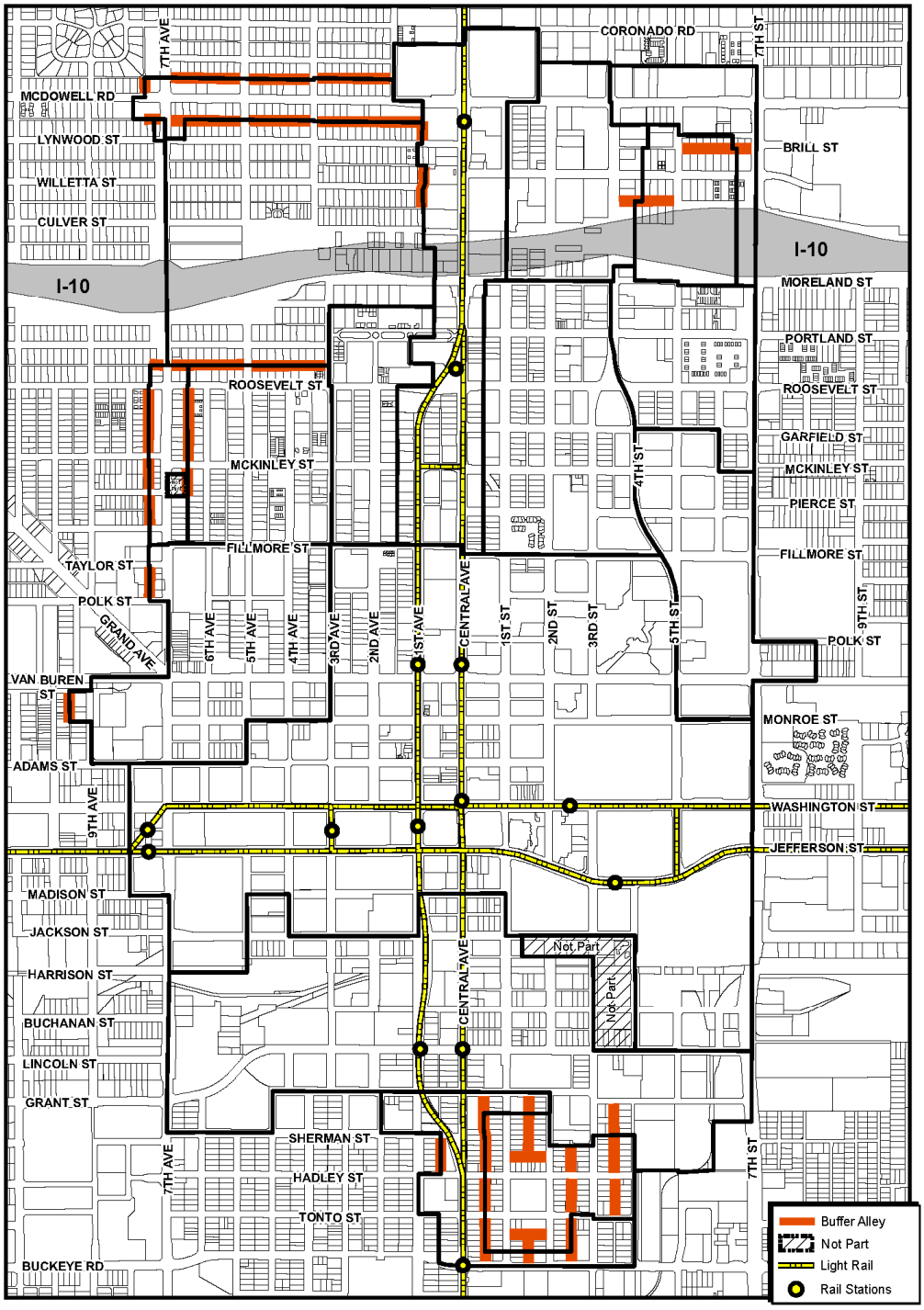
1. The density limits shown on the following map are the base requirements and do not include any density bonuses which may be allowed per other sections of this Chapter.



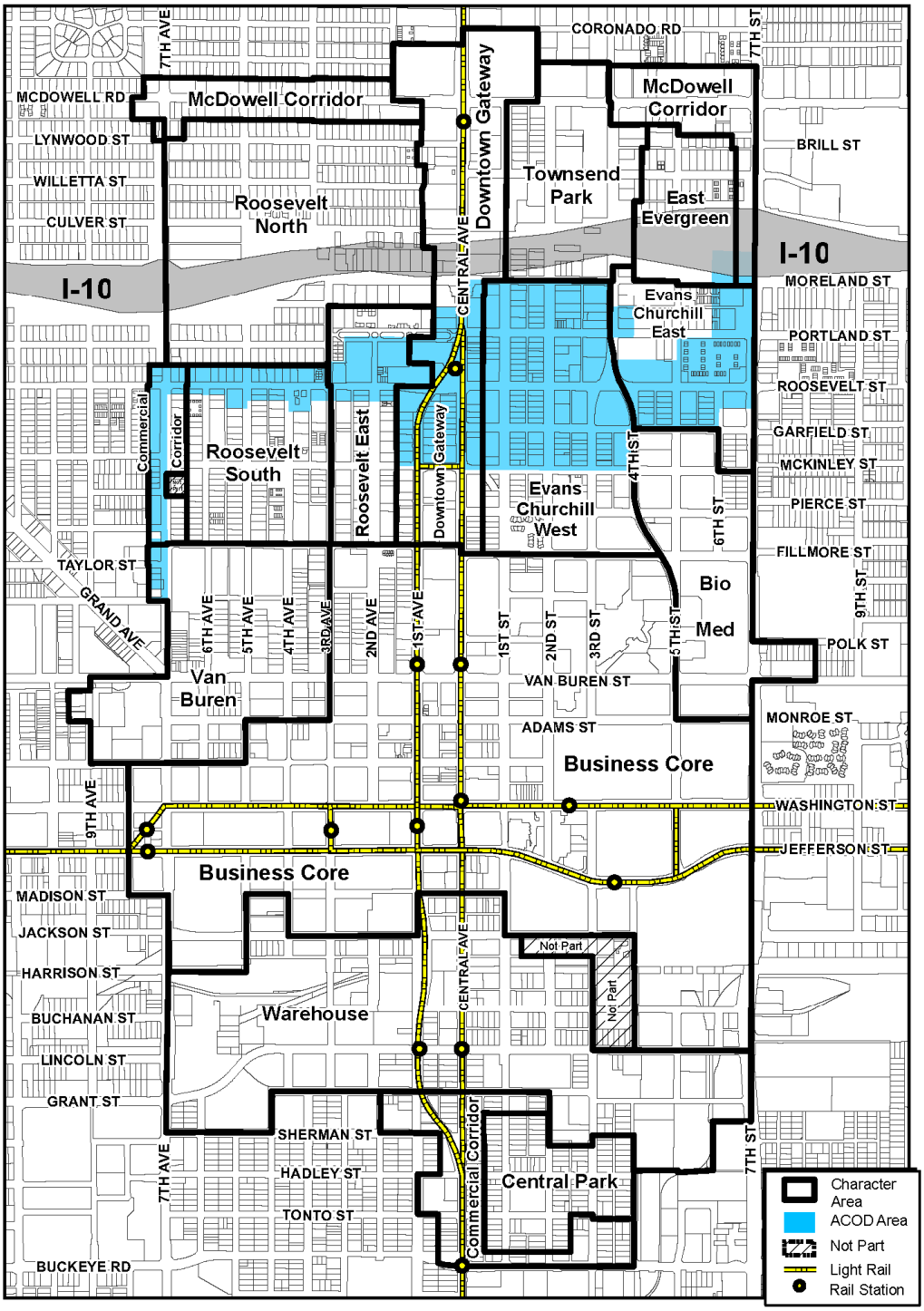
D. **Pedestrian Streets, Side Streets, and Enhanced Corners.** This map designates the streets within Downtown that are either Pedestrian or Side Streets, as referenced elsewhere within this Chapter. The map also designates Enhanced Corner locations as referenced elsewhere in this Chapter. Public streets not designated on this map shall be considered Pedestrian Streets.



E. **Buffer Alleys.** This map designates Buffer Alleys for which abutting properties must conform to the requirements outlined elsewhere in this Chapter.



F. **Arts, Culture and Small Business Area.** This map designates the Arts, Culture, and Small Business Area referenced elsewhere in this Chapter:



**Section 1203. Land Use Matrix.**

A. **Applicability.** The Land Use Matrix regulates all permitted uses within Downtown.

B. **Use Regulations.** The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1203.C, and Land Use Conditions in Section 1203.D:

1. Any use not specifically listed in the Land Use Matrix shall not be permitted.

2. All uses indicated with “p” are permitted with the applicable Character Area.

3. All uses indicated with “pc” are permitted with conditions within the applicable Character Area. The conditions are described in Section 1203.D, Land Use Conditions, by the associated condition number (e.g. “pc15” is described under Section 1203.D.15).

4. All uses indicated with “up” are permitted within the applicable Character Area only upon approval of a Use Permit per Section 307.A.7.

5. All uses indicated with “sp” are permitted within the applicable Character Area only upon approval of a Special Permit per Section 504.1.

6. All uses indicated with “np” are not permitted within the applicable Character Area.

**C. Land Use Matrix.**

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| **RESIDENTIAL USES** | | | | | | | | | | | | | | | | |
| Boarding House | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Community Residence Home | | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 | pc29 |
| Dwelling Unit, Multi-Family | | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| Dwelling Unit, Single-Family, Detached (including Duplex and Triplex uses) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Dwelling Unit, Single-Family Attached | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Group Home | | pc1 | pc1 | sp, pc1, 13 | pc1, 13 | pc1 | pc1 | pc1 | pc1 | pc1, 13 | pc1, 13 | sp, pc1, 13 | up, pc1, 13 | pc1, 13 | pc1 | pc1 |
| Group Foster Home | | p | p | up | p | p | p | p | p | p | p | up | up | p | p | p |
| Live-Work | x | p | p | pc11, 15 | p | p | p | p | p | p | p | np | p | p | p | p |
| Subdivision, Single-Family Infill | | np | np | pc27 | pc27 | np | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | pc27 | np |
| ***Accessory to Residential Uses Only:*** | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | | np | np | pc31 | pc31 | np | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | pc31 | np |
| Home Occupations | | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 | pc32 |
| **ASSEMBLY USES** | | | | | | | | | | | | | | | | |
| Assembly, General | x | p | p | np | p | p | up | p | p | p | up | np | np | p | p | p |
| Day Care (Adult Day Care Center and Child Care), Nursery School | x | p | p | pc13, 15 | p | p | pc13, 15 | p | p | p | p | pc13, 15 | pc13, 15 | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *ACTIVE USE* | *BioMed* | *BC* | *Central Park* | *Commercial Corridors* | *Dntn Gateway* | *East Evergreen* | *Evans Churchill East* | *Evans Churchill West* | *McDowell Corridor* | *Roosevelt East* | *Roosevelt North* | *Roosevelt South* | *Townsend Park* | *Van Buren* | *Warehouse* |
| Religious Assembly | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School | x | p | p | p | p | p | p | p | p | p | p | p | p | p | p | p |
| School, Commercial | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| **GENERAL RETAIL SALES AND RELATED SERVICE USES** | | | | | | | | | | | | | | | | |
| Artist Studio/Gallery | x | p | p | pc4, 6, 17 | p | p* | pc4, 6, 17 | p* | p* | p | pc4, 6, 17* | np | pc4, 6, 17* | p | p | p |
| Bakery | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Commercial Recreation | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Farmers Market | x | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | pc26 | np | pc26 | pc26 | pc26 | pc26 |
| Garden Center, Plant Nursery | x | np | np | np | p | p | p | p | p | p | p | np | p | p | p | p |
| Pawn Shop | x | up | np | np | up | up | np | up | up | up | up | np | np | up | up | up |
| Pet Care Facility | x | up | up | np | up | up | up | up | up | up | up | np | np | up | up | up |
| Pet Day Care Facility | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Pet Grooming | x | up | np | np | p | p | np | p | p | p | up | np | np | p | p | p |
| Retail Sales | x | p | p | np | pc10 | p | pc7 | pc9 | pc10 | pc10 | pc9 | np | pc9 | pc8 | p | p |
| Second Hand/Used Merchandise Sales | x | pc21 | pc21 | np | pc10, 21 | pc21 | pc7, 21 | pc9, 21 | pc10, 21 | pc10, 21 | pc9, 21 | np | pc9, 21 | pc8, 21 | pc21 | pc21 |
| **FOOD SERVICE AND ENTERTAINMENT** | | | | | | | | | | | | | | | | |
| Bar | x | up | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| *(ac) Outdoor Liquor Service* | *x* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *up* |
| Liquor, Retail Sales | x | up | up | np | up | up | np | up | up | up | up | np | np | up | up | up |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | ***ACTIVE USE*** | ***BioMed*** | ***BC*** | ***Central Park*** | ***Commercial Corridors*** | ***Dntn Gateway*** | ***East Evergreen*** | ***Evans Churchill East*** | ***Evans Churchill West*** | ***McDowell Corridor*** | ***Roosevelt East*** | ***Roosevelt North*** | ***Roosevelt South*** | ***Townsend Park*** | ***Van Buren*** | ***Warehouse*** |
| Dance Hall | x | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Restaurant | x | p | p | np | p* | p* | pc7 | p* | p* | p | p* | np | pc2* | p | p | p |
| Brew Pub, Microbrewery, Winery | x | up24 | up24 | np | up24 | up24 | up24 | up24 | up24 | up24 | up24 | np | up24 | up24 | up24 | p24 |
| ***Accessory Only To Restaurant/Brew Pub/Microbrewery/Winery:*** | | | | | | | | | | | | | | | | |
| *(ac)* *Outdoor Liquor Service* | *x* | *up* | *p* | *np* | *up* | *up* | *up* | *up* | *up* | *up* | *up* | *np* | *up* | *up* | *up* | *p* |
| *(ac)* *Outdoor Cooking* | *x* | *up* | *pc4, 16* | *np* | *up* | *up* | *np* | *up* | *up* | *up* | *up* | *np* | *np* | *up* | *up* | *up* |
| *(ac)* *Outdoor Dining* | *x* | *p* | *p* | *np* | *pc3** | *p** | *np* | *p** | *p** | *p* | *p** | *np* | *pc3** | *p* | *pc3* | *p* |
| *(ac)* *Patron Dancing* | *x* | *p* | *p* | *np* | *p* | *p* | *np* | *p* | *p* | *p* | *p* | *np* | *np* | *p* | *p* | *p* |
| **LODGING** | | | | | | | | | | | | | | | | |
| Bed and Breakfast | x | p | p | up | p | p | p | p | p | p | p | np | p | p | p | p |
| Hotel/Motel | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **HEALTH AND SUPPORT SERVICES** | | | | | | | | | | | | | | | | |
| Clinic, Medical or Dental | x | p | p | np | p | p | p | p | p | p | up | np | up | p | p | p |
| Community Residence Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospice | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Hospital | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| Laboratory, Medical, Dental or Clinical | | p | p | np | up | p | up | p | p | up | up | np | up | up | up | up |
| Laboratory, Research | | p | p | np | up | up | up | up | up | up | up | np | up | up | up | p |
| Medical or Dental Office | x | p | p | np | p | p | p | p | p | p | p | np | p | p | p | p |

| LAND USE CATEGORIES | CHARACTER AREAS | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | *ACTIVE USE* | *BioMed* | *BC* | *Central Park* | *Commercial Corridors* | *Dntn Gateway* | *East Evergreen* | *Evans Churchill East* | *Evans Churchill West* | *McDowell Corridor* | *Roosevelt East* | *Roosevelt North* | *Roosevelt South* | *Townsend Park* | *Van Buren* | *Warehouse* |
| Nursing Home or Assisted Living Center | x | p | p | sp | p | p | p | p | p | p | p | sp | up | p | p | p |
| Veterinary Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| **INDUSTRIAL AND MANUFACTURING USES** | | | | | | | | | | | | | | | | |
| Building Materials | | np | np | np | np | np | np | np | np | np | np | np | np | np | up | p |
| Contractor's Yards | | np | up | np | np | np | np | np | np | np | np | np | np | np | up | up |
| Manufacturing - Artisan | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - Light | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Manufacturing - General | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | p |
| Manufacturing - Heavy | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| **OFFICE AND PROFESSIONAL USES** | | | | | | | | | | | | | | | | |
| Financial institutions | x | p | p | np | p | p | up | p | p | p | p | np | up | p | p | p |
| General Office | x | p | p | np | p | p | p | p | p | p | p | np | up | p | p | p |
| Professional Office | x | p | p | np | p | p | p | p | p | p | p | pc19 | p | p | p | p |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **SERVICES** | | | | | | | | | | | | | | | | |
| Appliance Repair | x | pc4, 6, 17 | np | np | pc4, 6, 17 | pc4, 6, 17 | np | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | pc4, 6, 17 | np | np | pc4, 6, 17 | p | p |
| Business Services | x | p | p | np | p | p | np | p | p | p | p | np | np | p | p | p |
| Personal Services | x | p | p | np | p | p | np | p | p | p | p | np | p | p | p | p |
| Tattoo/Body-Piercing Studio | x | p | p | np | p | p | np | p | p | p | sp | np | np | np | p | p |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **STORAGE AND WHOLESALING USES** | | | | | | | | | | | | | | | | |
| Self Service Storage Facility | | sp | np | np | p | sp | np | np | sp | sp | sp | np | np | np | p | p |
| Storage/Warehousing (indoor) | | np | np | np | sp | np | np | np | np | np | np | np | np | np | sp | sp |
| Wholesale Sales | | np | np | np | up | np | np | np | np | np | np | np | np | np | up | up |
| **UTILITY AND TRANSPORTATION USES** | | | | | | | | | | | | | | | | |
| Motor Vehicle Rentals | x | up | pc12 | np | up | pc12 | np | sp | sp | sp | sp | np | np | sp | up | up |
| Motor Vehicle Sales (New) and Leasing | x | sp | pc12 | np | pc12 | pc12 | np | sp | sp | sp | sp | np | np | sp | pc12 | pc12 |
| Motor Vehicle Service Station, Fuel Sales | x | np | sp | np | up19 | np | np | np | np | up19 | np | np | np | np | sp | np |
| Motor Vehicle Service and Repair, Minor | x | np | np | np | np | np | np | np | np | np | np | np | np | np | sp | np |
| Motor Vehicle Washing | | np | np | np | np | np | np | np | np | np | np | np | np | np | np | np |
| Bus Terminal | | np | sp | np | np | np | np | np | np | np | np | np | np | np | np | sp |
| Public Utility Buildings and Facilities | | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 | pc28 |
| **ACCESSORY USES AND FACILITIES** | | | | | | | | | | | | | | | | |
| Accessory Structure (not ADU) | | np | np | p | p | np | p | p | p | p | p | p | p | p | p | np |
| Adult Day Care Home | | up | p | up | p | p | p | p | p | p | p | up | p | p | p | p |
| Dependent Care Facility | | up | p | up | p | p | pc14 | p | p | p | p | up | pc14 | p | p | p |
| Drive-Through | | np | np | np | pc19, 20 | np | np | np | np | pc19, 20 | np | np | np | np | np | np |
| Helistop/Heliport | | sp | sp | np | sp | sp | np | np | sp | sp | sp | np | np | np | sp | sp |
| Home Occupation as per Section 608.E.27 | | p | p | p | p* | p* | p* | p* | p* | p* | p* | p | p* | p | p | p |
| Outdoor Crafting of Art | | up | up | up | p22* | up* | up | p22* | p22* | p22 | p22* | up | np | up | up | p22 |

| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Outdoor Display/Sales | x | up | up | np | p | up | up | up | up | up | up | np | up | up | p | p |
| Outdoor Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Outdoor Entertainment | x | up | pc4, 16, 23 | np | up* | pc5, 16, 18, 23* | up | pc5, 16, 18, 23* | pc5, 16, 18, 23* | up | up* | np | up* | up | pc4, 16, 23 | pc4, 16, 23 |
| Pocket Shelter (Accessory to Religious Assembly Only) | | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 | pc13, 25 |
| Repair and/or Storage Facilities (Accessory to Public Utility Building and Facilities Only) | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Storage | | np | np | np | p | np | np | np | np | np | np | np | np | np | p | p |
| Valet Parking | | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 | pc30 |
| **Local Food Production** | | | | | | | | | | | | | | | | |
| Community Garden | | up | up | up | up | up | up | up | up | up | up | np | up | up | up | up |
| Home Produce Stand | x | np | np | up | np | np | up | np | np | np | np | np | up | np | np | up |
| **Interim Uses** | | | | | | | | | | | | | | | | |
| Interim Vacant Land Uses | | p | p | p | p | p | p | p | p | p | p | up | p | up | p | p |
| Environmental Remediation | | up | up | up | up | up | up | up | up | up | up | up | up | up | up | up |
| Surface parking | | up | up | np | np | up | np | up | up | np | up | np | np | np | up | up |
| Civic Event | | p | p | np | np | np | np | np | np | np | np | np | np | np | np | p |

***LAND USE KEY:*** *p=permitted use, pc=permitted with conditions (see numbered footnote for conditions), up=use permit, sp=special permit, np=not permitted*

******* *= For properties within the Arts, Culture, and Small Business Area (see map in Section 1202.G), please refer to the additional regulations outlined in Section 1207.C. If a regulation of Section 1207.C conflicts with the provisions of this Land Use Matrix, the more permissive regulation shall apply.*

*Note: Alcohol sales and service on properties within an Entertainment District designated by the City Council pursuant to Section 4-207, Arizona Revised Statutes, must also comply with Section 307(A)(17) of the Zoning Ordinance.*

D. **Land Use Conditions.** The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix in Section 1203.C:

**Spacing:**

1. No use shall be located on a lot with a property line within 1,320 feet of the same type of use as measured in a straight line in any direction of the lot line of another such use.

**Separation:**

2. The use shall not be located within 50 feet of a Buffer Alley as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the Buffer Alley.

3. The use shall not be located within 25 feet of a Buffer Alley as measured from the portion of the property on which the use is conducted to the right-of-way line of the Buffer Alley.

**Environmental Quality:**

4. Noise, odor, dust, gas, heat, smoke, glare or vibration shall not be emitted at any time by the use that exceeds the general or ambient level by uses immediately off site as compared at the parcel boundary.

5. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, unless a use permit is obtained.

6. The noise level, measured at any point on the received property, shall not exceed 55 dBa unless a use permit is obtained. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this section as long as there are no more than five occurrences within an hour-long interval.

**Maximum Size:**

7. The use shall not exceed 2,500 square feet of building area.

8. The use shall not exceed 5,000 square feet of building area per tenant, unless a use permit is obtained.

9. The use shall not exceed 10,000 square feet of building area, unless a use permit is obtained.

10. The use shall not exceed 25,000 square feet of lot area.

11. The use shall not exceed 25 percent of the total under roof area, unless a use permit is obtained to enlarge to a maximum of 50 percent of the total under roof area.

12. The use shall not include more than ten display vehicles.

**Maximum Persons:**

13. The use may not be conducted for more than ten persons.

14. The use may not be conducted for more than 12 persons.

15. The use may not employ more than one nonresident person.

**Hours of Operation:**

16. The use is limited to Fridays, Saturdays and Sundays only**, UNLESS A USE PERMIT IS OBTAINED FOR OTHER DAYS OF THE WEEK**.

17. The use may not be conducted between the hours of 10:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED TO EXTEND THE HOURS.**

18. The use may only be conducted between the hours of 10:00 a.m. and 12:00 midnight on Fridays and Saturdays and between 10:00 a.m. and 10:00 p.m. on Sundays, unless a use permit is obtained to extend the hours.

**Location:**

19. The use may only occur on a site that is adjoining an arterial street which is not a light-rail street.

20. Drive-through windows shall not be located within a Frontage Zone, nor drive-through queuing lanes, which also must be screened from the view from the right-of-way unless approval is obtained from the Design Review Committee.

21. Used/second hand merchandise cannot be received or processed at a site in Downtown for sale at another site. No outdoor sales or displays allowed.

22. Outdoor crafting of art subject to the following:

    a. Must be associated with an enclosed business when the subject parcel abuts an arterial or collector street.

    b. Storage of materials associated with the crafting area shall not exceed eight feet in height and shall be limited to the rear or side yard.

    c. Storage area shall be fully screened with a solid wall or landscaping.

    d. Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator section of the Zoning Ordinance.

23. Outdoor entertainment, subject to the following:

    a. Outdoor event or performances are open to the public.

    b. The outdoor event or performance must be presented by an existing business on the property.

    c. The business's regularly stocked items may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

24. The facility shall be licensed by the State as a producer, domestic microbrewery or domestic farm winery.

25. Drug, alcohol, other substance abuse or mental health rehabilitation programs shall not be allowed as part of the shelter services.

26. Farmers markets, subject to the following:

    a. Obtaining an administrative temporary use permit (ATUP) in accordance with the provisions of Section 708 if no food or beverage is dispensed from a vehicle.

    b. Obtaining a use permit in accordance with the provisions of Section 307 if food or beverage is dispensed from a vehicle.

    c. On-site operational conditions and improvements may be stipulated as a condition of an ATUP or use permit approval.

27. Single-family infill subdivision, per Section 608.F.6 and Section 614, Table 614.B, except as modified below:

    a. Historic Preservation designated properties or properties in historic districts cannot use the single-family infill development option.

    b. Maximum height: as per height map, Section 1202.B.

    c. Maximum density: as per density map, Section 1202.C.

    d. Maximum lot coverage: 100 percent per townhome lot; overall subdivision lot coverage per applicable Character Area.

    e. Frontage Requirements: as per the applicable Character Area; or if lots front on a something other than a Frontage Zone, per the regulations of Section 608.F.6 and Section 614, Table B, Column D.

    f. Setbacks:

        (1) Perimeter setbacks (interior and street frontage): per the applicable Character Area; or if lots front on a dedicated alley with no Frontage Zone, minimum 10 feet setback.

        (2) Individual lot front (not on a perimeter): 0 feet.

        (3) Individual lot side and rear: 0 feet or the required perimeter setback, whichever is greater.

    g. Allowed uses: single-family attached dwelling units and home occupations per Section 608, except that units fronting a perimeter street (not an alley) may have additional uses as permitted per the applicable Character Area. Single-family detached units are permitted for no more than 20% of the units in an SFI development to allow for variety and efficiency of design.

    h. Parking and loading: per Section 1206, except that one space per dwelling unit is required to be covered.

    i. Design: units adjacent to perimeter streets shall provide primary entrances facing and accessible from the street. No garages or carports are allowed to face perimeter streets. (R*)

j. All subdivisions must comply with the requirements of the Subdivision Ordinance (Chapter 32 of the City Code), as may be modified by the Subdivision Committee to further the goals of this Chapter and the applicable Character Area.

28. Public utility buildings and facilities shall be fully screened and subject to the following:

a. Mixed use opportunities should be prioritized for locating utility buildings and facilities. The applicant shall submit a written analysis to the Planning and Development Director or his/her designee of possible mixed use opportunities to allow for an integrated development project that minimizes the visual impact of the proposed utility. (R*)

b. All public utility buildings and facilities subject to the provisions of this land use condition shall be reviewed and acted upon by the Design Review Committee as a Design Alternative Appeal, per the provisions of Section 1224.A.

c. The applicant must hold a public neighborhood meeting and send written notification of the public neighborhood meeting and the DRC hearing date to real property owners and to neighborhood associations registered with the City pursuant to the DRC process handout.

d. The use cannot be located on a light rail street or adjoining Hance Park, or only separated by a street from Hance Park, unless the mixed use opportunity outlined in Section 1203.D.28.a is satisfied.

e. For the required street frontage(s), the Design Review Committee (DRC) may approve one of the following:

(1) A wall designed to mimic the frontage type which meets the intent of both the applicable character area and the streetscape standards, and that appears to be a conforming building as viewed from street.

(2) A creative use or frontage design alternative that surrounds the public utility building and facilities, as determined by the DRC as appropriate for scale of the area.

(3) A micro-park, which shall include at least three of the following elements, as indicated below, and as determined by the DRC as appropriate for scale of the area:

A minimum of two of the following installations:

(a) Recreational amenities such as but not limited to a single basketball hoop, swing, and/or climbing equipment.
(b) Landscape areas designed to create outdoor rooms or useful spaces, which may include extensive hardscape, decorative paving and/or artificial turf.
(c) Shade trees or shade structures.
(d) Lighting and seating designed to discourage camping.

In addition, a minimum of one of the following more significant scale installations:

(e) A local public art component and/or wall displays for local public arts organizations.
(f) An educational component that describes the history or setting.
(g) Facilities for pop-up retail, restaurant, farmers markets, and/or public events, which may include programming that changes seasonally, if permitted in the character area.
(h) Facilities for pets, which may include water sources, enclosures for off-leash activity, and stations for pet washing.

f. When considering an alternative frontage proposal in accordance with Section 1203.D.28.e, the DRC is authorized to provide relief from other Frontage and Streetscape Zone regulations, including those indicated as (R).

**Dispersal and Establishment of a Registered Use:**

29. Community residence homes, subject to the following:

a. The home has no more than five residents, not including staff (unless permitted by Section 36-582(A), Arizona Revised Statutes); or

b. For a home with six to ten residents, not including staff, the following conditions shall apply:

(1) Such home shall be registered with, and administratively verified by, the Planning and Development Department Director's designee as to compliance with the standards of this section as provided in Section 701.

(2) No community residence home shall be located on a lot with a property line within 1,320 feet, measured in a straight line in any direction, of the lot line of another community residence home that has been registered with six to ten residents.

(3) Disability accommodation from the spacing requirement may be requested by an applicant per Section 701.E.3.

**Accessory Uses:**

30. Valet Parking, subject to the following:

a. Valet parking is permitted by right if accessory to a permitted use or a use permitted with conditions, so long as all of the conditions are complied with. For primary uses subject to approval through a use permit or special permit, valet parking is permitted as an accessory use only if the valet parking is specifically approved as part of the use permit or special permit.

b. Valet parking spaces for a use located on a different site than for which the parking is to be provided is allowed only if the following three conditions are met:

(1) Both the site where the parking is to be located, and the site for which the parking is provided, are allowed the use(s) for which the parking is to be provided. For sites with uses permitted by use permit or special permit, compliance with Section 1203.D.30.a is required.

(2) The site on which the valet parking is to be provided also has a primary use, or is otherwise permitted to have valet parking.

(3) The site where the valet parking is to be located has provided parking spaces in excess of any required minimum parking for the subject site. This provision does not grant permission to provide more parking spaces than the maximum parking spaces allowed for uses located on the site.

c. Valet parking facilities, when provided, must comply with the additional development regulations of Section 1206.G.

31. Accessory Dwelling Unit (ADU). Two ADUs are permitted on a lot which has only one other single-family detached dwelling unit. A third ADU is permitted only when at least one ADU qualifies as low-income housing and the net lot size is a minimum of 43,560 square feet.

32. Home Occupations, subject to the provisions of Section 608.E.27. Properties subject to the provisions of Arts, Culture, and Small Business Area have additional permissions, as outlined in Section 1207.M.

## Section 1204. Streetscape and Frontage Zones.

### A. Applicability.

1. **Streetscape Zone.** This is the area located between the curb and the property line located within a dedicated street, of a minimum depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The minimum depth required is inclusive of sidewalk provided within the Streetscape Zone.

2. **Frontage Zone.** This is the portion of a private lot or parcel located directly adjacent to a Streetscape Zone, of a depth as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area.

    a. The depth of the Frontage Zone is measured from and perpendicular to the property line abutting the street.

    b. If the Street Transportation Department allows a sidewalk easement to be dedicated in lieu of required ROW based upon the adopted Street Classification Map, and/or a public utility easement is dedicated, the Frontage Zone depth shall be measured from the back of the easement. If both easements are dedicated over the same area, the setback shall be from the larger easement.

    c. Frontage Zones and associated development regulations apply only to the first 25 feet of the development as measured vertically above the finished grade.

    d. Frontage Zones do not apply where parcels abut dedicated alleys.

3. **Combined Dimensions of Streetscape Zone and Frontage Zone.**

    a. In cases where the existing Streetscape Zone does not meet the minimum depth required, the Frontage Zone depth shall be increased by the same amount as the deficiency in the Streetscape Zone depth, unless the Streetscape Zone can be brought into compliance within the existing ROW, or by dedication of additional ROW as approved by the Street Transportation Department.

    b. When the minimum Frontage Zone depth is 15 feet or greater, Planning and Development staff have the authority to reduce the Frontage Zone depth by up to 5 feet so long as the Streetscape Zone is increased by the same amount.

    c. Additional easement dedications may be required if public sidewalks, public utilities, or other public amenities are provided within the Frontage Zone. (T)

***Figure 1204.1 Non-Residential Streetscape and Frontage Zone (example)***

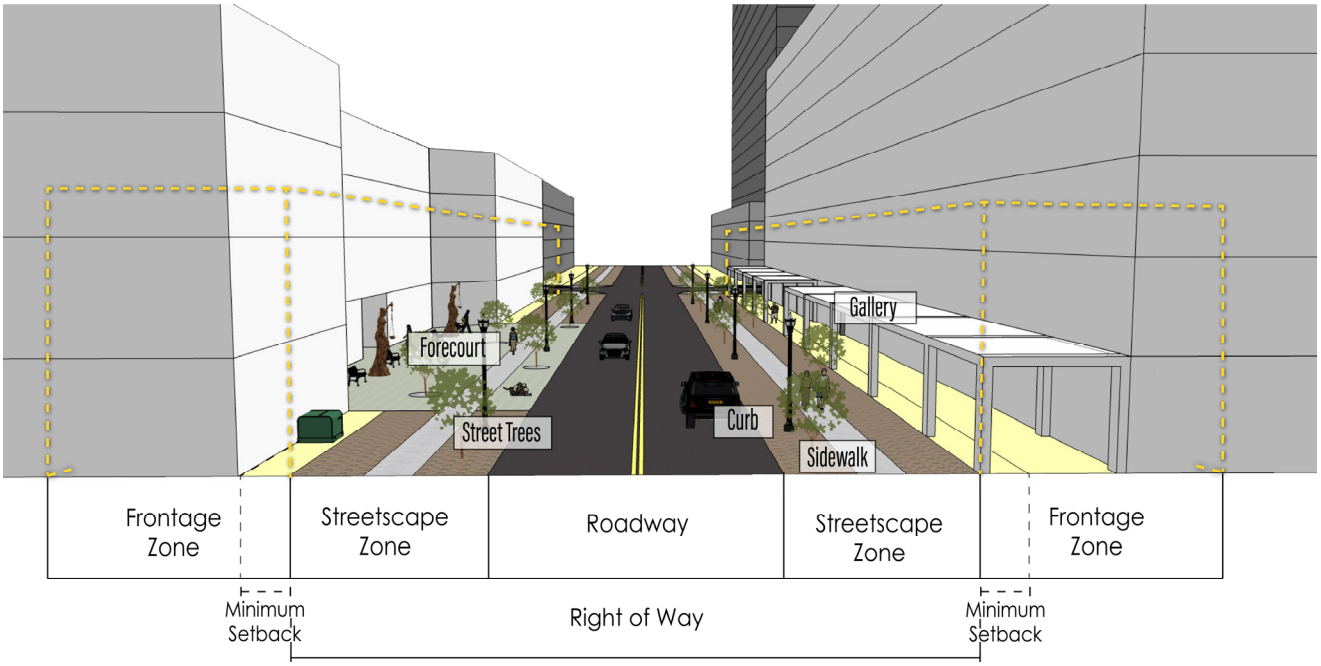
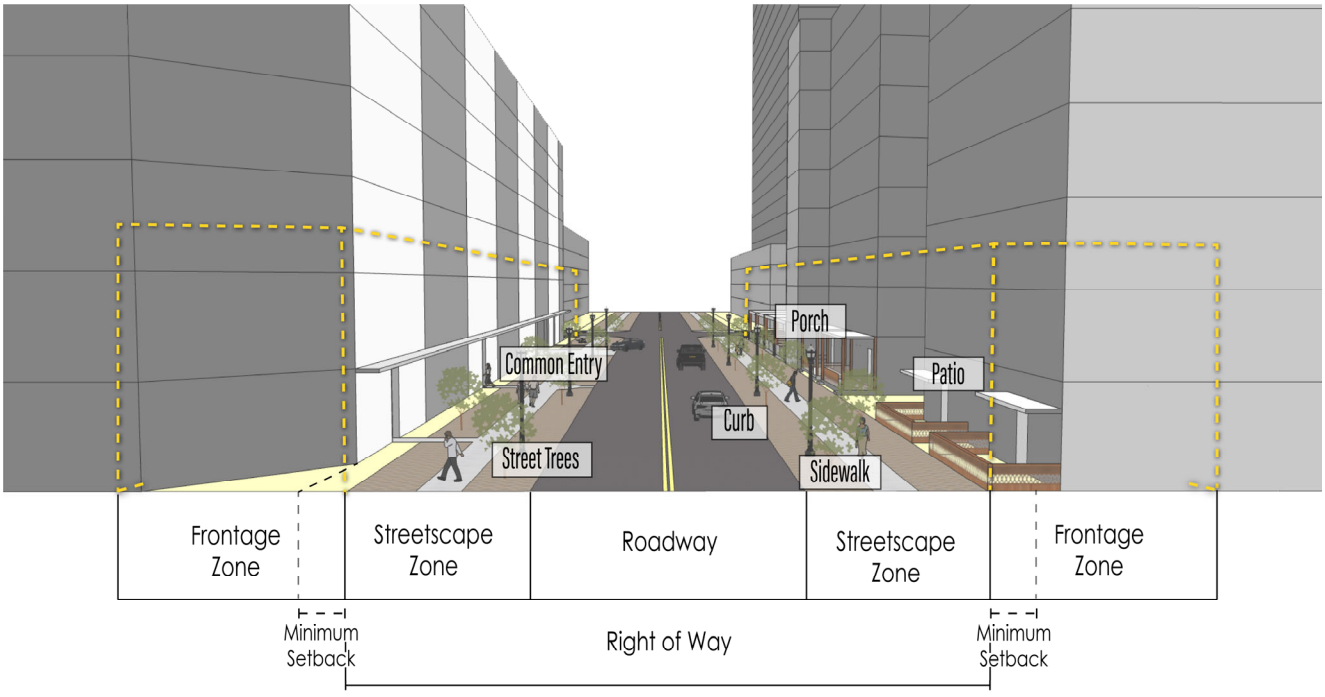



***Figure 1204.2 Residential Streetscape and Frontage Zone (example)***



**B. Streetscape Zone Standards.**

1. **Intent.** The Streetscape Zone is the public realm, and the area from which the public may access private properties via multiple transportation modes.

    a. Along Pedestrian Streets, the Streetscape Zone area should be designed primarily for pedestrians, providing shade, easy access to building entrances, and complementary landscaping.

    b. Along Side Streets, the Streetscape Zone area is expected to have automobile access, parking and loading access, as well as service areas adjoining them, while still serving pedestrians.

2. **Structures and Projections within the Streetscape Zone.** Structures shall not be constructed or provided within the Streetscape Zone, except where specifically permitted within this Chapter. Any allowed structural projections into public rights-of-way may only be installed upon issuance of an encroachment permit as administered by the City of Phoenix, and if applicable, approval from affected public utility companies. (T)

    a. Cantilevered structural shade elements projecting from the building are not subject to minimum setback requirements and are allowed to project into the public right-of-way (with approval of an encroachment permit) so long as the structures do not preclude the installation of required street trees. The shade elements shall be removable, unless otherwise approved in writing by all affected City departments and utilities. (T)

    b. Stairs/steps/accessible ramps to building entrances (other than those required for public street crossings or existing grade differentials within the public right-of-way) are not permitted within the Streetscape Zone. Retaining walls within the Streetscape Zone are regulated by Section 1204.D. (T)

    c. Transformers and other mechanical equipment are not permitted to be located within the Streetscape Zone. (T)

3. **Uses permitted within the Streetscape Zone**. No uses are permitted with the Streetscape Zone unless specifically permitted by other provisions of this Chapter, with the following exceptions:

    a. Development regulations for uses permitted within the Streetscape Zone shall be the same as those provided for the adjacent Frontage Zone, unless specific regulations for the use or structure located within the Streetscape Zone are provided elsewhere within this Chapter.

    b. Uses which are permitted by right or with conditions for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department, if the following are complied with:

        (1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and

(2) The proposed use complies with the development regulations required of the use when located within the adjacent Frontage Zone.

(3) The Street Transportation Department has no other objections to or conflicts with the request.

c. Uses which are permitted with approval of a use permit or special permit for a site per Section 1203, Land Use Matrix, that are not specifically permitted to be conducted within the right-of-way per other provisions of this Chapter, may be permitted within the right-of-way adjacent to the site with the issuance of an encroachment permit approved by the Street Transportation Department if the following are complied with:

(1) The use of the right-of-way does not preclude compliance with all other regulations regarding the Streetscape Zone, including but not limited to the minimum sidewalk width, and

(2) The use of the right-of-way is specifically shown and reviewed as part of the use permit or special permit approval.

(3) The Street Transportation Department has no other objections to or conflicts with the request.

4. Private pedestrian and bicycle amenities being provided for residents or on-site users should not be located within the public right-of-way. (P)

*Rationale: Non-structural amenities (such as benches, lit bollards, bicycle racks, or public art) should not cause obstructions to pedestrian routes, prevent proper installation or clearances for required landscape, or private utility lines in the Streetscape Zone. Amenities should instead be provided within the Frontage Zone whenever possible. This does not apply to amenities specifically provided for public use.*

5. In the Roosevelt North, Roosevelt South, and Roosevelt East character areas, where there is an existing Streetscape Zone larger than required by the applicable Character Area, a private development shall not reduce the Streetscape Zone by moving the curb and widening the street to provide new on-street parking, loading, or drop off areas: (R*)

*Rationale: The Roosevelt Character areas retain a significant number of historic single-family homes, and many blocks have large areas between the curb and the sidewalk historically used for landscaping. These areas should not be reduced for vehicle parking, passenger loading, or good/services loading, unless approved by both Street Transportation and the Design Review Committee.*

6. On-Street Parking. When on-street parking is provided abutting a site, a minimum 4-foot wide concrete walkway may be provided adjacent to the raised curb in addition to the required sidewalk, so long as it does not preclude installation of required street trees. The walkway shall provide paved connections at reasonable intervals to the public sidewalk, and be constructed to the same standards as the public sidewalk. (T)

*Rationale: Persons exiting a car parked adjacent to a curb should not have to step into a landscape or other areas unsuitable for pedestrians.*

7. **Sidewalks.**

a. Location. The required public sidewalk shall be located within the Streetscape Zone, subject to the following:

   (1) On a Side Street, the sidewalk may be attached to the curb, unless it is a designated Arterial Street. (T)

   (2) On a Pedestrian Street, the sidewalk shall be detached from the curb and the required street trees located between the curb and sidewalk, unless a Technical Appeal is approved to allow an attached sidewalk when abutting on-street parking. (T)

   (3) When a required sidewalk is approved to be attached to the curb, the sidewalk shall be a minimum of 8 feet wide, regardless of the Character Area requirement. (T)

b. Elevation. The required public sidewalk should be constructed no higher than six inches above the immediately adjacent street top of curb. Additional elevation may be permitted without a Technical Appeal when the area between the back of curb and sidewalk has a slope no steeper than 10:1 and no retaining walls are provided. (T)

   *Rationale: Most of the sidewalks in Downtown are existing and historic. Sidewalks reconstructed higher than 6" above the adjacent top of curb can make access from on-street parking difficult; can provide challenges with ADA compliance; can cause steep slopes within adjacent landscape areas which encourage erosion and discourage the growth of plants and trees; and can interrupt the visual and historic continuity of the neighborhood. If the finished floor of the building(s) are higher than six inches above the top of curb, ramps and/or steps should be provided from the sidewalk to the building entries, rather than raising the sidewalk, unless it can be done in a very gradual manner.*

c. Planning and Development staff may allow a decrease in the minimum required sidewalk width of up to one foot in the case of conflicts with existing utilities other existing obstacles which cannot otherwise be avoided. (T)

d. The required sidewalk shall be clear of all obstacles for the full minimum required sidewalk width. Approved amenities and landscaping (including tree grates) shall only be allowed within portions of the sidewalk wider than the minimum required. (T)

e. Sidewalks located within the public right-of-way shall be constructed using materials and methods approved by the Street Transportation Department. (T)

f. Where setback sidewalks exist on a block face where there is an HP designated property, the sidewalk should remain within the historic alignment for that block face and not be offset by more than one foot. (P)

   *Rationale: Historic streetscapes are generally defined by a consistent sidewalk and landscape area along a single block face. These streetscapes are an important part of the Downtown Phoenix character and should be maintained whenever possible.*

g. The required sidewalk should not have jogs and offsets, and should be in a straight line unless navigation around existing conflicts in the Streetscape Zone is unavoidable. (P)

*Rationale: Pedestrians of all capabilities should be able to navigate sidewalks easily and not have unnecessary diversions around landscape, amenities, transformers, or similar potential obstructions.*

**C. Frontage Zone Standards.**

1. **Intent.** The Frontage Zone is the interface between the public and the private realm, and the area where public amenities (including but not limited to pedestrian and bicycle amenities, outdoor dining, public courtyards, public art, etc.) should be located.

2. **Structures within the Frontage Zone.** Structures shall not be constructed within the Frontage Zone, except where specifically permitted by this Chapter.

   a. For wall/fence requirements, refer to Section 1207.D and any applicable Frontage Element regulations.

   b. For retaining wall requirements, refer to Section 1204.D and any applicable Frontage Element regulations.

3. **Amenities and Projections within the Frontage Zone.** The following items may project or be constructed within the Frontage Zone, but no closer than the minimum setback as stated in the Frontage and Streetscape Zone Matrix for each individual Character Area, unless specifically permitted elsewhere in this Chapter: (R*)

   a. Frontage Elements, as allowed by the Character Area.

   b. Exterior stairwells constructed as part of the building and not part of the hardscape.

   c. Parking spaces within structured parking and/or located internal to the building and screened from view of the Frontage Zone.

   The following items are permitted anywhere within the Frontage Zone and are not required to meet minimum setbacks, so long as they do not preclude installation of required street trees and shading requirements:

   d. Outdoor dining patio or bar area, covered or open (if a permitted use).

   e. Bicycle parking and amenities.

   f. Pedestrian amenities.

   g. Exterior art installations.

   h. Passenger loading zones.

   i. Valet parking facilities, subject to the provisions of Section 1206.G.

   j. Drainage facilities.

k. Mechanical equipment/systems, so long as a minimum 5 feet separation from the public sidewalk is provided.

l. Basements/utility vaults.

m. Cantilevered awnings/shade structures.

n. ADA ramps/pathways.

4. **Minimum Building Frontage Requirements.**

a. The length of each building façade constructed within or abutting the Frontage Zone shall be no less than required by the Streetscape and Frontage Zone Matrix for the applicable Character Area and street section, unless otherwise approved by the DRC as a Design Alternative per Section 1224.A.

b. The minimum building frontage requirement shall be calculated as a percentage of the length of the frontage property line, and the façade shall be measured by a line parallel with the frontage property line. For the purposes of this calculation only, the following may be subtracted from the length of the frontage property line:

(1) The width of driveways at the frontage property line, so long as the driveways are otherwise compliant with this Chapter.

(2) The portion of required visibility triangles which are deeper than the applicable Frontage Zone depth.

c. All portions of the building façade abutting or located within the Frontage Zone, including Frontage Elements, may be used to calculate the required minimum building frontage. Certain Frontage Elements may provide additional flexibility in calculating the required minimum building frontage, as stated elsewhere in this Chapter.

d. Underground structures cannot be counted toward meeting minimum building frontage requirements.

5. **Hardscape Guidelines—Frontage Zones.**

a. Alternative paving materials should be used when possible within the Frontage Zone to reduce the urban heat island effect, and to allow natural drainage and filtration. (T)

b. Permeable paving, porous concrete or similar material should be installed adjacent to tree wells. The design should ensure adequate watering and root growth. (T)

c. Alternative materials such as brick pavers, permeable concrete pavers, granite and flagstone should be encouraged on private walkways and patio/gathering areas. (T)

**D. Grading and Drainage Requirements—Streetscape and Frontage Zones.**

1. The maximum slope of any landscape or non-hardscape area located within the Streetscape Zone is 10:1. (T)

2. The maximum grade differential of the Frontage Zone from the adjacent Streetscape Zone is 30 inches, unless specifically permitted elsewhere in this Chapter. (T)

3. Retaining walls are not allowed within the Streetscape Zone. (T)

4. Retaining walls up to 36 inches in height are allowed within the Frontage Zone, unless greater height is specifically permitted elsewhere in this Chapter. (T)

5. If the required finished floor elevation is at a height which will require stairs or ADA ramps to connect building entries with the sidewalk, or will require a retaining wall exceeding heights permitted for Streetscape and Frontage Zones, the depth of the Frontage Zone may be increased to the depth required to avoid steps or ramps (if desired). (T)

**E. Design Requirements—Frontage Zones.**

1. Along Pedestrian Streets, buildings facades facing Frontage Zones shall incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 75% of the required building frontage for each Frontage Zone, unless a Design Alternative is approved by the Design Review Committee per Section 1224.A. (R*)

2. Along Side Streets, buildings facades facing Frontage Zones should incorporate at least one of the Frontage Elements allowed by the applicable Character Area into the façade for a minimum of 50% of the required building frontage for each Frontage Zone. (P)

   *Rationale: Appropriate Frontage Elements for have been determined through extensive staff analysis and community input for each Character Area, as well as the specific streets within each area. Facades located along designated Side Streets may be granted additional flexibility in application of this design requirement.*

3. The portion of a building facade adjacent to a Frontage Zone which does not comply with a Frontage Element design should have a level of trim and finish compatible with the quality and design of the remainder of the Frontage Zone façade(s). (P)

   *Rationale: The portion of facades not required to meet the minimum building frontage, or the portion which does project into the Frontage Zone should still consist of high quality materials, and be integrated with the design of the remainder of the façade. Unfinished surfaces and blank walls should not be provided where visible from a Frontage Zone.*

4. The areas of a Frontage Zone not adjacent to or occupied by Frontage Elements shall be improved as follows:

   a. Landscape shall be provided in accordance with Section 1204.G. (T)

   b. Seating should be provided. Seating may consist of installed benches or removable furniture. This shall not apply within the Roosevelt North, Roosevelt South, and East Evergreen character areas. (P)

      *Rationale: Character areas consisting mainly of traditional single-family homes and historic designations should maintain the residential character of private front yards when possible.*

c. Other features which attract and engage pedestrians should be provided, such as (but not limited to) bicycle parking and amenities, exterior art installations, additional structural shade, etc. (P)

*Rationale: Tthe area of a Frontage Zone not adjacent to a Frontage Element, where conflicts with primary entrances are less likely to occur, should have other features which encourage use by pedestrians and cyclists.*

5. Building entrances shall face toward the street in order to meet the intent of activating the public realm. Entrances from a permitted Frontage Element (such as Forecourt, Patio, Porch, or Stoop/Doorwell) are exempt from this requirement. (R*)

6. Public building entrances, residential patios/porches, windows, storefronts, outdoor dining, public gathering areas, exterior art installations, and other similar features should be located adjacent to Pedestrian Streets. (P)

*Rationale: On Pedestrian Streets, adjacent structures should be designed to provide easy and obvious pedestrian access to the buildings, to encourage pedestrian use.*

7. All on-site mechanical equipment, transformers, utility equipment, trash/recycling receptacles, or similar must be fully screened from view from the Streetscape Zone. Screening may consist of the following: (P)

   a. Green screen.

   b. Dense landscaping which provides screening starting from the time of initial installation.

   c. Decorative walls or fences up to 40 inches in height if within the minimum setback area, or 72” if behind the minimum setback.

   d. Underground utility vaults.

   e. Along Side Streets only: decorative walls or fences up to 8 feet in height if located at or beyond the minimum setback.

*Rationale: The Streetscape environment should be aesthetically pleasing, and service equipment/areas should be screened from view whenever possible. If it is simply not possible, the visual impact should be mitigated by disguising equipment with paint or other treatments as approved by PDD and any affected utility company.*

8. Along Pedestrian Streets, all windows and doors counting toward required glazing should allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. (P)

9. Along Pedestrian Streets, commercial suites with windows or entrances to Frontage Zones should be constructed so that a public area of the suite (lobby, reception area, dining area, or similar) is adjacent to the Frontage Zone. Storage areas, private offices, kitchens, or other areas restricted to the public/customer use shall not be located adjacent to doors or windows facing a Pedestrian Street. (P)

*Rationale for E.8 and E.9: Frontage Zones along Pedestrian Streets should attract, engage, and interest pedestrians at the street level and encourage patronage of the*

*businesses. Opaque or translucent/frosted windows, or views into employee or storage areas do not meet this intent.*

10. Building facades abutting or within a Frontage Zone should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between the Frontage Zone and all additional stories. (P)

    *Rationale: Large buildings should provide a transition to a pedestrian scale to make such areas feel comfortable for pedestrians, without causing a feeling of walking up to the base of a tall "cliff".*

11. Roof drains shall not be designed to drain across public sidewalks or other pedestrian walkways. (T)

**F. Shade Standards—Streetscape and Frontage Zones.**

1. Public and private pedestrian walkways should be shaded (minimum 75 percent at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

2. All Streetscape and Frontage Zones should be shaded (50% at maturity) for the health, safety, and welfare of pedestrians and to encourage use. (P)

   *Rationale for F.1 and F.2: The design of pedestrian routes and gathering areas, such as public sidewalks, private walkways, courtyards, plazas, and transit stops, should be designed with appropriate shading for the health, safety, and welfare of pedestrians and to mitigate the heat island effect to enhance the pedestrian environment.*

3. Shade calculations shall be based on shade cast at the summer solstice at 12:00 noon. (T)

4. Shade cast from required shade trees, structural shade (canopies/awnings), or shade cast from a building may be used to comply with the shade requirements of this section.

**G. Landscape Requirements—Streetscape and Frontage Zones.**

1. Landscape shall be provided, subject to the following:

   a. Where there is an existing established streetscape theme, including street trees, additional trees shall be provided to replace removed or destroyed trees, and/or to comply with shade requirements. In such cases, the trees shall be of like kind and size to those provided with the existing streetscape, as approved by the PDD Landscape Architect. (T)

   b. Trees shall be provided for the full length of the Streetscape Zone at a minimum rate of 20 feet on center, or equivalent groupings as approved by the PDD Landscape Architect (T).

      (1) This requirement does not apply to properties with a maximum of two dwelling units and no other primary uses.

      (2) Trees provided within the Streetscape Zone may be used to comply with the shade requirements of Section 1204.F.

(3) All trees planted to meet this requirement must be selected from the Tree Species Matrix, Section 1204.G.5, and allowed for use in the Streetscape Zone, or match the existing streetscape trees adjacent to the site.

(4) If existing utility conflicts prevent the installation of trees within both the Streetscape Zone and the Frontage Zone, architecturally or artistically integrated structural shade may be requested for approval by filing a Technical Appeal.

c. If necessary to avoid existing utility conflicts, required street trees may be provided within the Frontage Zone within 5 feet of the sidewalk, as approved by PDD. (T)

d. Trees shall be provided within a minimum 5 feet wide landscape area, unless tree wells (or equivalent) are provided outside of the required minimum sidewalk width to avoid conflicts with existing utilities or other existing street improvements. (T)

e. When two rows of trees are provided either side of the public sidewalk, the minimum planting area for each row should be 5' wide, unless tree wells are approved by the PDD Landscape Architect (T).

f. Where hardscape is not necessary for pedestrian connections to amenities, drop off/pickup zones, on-street parking, or similar, shrubs or groundcovers shall be installed in addition to trees to provide 75% live coverage. This percentage may be reduced to 50% if bioswales are approved for use within the Streetscape Zone. (T)

g. Unless prohibited by law, palm trees may be installed in the Streetscape Zone in areas where palm trees have historically been provided in the ROW, in addition to any required shade trees. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

h. In areas where turf has historically been provided within the Streetscape Zone, turf may be provided unless otherwise prohibited for use within the ROW by law. Alternatively, low growing, drought-tolerant green ground covers may instead be provided, as approved by the PDD Landscape Architect. (T)

i. Artificial turf is not permitted for use within public rights-of-way, and may not be used to comply with any on-site landscape requirements. It may be used for outdoor amenity areas which are not required to be landscaped. (T)

2. Tree wells, if permitted, shall be a minimum five feet by five feet, or a two-foot six-inch radius from the base of the tree. (T)

a. A minimum two inches of decomposed granite, nitrogen stabilized mulch or similar material shall be installed atop the soil and below the tree grates. (T)

b. The landscape plans shall demonstrate that the soil volume to be provided for each tree is sufficient for the healthy and successful maturity of type of tree chosen, as approved by the PDD Landscape Architect. (T)

3. All landscape areas located within the Streetscape Zone shall not exceed a 10:1 slope. (T)

4. New underground utility lines or equipment should not be installed where street trees are required unless other options are not technically feasible, as approved through a Technical Appeal. (T)

   *Rationale: The Streetscape and Frontage Zones should provide a pleasant and comfortable pedestrian experience, of which landscape and shade are of great importance. If a technical appeal is approved because there is no other technically feasible option, the appeal should address how required landscape and shade requirements will still be met.*

5. **Tree Species Matrix**. The following is a list of shade trees permitted for use within Streetscape and Frontage Zones, as indicated below. Additional tree types may be requested for approval by filing a Technical Appeal. All trees used within public rights-of-way must be low-water use/drought-tolerant as approved by the Arizona Department of Water Resources. (T)

| Tree Species Matrix (Streetscape and Frontage Zones) | | | |
|---|---|---|---|
| *Botanical Name* | Common Name | Allowed locations | |
| | | Public right of way (Streetscape Zone) | Private property (Frontage Zone) |
| | | | |
| *Parkinsonia florida* | Blue Palo Verde | Yes | Yes |
| *Pistacia chinensis (+ hybrids)* | Chinese Pistache | Yes | Yes |
| *Chilopsis linearis* | Desert Willow | Yes | Yes |
| *Ulmus parvifolia 'Sempervirens'* | Evergreen Elm, Chinese Evergreen Elm | Yes | Yes |
| *Quercus virginiana* | Heritage Live Oak | Yes | Yes |
| *Gleditsia triacanthos (thornless)* | Honey Locust (thornless) | Yes | Yes |
| *Olneya tesota* | Ironwood | Yes | Yes |
| *Prosopis spp. (thornless)* | Mesquite (thornless hybrids) | Yes | Yes |
| *Olea europaea (fruitless)* | Olive (fruitless hybrids) | Yes | Yes |
| *Dalbergia sissoo* | Sissoo Tree, Indian Rosewood | Yes | Yes |
| *Fraxinus velutina (+ hybrids)* | Arizona Ash (varieties) | No | Yes |
| *Acacia farnesiana (Acacia smallii)* | Sweet Acacia | No | Yes |

**Section 1205. Frontage Elements.**

The following Frontage elements consist of architectural features, designs, and amenities which may project within the Frontage Zone, though no closer than the required minimum setback unless specifically permitted by this Chapter. Please see the Frontage and Streetscape Zone Matrix for each Character Area for applicable standards, in addition to the Streetscape and Frontage Zone standards of Section 1204.

**A. Active Front Yard (AFY).** An Active Front Yard is a frontage element intended for use on blocks with a high percentage of existing and/or historic single-family or duplex style residential structures. AFY is not permitted for use on sites with primary uses which are non-residential, or on residential lots with more than two dwelling units (not including ADUs). (R*)

1. For sites with HP zoning or designation, both the building elevations and improvements in the Frontage Zone shall be constructed as approved by Historic Preservation.

2. For sites not zoned or designated HP, buildings and improvements shall be installed in conformance with Section 507 Tab A II.C.8.5 (Individual Unit Design Standards). If any of the requirements of Section 507 Tab A II.C.8.5 conflict with provisions of the Downtown Code, Section 507 Tab A II.C.8.5 requirements shall prevail.

3. Minimum building frontages stated in the Streetscape and Frontage Matrix for each Character Area do not apply when implementing Active Front Yard standards as a Frontage Element.

**B. Patio (PA).** A Patio (previously known as a "Dooryard") is a residential frontage element which incorporates a private outdoor space for each dwelling unit, and is surrounded by a fence or wall to provide a separation of the private realm from the adjacent streetscape.



1. A permanent hardscaped or landscaped area shall be provided in accordance with the following standards:

   a. Minimum depth: 8 feet. (R*)

   b. Minimum area: 64 square feet. (R*)

   c. Maximum grade differential: 30 inches above adjacent Streetscape grade. (T)

   d. Placement: Adjacent to the individual dwelling unit entry. (R*)

   e. Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative. (T)

2. Pedestrian access. An opening in the wall/fence, or stairs to the elevated area, shall be provided for a pedestrian connection to the adjacent streetscape from each Patio. (R*)

3. Separation of public and private realm:

a. A wall/fence of at least 40 inches in height shall be provided around each Patio, up to a maximum of 72 inches in height as measured from the adjacent streetscape grade. This maximum height applies only to walls abutting patios and not to other walls located in the Frontage Zone.

b. The portion of walls or fences above 40 inches in height shall consist of view fencing, as approved by Planning and Development.

c. Screen walls/fences may be constructed on top of permitted retaining walls, but the combined height of the retaining wall and screen wall/fence may not exceed 72 inches as measured from the adjacent streetscape grade.

4. Shade. Each Patio shall have a minimum of 50% shade provided either by landscaping or permanent structural shade. (T)

**C. Stoop/Door Well (SD).** A Stoop/Door Well is a type of facade that provides an entryway that is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent streetscape. A Stoop/Door Well is constructed as an integral part of the building, rather than as a courtyard or patio. It may or may not have structural shade.



1. A landing area shall be provided for each Stoop/Door Well in accordance with the following standards:

   a. Minimum depth: 6 feet. (R*)

   b. Minimum area: 36 square feet (R*)

   c. Maximum grade differential: 60 inches above or below adjacent Streetscape grade. Retaining walls of up to 66 inches in height may be permitted within the Frontage Zone when necessary for this Frontage element. (T)

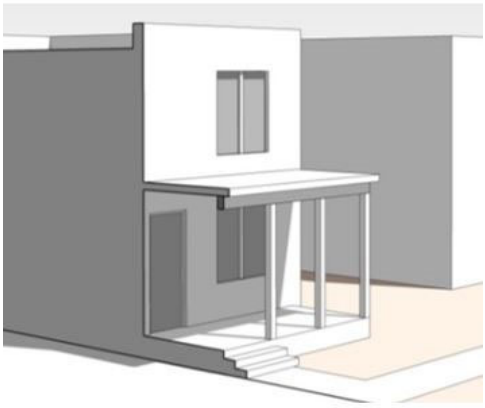
   d. Placement: Adjacent to a primary entrance. (R*)

   e. Walls/fences, if provided, shall not exceed 40 inches in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Stoop/Door Well shall be provided. (R*)

3. Minimum building frontage requirements. If a Stoop/Doorwell is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Stoop/Doorwell shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Stoop/Doorwell is located within or abutting the Frontage Zone. (R*)

**D. Porch (PO).** A Porch frontage element consists of a covered structure that is often elevated above street grade, sheltering an outdoor area deep enough to ensure usability. A Porch is larger than a Stoop and is structurally shaded for its entirety. A Porch provides a transition between the public and private realm, and creates opportunity for interaction between neighbors.



1. Each Porch shall meet the following requirements:

    a. Minimum depth: 8 feet. (R*)

    b. Minimum area: 96 square feet. (R*)

    c. Maximum grade differential: 60 inches above the adjacent Streetscape grade. (R*)

    d. Placement: Adjacent to a primary entrance. (R*)

    e. Each Porch shall have 100% structural shading. (R*)

    f. Porch floor shall consist concrete, stone, metal, wood decking, or equivalent alternative suitable for outdoor flooring. (T)

    g. Walls/fences, if provided, shall not exceed 40 inches in height.

2. Pedestrian access. A pedestrian connection to the adjacent Streetscape Zone from each Porch shall be provided. (R*)

3. Minimum building frontage requirements. If a Porch is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Porch shall still count towards the minimum building frontage requirement(s), so long as the front (street side) of the Porch is located within or abutting the Frontage Zone. (R*)

**E. Common Entry (CE)**. A Common Entry is a building façade design element which includes ground floor entrance(s) to a shared lobby/hallway, which in turns provides direct access to residential units and/or office suites on all floors. This frontage element is generally not intended for use with frontages consisting primarily of retail suites. Elevations should include a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk, though to a lesser extent than Storefront. This frontage element should also include cantilevered canopies or awnings.



1. Primary entrance requirements.

    a. A minimum of one primary entrance leading to a shared lobby/hallway is required from each frontage on a Pedestrian Street. For sites located at an Enhanced Corner, the corner building entry may serve as the required primary entrance for both street frontages. (R*)

b. Additional primary entrances are required on each Pedestrian Street frontage at the rate of one per 100 feet of building frontage. Each additional primary entrance (beyond the minimum one per street frontage) may provide access to either a shared lobby/hallway or an individual commercial/office suite. (R*)

c. Stoops or doorwells may be provided as part of any Common Entry frontage, even if Stoop/Doorwell is not a permitted Frontage Element per the applicable Streetscape and Frontage Zone Matrix, so long as they comply with all Stoop/Doorwell development standards.

2. Glazing requirements:

a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.

b. Minimum amount: 50% of each required building frontage, which may include primary entrances if the doors are glass and meet visibility requirements. (R*)

c. Glazing requirements shall be calculated as a percentage of the Common Entry frontage element length.

d. Glazing shall allow a minimum of 75% of the visible light (as specified by the manufacturer) to be visible on either side of the window. This includes the doors for any primary entrances located within the Common Entry frontage element. (R*)

3. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Common Entry frontage element, in accordance with Section 1204.B.2, and the following:

a. Minimum depth: 5 feet. (R*)

b. Minimum length: 50% of the Common Entry frontage element length.

c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

4. Walls/Fencing.

a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential.

**F. Forecourt (FC)**. A Forecourt is a pedestrian-oriented design element, where a courtyard that is open to the sky and the street (or two streets if located on a corner) is provided. The Forecourt may be used as an entry area and shared garden space for residential uses, or as additional shopping, seating, or gathering areas adjacent to and accessible from the street for commercial uses. Art installations and other pedestrian amenities are also appropriate uses within a Forecourt.



1. Mechanical equipment, transformers, trash and recycling containers, and vehicular uses are not permitted within a Forecourt.

2. Minimum building frontage requirements. If a Forecourt is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Forecourt shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

3. Minimum glazing: 50% of the area measured between 3 and 8 feet above grade for the portion of the building façade abutting each Forecourt. (R*)

4. A Forecourt should be a minimum 500 square feet in size, with a minimum street frontage of 20 feet. (P)

   *Rationale: A forecourt needs to be of a minimum size to encourage gathering, while also having a large enough frontage to encourage pedestrians to enter and create a successful transition between the public and private realm.*

5. Accessibility. Forecourts shall have a slope not exceeding 2%, except for approved ADA ramps, and be grade-separated by no more than 24 inches above or below the abutting Streetscape Zone(s). (T)

6. Pedestrian access. A minimum of one pedestrian connection to each Streetscape Zone abutting the Forecourt shall be provided. (R*)

7. Primary entrance requirements.

   a. Residential uses. At least one residential unit shall have a primary entrance from a Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting unit(s). (R*)

   b. Commercial uses. Each ground floor commercial suite abutting a Forecourt shall provide a primary entrance into the Forecourt, unless a primary entrance is provided which leads to a lobby or hall which provides direct access to the abutting suite(s). (R*)

8. Walls/Fences/Public Access. A Forecourt is a quasi-public area which is an extension of the public realm. No walls or fences are permitted within or abutting a Forecourt, except as follows:

a. Walls or fences not exceeding 40 inches in height.

b. Retaining walls, as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential.

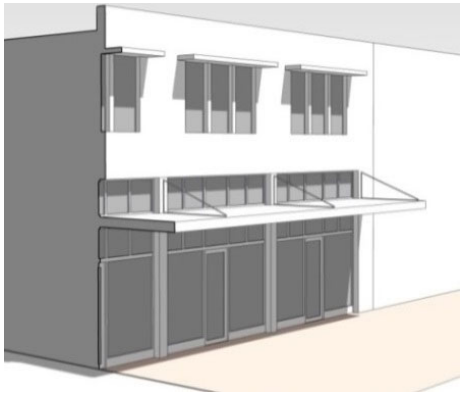
c. View fencing (no solid/opaque portions) surrounding areas approved for outdoor dining or outdoor alcohol consumption may be provided up to a height of 72 inches above the forecourt grade.

d. Walls/fencing separating private residential patios which front on a Forecourt may be provided up to a height of 72 inches above the grade of the forecourt, so long as all portions of the wall/fence above 40 inches consists of view fencing, as approved by Planning and Development.

9. Shade Requirements. A minimum of 50% of each Forecourt should be shaded with landscape and/or structural shade. (P)

*Rationale: Shade is needed in the hotter months to encourage users to gather in the area.*

**G. Storefront (S).** A Storefront is a building façade design element which includes a ground floor elevation with a large number of transparent windows and frequent building entrances to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, live/work, and other nonresidential active uses and should include cantilevered canopies or awnings.



1. Minimum building frontage requirements. If a portion of the Frontage Zone occupied by outdoor dining or outdoor liquor service is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the outdoor dining/liquor service area shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

2. Primary entrance requirements.

   a. Each ground floor commercial suite located within a Storefront frontage element shall provide a primary entrance on the street side that directly connects to the street. A suite which abuts a corner may meet this requirement for both street frontages by providing a single primary entrance at the corner. (R*)

   b. A Recessed Display Entry may be included as part of a Storefront frontage element.

3. Glazing requirements:

   a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade.

   b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Storefront frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Storefront frontage element length.

4. Shade Requirements. A cantilevered canopy, fixed awning, or retractable awning shall be provided along each Storefront frontage element, in accordance with Section 1204.B.2, and the following:

   a. Minimum depth: 5 feet. (R*)

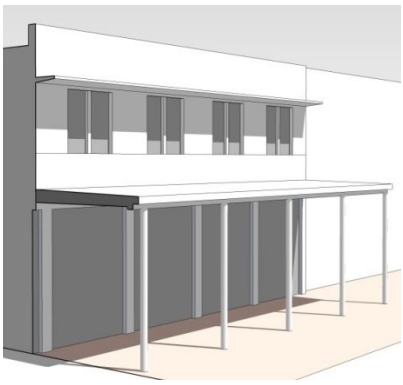
   b. Minimum length: 75% of the Storefront frontage element length. (R*)

   c. Minimum clear height: 10 feet, if not required greater clearance per Section 1204.B.2. (T)

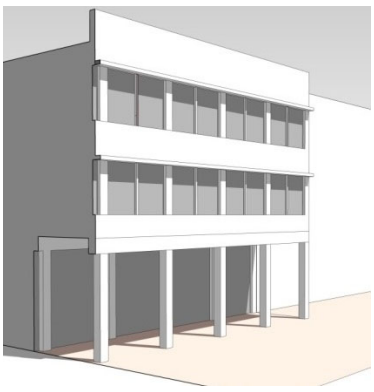
5. No fencing is permitted within the Streetscape or Frontage Zones adjacent to a Storefront frontage element, except as follows:

   a. Retaining walls may be provided as otherwise permitted by this Chapter. A railing/view fence is permitted on top of a retaining wall to a height of 40 inches if required for pedestrian safety due to the grade differential. (R*)

**H. Gallery/Arcade (GA).** A Gallery or an Arcade is a building façade design element where significant and continuous structural shade is provided for pedestrians, often over the actual public sidewalk. Similar to the Storefront frontage element, a large number of transparent windows and frequent building entrances should be provided to create visual interest from the adjacent public sidewalk. This frontage element is traditionally used for retail, office, and other nonresidential active uses.



**Gallery**



**Arcade**

1. Minimum setback requirements. A Gallery/Arcade may project into the Frontage Zone to the property line and is not required to meet minimum setbacks as stated in the applicable Character Area so long as compliance with other Streetscape and Frontage

Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

2. Minimum dimensions. All portions of a Gallery/Arcade frontage element shall comply with the following:

    a. Minimum depth: 10 feet. (R*)

    b. Maximum depth: 30 feet. No maximum for the portion of a Gallery/Arcade is being used for outdoor dining, outdoor liquor service, or a public gathering space. (R*)

    c. Minimum spacing between columns/supports: 10 feet as measured parallel to the street. (R*)

    d. Minimum clear height: 10 feet as measured from finished grade. (R*)

    e. Maximum clear height: 25 feet as measured from finished grade. (R*)

3. Pedestrian use. All portions of a Gallery/Arcade frontage element shall have a walkway provided for pedestrians. The walkway may serve as the actual public sidewalk, if public easements are dedicated, or it may be provided in addition to the public sidewalk located within the Streetscape Zone so long as the area under the Gallery/Arcade is also open for pedestrian use.

    a. Public sidewalk easement dedications shall be no less than the required sidewalk width for the applicable Character Area. (T)

    b. Outdoor uses (dining, alcohol consumption, or similar), if permitted by the Character Area, may be provided within a Gallery/Arcade, so long as the greater of 5 feet, or the minimum public sidewalk width (if there is no other public sidewalk) is left unobstructed for use as a pedestrian walkway. (R*)

4. Primary entrance requirements.

    a. Each Gallery/Arcade frontage element shall provide a minimum of one primary entrance on the street side that directly connects to the street. A single primary entrance provided at the corner of a building at a street intersection complies this requirement for both street frontages. (R*)

    b. A Recessed Display Entry may be included as part of a Gallery/Arcade frontage element.

5. Glazing requirements:

    a. Location: The area between 3 feet and 8 feet above the adjacent sidewalk grade for the portion of the building that is a Gallery/Arcade Frontage Element. (R*)

    b. Minimum amount: Per the table below. (R*)

| Number of primary entrances* within Gallery/Arcade frontage element: | Glazing Requirement: |
|---|---|
| One: | 75% |

| | |
|---|---|
| Two: | 70% |
| Three: | 65% |
| Four or more: | 60% |

**A primary entrance may consist of more than one door. Doors must be separated by at least 20 feet to be considered as a separate primary entrance.*

c. Glazing requirements shall be calculated as a percentage of the Gallery/Arcade frontage element length.

6. Walls/Fencing.

a. No walls or fences are permitted in the Frontage Zone adjacent to a Gallery/Arcade frontage element which separates the Gallery/Arcade from the Frontage Zone.

b. Walls and fences within a Gallery/Arcade may be provided to separate outdoor dining or other permitted outdoor uses from the public walkway, if compliance with both of the following is demonstrated:

(1) A minimum 5-foot walkway clearance (or the minimum sidewalk width, if the public sidewalk has been located within the Gallery/Arcade) is maintained.

(2) View fencing (no solid/opaque portions) may be provided up to a height of 72 inches above the Gallery/Arcade grade.

**I. Recessed Display Entry.** A Recessed Display Entry is not a separate frontage element; rather it is a feature which may be included as part of a Common Entry, Storefront or Gallery/Arcade frontage element. The characteristics of a Recessed Display Entry are as follows:




1. Consists of a primary entrance to a public space (retail, restaurant, lobby/reception, etc.) recessed from the façade of the building, and is shaded by the upper portion of the building.

2. Minimum depth to primary entrance: 5 feet. (R*).

3. Maximum depth to primary entrance: 25 feet. (R*)

4. Minimum clear height: 8 feet on private property; 10 feet if permitted to project within public ROW or into a public sidewalk easement. (T)

5. Glazing provided within the Recessed Display Entry counts toward the minimum required glazing for the associated Frontage Element.

6. Shade provided by a Recessed Display Entry counts towards the minimum requirement for the associated Frontage Element.

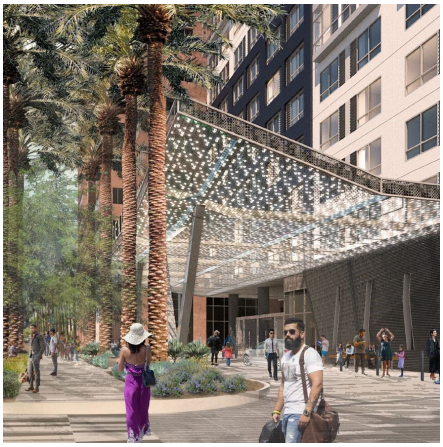
7. No portion of a Recessed Display Entry may be fenced off, unless included as a part of an outdoor dining/bar/patio which is otherwise allowed.

8. If a Recessed Display Entry is deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the Recessed Display Entry shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated.

**J. Grand Entry (GR).** A Grand Entry is a building façade design element which includes the most important pedestrian entrance to the building, indicated by significant architectural features and windows which may be provided more for visual impact than actual need. A Grand Entry should also incorporate significant public gathering space(s), pedestrian amenities, and art. A Grand Entry may also incorporate vehicular passenger loading and valet functions, including a porte-cochere, if the proposed use allows it. A Grand Entry would typically be used in conjunction with hotels, government buildings, educational institutions, hospitals, large office buildings, large residential and mixed-use buildings, and large assembly uses.







1. Applicability. A Grand Entry frontage element may be provided for the following uses if also permitted by the Frontage and Streetscape Zone Matrix for the applicable Character Area: (R*)

   a. Hotels.

   b. Government buildings.

   c. Schools/educational institutions.

   d. Hospitals.

   e. Office, retail, assembly, and mixed use buildings 100,000 square feet (gross) or larger.

f. Residential buildings with at least 100,000 square feet (gross) or 100 dwelling units.

2. Main Entrance. A Grand Entry frontage element must serve as the main and most prominent entrance to the building for pedestrians. At least one primary entrance shall be provided which leads to a lobby or other internal gathering area which provides access to any ground-level suites and upper stories. (R*)

3. Architecture. A Grand Entry should consist of architectural features which are prominent and intended to attract users to the main entry. These features may extend above the height of the Frontage Zone. Examples are: porticos/columns, large sets of steps; significant structural shade; extensive and imaginative use of colors, textures, windows, and/or lighting; prominent exterior works of art; and monuments. Signage may also contribute if otherwise in compliance with applicable sign regulations. (R*)

4. Pedestrian Accessibility. Pedestrian access to the primary entrance must be visually obvious, preferably by use of materials and colors. The access route should be greater in width than any minimum required for ADA accessibility and commensurate in scale with the architectural features of the Grand Entry. Pedestrian routes may cross vehicular areas but must otherwise be segregated from vehicular traffic. (R*)

5. Passenger Loading. A passenger loading zone, including a porte-cochere, may be part of a Grand Entry and located within the Frontage Zone if it complies with all of the following: (R*)

   a. It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and

   b. It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

6. Valet Parking. A valet parking station and valet parking zone, including a porte-cochere, may be incorporated within a Grand Entry if it complies with all of the following: (R*)

   (1) It is a permitted accessory use per the Land Use Matrix;

   (2) It is constructed in accordance with Section 1206.G.

   (3) It does not preclude installation of required Streetscape and Frontage Zone improvements, including trees; and

   (4) It allows for the most intuitive and direct pedestrian access to the primary entrance from the Streetscape Zone.

7. Trash and recycling containers, service areas, and commercial loading areas are not permitted to be incorporated within a Grand Entry, or within the adjacent Streetscape or Frontage Zones. Mechanical equipment and transformers/utility equipment may be provided only if located within a building or subterranean ground vault. (R*)

8. Minimum building frontage requirements. If a Grand Entry incorporates pedestrian plazas, outdoor dining, outdoor liquor service, or other improved public gathering areas which are deeper than the applicable Frontage Zone depth for that street and Character Area, the width of the gathering areas shall still count towards the minimum building

frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

**Section 1206. Parking, Loading, and Vehicular Access**

A. **Applicability.** All provisions of Section 702, "Off-Street Parking and Loading" apply to properties located within Downtown, unless specifically modified by this Chapter.

1. For additional Buffer Alley regulations, see Section 1207.L.

2. For additional Arts, Culture, Small Business Area regulations, see Section 1207.M.

B. **Automobile Parking Requirements.** Parking for automobiles shall be provided as follows:

1. Residential units.

a. Minimum: 1 space per dwelling unit.

b. Maximum: 2 spaces per dwelling unit, plus 1 space per 1,000 sf of gross square footage for leasing/residential management office and Shared Amenity Areas.

2. Non-residential uses.

a. Minimum: 1 space per 1,000 square feet of gross building square footage, except in the Business Core and Warehouse character areas, where no minimum parking is required.

b. Maximum: 4 spaces per 1,000 square feet of gross building square footage.

3. Parking reductions identified in Section 702.E are not applicable within Downtown. However, parking reductions and other modifications may be earned by the application of sustainability bonus points, per the provisions of Section 1223.

4. Location of automobile parking.

a. Lots having only one or two dwelling units (no mixed uses): required spaces may not be provided within any Frontage Zone. An on-site driveway leading to designated parking spaces may be provided within a Frontage Zone if not in excess of 18 feet wide and if otherwise permitted by this Chapter. (R*)

b. Multi-family, mixed use, and non-residential developments: no surface parking is allowed within any Frontage Zone. Drive aisles may cross a Frontage Zone when access from the adjacent street is otherwise permitted. (R*)

c. Parking located within structures, including underground parking, is subject to the requirements of Section 1207.J.

d. Off-site parking. Off-site parking not located within a public right-of-way may account for up to 50% of the required automobile parking, with approval of a use permit and compliance with all the provisions of Section 702.E.9.

C. **Maneuvering**. All maneuvering for automobile parking spaces, passenger loading, and service/goods loading shall be provided on-site, subject to the following:

1. Maneuvering within a public right of-way shall be allowed as follows:

a. Maneuvering within a public alley is permitted by right if the alley is a minimum 20 feet wide, and then only if access to the alley is permitted per other City regulations; or

b. Maneuvering in public right-of-way may be permitted with approval of a Technical Appeal which demonstrates that adequate space is being provided for the safe maneuvering of vehicles within the right-of-way. Additional requirements, such as but not limited to dedications, pavement widening, and/or removal of utility poles may be stipulated as part of the Technical Appeal approval. (T)

D. **Electric Vehicle Charging.** The following development regulations apply to electric vehicle charging (EVC) spaces provided within parking areas within Downtown:

1. EVC spaces may be counted as part of the required minimum number parking spaces. (R)

2. EVC spaces shall not be counted as part of required maximum number of parking spaces. (R)

3. All EVC spaces, charging stations, and associated transformers or other mechanical equipment, shall be provided on site and not in any required landscape setback, required landscape area, or Frontage Zone. ~~**(R)**~~**(R*)**

E. **Bicycle Parking.** Parking and amenities for bicycles shall be provided as follows:

1. Multi-family residential development shall provide shared bicycle parking at the rate of 0.25 space per dwelling unit, with a maximum requirement of 50 spaces.

2. All nonresidential uses over 5,000 gross square feet shall provide 1 bicycle space per 25 vehicle parking spaces provided or portion thereof, with a maximum requirement of 25 spaces.

3. All nonresidential uses 100,000 gross square feet or larger shall provide 1 bicycle space per 25 vehicle parking spaces or portion thereof, with a maximum requirement of 50 spaces. In addition, a minimum of 2 shower stalls and 10 personal lockers that are available for use by the building's occupants shall be provided.

4. Restaurants and bars totaling less than 5,000 gross square feet on one site shall provide a minimum of 4 bicycle spaces in the Frontage Zone. If automobile parking spaces are provided, 1 additional bicycle space for every 25 vehicle parking spaces as required for the restaurant and bar uses shall be provided.

5. Bicycle parking shall not be located within a required public sidewalk or accessible route.

F. **Service/Goods Loading Areas.** The following requirements apply to short-term loading and unloading of service vehicles with goods or equipment.

1. On-site loading shall be required for all developments per the following table:

| Required Loading and Service Bays | | | | | |
|---|---|---|---|---|---|
| Use | Gross square footage of buildings (per site) | | | | |
| | 25,000 – 40,000 sf | > 40,000 – 160,000 sf | > 160,000 – 320,000 sf | > 320,000 – 500,000 sf | > 500,000 sf |
| Multi-Family Residential | 0 | 1 per 150 dwelling units or portion thereof | | | |
| Lodging | 0 | 1 per each 300 rooms or portion thereof | | | |
| Retail, Commercial, and Office Uses | 0 | 1 | 2 | 3 | 4 + 1 per additional 180,000 sf above 500,000 |
| Industrial, Manufacturing, Storage, and Wholesaling Uses | 1 | 2 | 3 | 4 | 5 + 1 per additional 180,000 sf above 500,000 |

Mixed-use developments shall provide the required loading spaces per each use category shown in the table above.

2. Loading bays shall be a minimum of 10 feet in width and 30 feet in length. (T)

3. Location of Service/Goods Loading Areas.

   a. Service/goods loading areas may not be located within a Frontage Zone adjacent to a Pedestrian Street. (R*)

   b. Service/goods loading areas may not be located within a public street right-of-way unless compliance with all of the following occurs: (R)

      (1) An encroachment permit has been obtained from the Street Transportation Department for the design and/or structures provided as part of the loading area (dock, loading ramp, etc.).

      (2) The loading area does not reduce the required Streetscape Zone and does not preclude the provision of required street trees and shading requirements.

      (3) The loading area does not interrupt the required public sidewalk or other dedicated pedestrian walkways.

      (4) The loading area does not interrupt a designated bicycle lane.

      (5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

   c. Service entrances, loading areas, and trash/recycling pickup should be located internal to the site or building, or adjacent to a Side Street or alley whenever possible. (P)

*Rationale: Pedestrian Streets should create a safe, secure, and welcoming atmosphere for pedestrians, and should not have uses or functions which discourage pedestrian use. Noxious uses and conflicts with service vehicles should be minimized along Pedestrian Streets. Side Streets and alleys (which are not designated Buffer Alleys) are preferred access points for service and delivery functions.*

G. **Valet Parking.** The requirements of this Section apply only for sites which are allowed valet parking as an accessory use per Section 1203.D.30.

1. Location of Valet Parking Facilities.

a. A valet transfer zone (where vehicles are dropped off and picked up) should be located internally to the building whenever possible. (P)

*Rationale: Views of standing automobiles, and conflicts with pedestrians, should be minimized.*

b. A valet transfer zone may be provided within a Frontage Zone adjacent to a Side Street, so long as it does not preclude compliance with other Streetscape and Frontage Zone standards, including driveway access and placement. A valet transfer zone may be combined with a service/goods loading area when located adjacent to a Side Street. (R*)

c. A valet transfer zone may be provided within a Frontage Zone adjacent to a Pedestrian Street, subject to the following: (R*)

(1) Compliance with the driveway and vehicular access regulations of Section 1206.H is demonstrated.

(2) Compliance with other applicable Frontage Zone and Streetscape Zone requirements for Pedestrian Streets (including shading, provision of street trees, and minimum building frontage) is demonstrated.

(3) Valet facilities may not be located within the minimum street setback area.

d. Valet parking spaces (where cars are parked after being dropped off) may be located off-site if in accordance with the provisions of Section 1203.D.

e. A valet transfer zone should have primary access from a street, rather than an alley. (P)

*Rationale: Whenever possible, vehicles should be dropped off and picked up from a more intuitive location associated with the street address, particularly if the parking is for patrons and visitors, rather than occupants of the building or site.*

f. Valet parking facilities, including the valet transfer station, valet transfer zone, and valet parking spaces, may not be located within a public right-of-way unless compliance with all of the following occurs: (R)

(1) An encroachment permit has been obtained from the Street Transportation Department for the Valet Parking Facilities.

(2) The Valet Parking Facilities do not reduce the required Streetscape Zone and do not preclude the provision of required street trees and shading requirements.

(3) The Valet Parking Facilities do not interrupt the required public sidewalk or other dedicated pedestrian walkways.

(4) The Valet Parking Facilities does not interrupt a designated bicycle lane.

(5) Compliance with Section 1204.B.5 regarding historic curb locations is demonstrated.

g. Public right-of-way may be used to move vehicles between the valet transfer zone and the valet parking spaces, if the valet parking spaces are located on a different property, as otherwise permitted by this Chapter.

2. Design requirements for valet parking facilities.

a. A valet transfer zone shall comply with the following: (T)

(1) A minimum length of 60 feet.

(2) A minimum width of 10 feet.

(3) A maximum width of 16 feet.

b. A valet transfer zone must include an accessible vehicle pull-up space constructed in accordance with federal requirements. (T)

c. A valet transfer zone shall not be used all or in part for any vehicle parking. Short term vehicle standing of up to 30 minutes is permitted during hours of operation of the valet parking facilities. (T)

H. **General Driveway and Access Regulations.** This section regulates driveways and access from streets to private property. Access from any street to a property must be in compliance with the provisions of this Section.

1. Properties with HP designation. Driveways for properties with HP zoning or designation may be located, designed, constructed, or reconstructed in a historic manner and dimensions as approved in writing by the Historic Preservation Officer.

2. Arterial Streets.

a. Access for automobile parking, valet parking facilities, passenger loading zones, and Service/Goods Loading Areas is permitted from the following arterial Pedestrian Streets, regardless of other site frontages or regulations of this Chapter:

(1) 7th Street
(2) 7th Avenue
(3) McDowell Road
(4) Van Buren Street
(5) Buckeye Road

b. Maximum driveway width: 40 feet, or wider as approved by Street Transportation when requiring islands for restricted turns. (T)

c. All other provisions for Pedestrian Streets apply.

3. Pedestrian Streets. Driveways and access to private property from Pedestrian Streets are subject to the following:

   a. Automobile Parking. Access is permitted from a Pedestrian Street only when one of the following applies: (R*)

      (1) The development site has no other frontage on an alley or side street; or

      (2) The parking area has at least one additional access point from an alley or side street.

   b. Service/Goods Loading Areas are not permitted access from a Pedestrian Street unless the loading area is located completely within the building; within a parking garage, or screened from view from the street. Screening may consist of the following: (R*)

      (1) Green screen.

      (2) Dense landscaping which provides screening starting from the time of initial installation.

      (3) Underground utility vaults.

      (4) Buildings.

   c. Passenger loading zones are permitted access from a Pedestrian Street.

   d. Maximum driveway width: 30 feet. When a site has only Pedestrian Street frontages, additional width may be granted through approval of a Technical Appeal (T).

   e. Minimum separation between driveways: 30 feet. (T)

      (1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)

      (2) Other City policies and ordinances regulating the design of driveways, including but not limited to required visibility, restricted turn movements, and distances from intersections may require a greater separation than 30 feet. (T)

4. Side Streets. Driveways and access to private property from Side Streets are subject to the following:

   a. Access for all types of vehicular uses is permitted from a Side Street.

   b. Maximum driveway width: 40 feet. (T)

c. Minimum separation between driveways: 20 feet. (R*)

(1) Properties which have a maximum of two dwelling units (no mixed primary uses) have no minimum separation except as may be required by City policies for safety and visibility. (T)

(2) Other City policies and ordinances regulating the design of driveways, including but not limited to: required visibility, restricted turn movements, and distances from intersections may require a greater separation than 20 feet. (T)

5. Alleys. Driveways and access to private property from alleys are subject to the following:

a. Access is not permitted from a Buffer Alley, unless in compliance with Section 1207.L. (R)

b. Automobile Parking. Access is permitted from an alley, subject to the following:

(1) The alley pavement must be (or be widened to) a minimum 20 feet wide and unobstructed for the length of the property; (T)

(2) If the parking area has more than 100 spaces, the alley pavement is a minimum 20' wide and unobstructed for the full length of the block, unless otherwise approved through a Technical Appeal. (T)

c. Passenger loading zones should not have primary access provided from an alley. (P)

*Rationale: Rideshare and personal delivery vehicles should be able to access a development from a more intuitive location associated with the street address.*

d. Maximum driveway width: as determined by PDD and Street Transportation for safety and visibility. (T)

e. Minimum separation between driveways: as determined by PDD and Street Transportation for safety and visibility. (T)

l. **Driveway Design Guidelines.**

1. Appropriate visibility triangles and/or lines of sight shall be provided for driveways. The visibility triangles shall provide for visibility of pedestrians on the public sidewalk, as well as vehicles in the street. (T)

*Rationale: Vehicles exiting from a site or parking garage should be able to see cars on the street, as well as pedestrians on the sidewalk (and vice versa). Alternatives, such as mirrors, pedestrian safety signage, etc. may be approved as part of a Technical Appeal when standard visibility requirements cannot be met.*

2. Specialty paving, striping, bollards, or similar as approved by PDD staff should be provided where a driveway crosses a sidewalk. (P)

*Rationale: Where vehicular routes interface with pedestrian routes, warnings to both the vehicles and the pedestrians should be visually indicated.*

3. Shared access and driveways serving more than one development should be provided whenever possible. (P)

   *Rationale: The number of driveways crossing sidewalks and bicycle routes should be minimized to avoid conflicts and collisions. However, consideration and flexibility should be applied when a primarily residential development is adjacent to a non-residential development.*

**Section 1207. General Development Regulations.**

A. **Applicability.** This section contains development regulations specific to Downtown. If a conflict occurs between any specific Character Area regulations and the regulations of this Section, the Character Area regulations shall apply.

B. **Historic Preservation Development Regulations.** Structures with historic preservation designation are considered to be conforming and may be maintained, restored and/or rebuilt at each structure's historic setbacks and height subject to the provisions of Chapter 8, Historic Preservation.

C. **Projections.**

1. Projections within the Streetscape Zone are regulated by Section 1204.B.2.

2. Projections within the Frontage Zone are regulated by Section 1204.C.3.

3. Projections within required yards adjacent to interior lot lines are not permitted, except as follows: (R)

    a. Roof overhangs, but not including covered porches, patios, or carports, are permitted so long as no portion of the overhang is closer than 2 feet from the property line.

    b. Other projections, when explicitly allowed by other sections of this Chapter.

D. **Wall/Fence Requirements.**

1. **Historic Preservation designated properties.** For residential properties designated HP and HP-L, fences or freestanding walls in the front yard (the area between the structure and the street right-of-way line) may not exceed a maximum height of three feet. This height limitation extends three feet back from the front façade into the side yard(s).

2. Within Frontage Zones, the following apply:

    a. Walls/fences are limited to 40 inches in height, except as may be specifically modified by other provisions of this Chapter. (R*)

    b. Within a Frontage Zone which abuts a side property line (e.g. a "street side"), a wall or fence up to 6 feet tall may be permitted if all of the following also apply: (R)

        (1) The wall encloses a private residential side yard and/or rear yard on a lot with no more than two dwelling units (and no other primary uses).

        (2) No structure on the property exceeds two stories and 30 feet in height.

        (3) No portions of the wall over 40 inches in height are located within a Frontage Zone applicable to any other street frontage.

        (4) No portions of the wall over 40 inches in height (36 inches if in an HP Overlay) are located closer than 3 feet behind the front façade of the structure.

3. Walls/fences provided for screening of mechanical equipment shall comply with the provisions of Section 1204.E.7.

4. Walls located adjacent to interior property lines or other locations outside of the Frontage Zones shall comply with the regulations stated in the applicable Character Area.

5. Retaining walls located within Streetscape and Frontage Zones are regulated by Section 1204.D.

E. **Height Transition Standards.** For all new development adjacent to lots located in a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities. This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. Along an interior property line or a designated Buffer Alley which separates properties of two different height zones, the minimum required setback shall be increased by 10 feet for all portions of the building taller than the maximum height of the adjacent (lower) height zone. (R)

   *Example: A building located on a property with a maximum height of 140 feet and a 10 feet minimum interior setback, sharing a property line with a property with a 65 feet maximum height, has a 20 feet setback required for all portions of the building taller than 65 feet. The portions of the building less than 65 feet tall may be located at the standard 10 feet setback from the property line.*

2. A stepback shall not be required in the following circumstances unless specifically required by the applicable Character Area standards:

   a. The proposed building is no more than 20 feet taller than the maximum permitted height of the adjacent height zone.

   b. The proposed building is adjacent to a height zone with a maximum permitted height of 65 feet or greater.

3. The proposed building should respect the scale of existing buildings located on adjacent properties and serve as an orderly transition to a different scale. Stepbacks, changes in massing, or changes in materials and color starting at the height of the adjacent existing building are highly encouraged. (P)

   *Rationale: Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.*

F. **Landscape Standards.** Landscape shall be provided in accordance with the following:

1. Landscape requirements of Section 703.E, as well as Section 507 Tab A, apply unless specifically modified by this section or other provisions of this Chapter.

   a. See Section 1207.M for special regulations applicable to the Arts, Culture, Small Business Area.

2. Landscape within the Streetscape and Frontage Zones shall comply with the requirements of Section 1204.G.

3. Landscape shall be provided for surface parking areas as follows:

| Surface Parking—Landscape Standards | |
|---|---|
| Interior surface area (exclusive of perimeter landscaping and all required setbacks) | Minimum 10% (R*) |
| Landscaped planters | At ends of each row of parking and approximately every 110 feet (P) |
| Landscaped planters, single row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of parking space. (T) |
| Landscaped planters, double row of parking | Minimum 5 feet wide (inside curb measurement) for full depth of both parking spaces. (T) |
| Additional parking lot landscape areas | As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. (P) |
| Required trees | Minimum requirement: one per 100 sf of landscape area (T)<br>Planter (single space depth): one tree. (P)<br>Planter (double space depth): two trees (P)<br>All other areas: 20 feet on center or equivalent groupings (P). |
| Required tree sizes: | Minimum 2-inch caliper (60% of trees) (T)<br>Minimum 1-inch caliper (40% of trees) (T) |
| Required shrubs: | Minimum 5 shrubs per tree. (P) |
| Required shrub size: | Minimum 5-gallon. (T) |

*Rationale: Parking lot landscaping and shade should be provided in a similar manner as required for other commercial areas outside of Downtown. However, flexibility can be exercised regarding installation of landscape materials in order to address on-site conflicts, such as lighting, mechanical equipment, sight lines, required pedestrian walkways, or similar. Requests to provide smaller than required planting areas, trees, or shrubs may only be approved through a Technical Appeal.*

4. All on-site pedestrian walkways shall be 75% shaded by trees and/or structural shade. (R*)

5. All remaining areas of a site which are not Frontage or Streetscape Zones, surface parking, pedestrian walkways, or amenities specifically permitted by PDD which do not typically include shade (i.e. pools and pool decks), must be landscaped to provide 50% shade. Properties having only residential uses, not exceeding two dwelling units, are exempt from this requirement. (R*)

G. **Multi-Family Development Design Requirements.**

1. The provisions of this section apply to all sites which include five or more dwelling units. The provisions of Section 703.B, Landscaping and Open Areas in Multiple-Family Development, do not apply to properties located within Downtown. (R*)

2. Where dwelling units are provided at the ground level adjacent to a Pedestrian Street, an appropriate residential Frontage Element (such as Patio, Stoop/Doorwell, Porch, or Forecourt) should be utilized to allow for individual dwelling unit access to the street. (P)

   *Rationale: Individual entrances promote more "eyes on the street", due to greater use of patios and other outdoor areas. Individual entrances also encourage pedestrian use by creating more interest, as well as a feeling of smaller-scale design.*

3. Shared Amenity Areas for the residents of multi-family dwelling units shall be provided on-site, as follows:

   a. The minimum Shared Amenity Area provided shall be per the following table (R*):

| Minimum Shared Amenity Areas for Sites with Multi-Family Dwellings | |
|---|---|
| Up to 100 units | None required. |
| 101-300 units | Minimum 2500 square feet |
| 301+ units | Minimum 5000 square feet |

b. Shared Amenity Areas shall consist of the following types of spaces (R*):

(1) On-site open space provided in accordance with the provisions of Section 1207.H.

(2) Roof-top decks which are occupiable and do not exceed height requirements for the applicable Character Area.

(3) Conditioned suites with amenities/shops/services.

c. All areas used to count toward the minimum Shared Amenity Area requirements must be accessible to all users, in accordance with FHA and ADA standards. (T)

d. Uses open to the public, such as retail stores, restaurants, commercial gyms, bars, etc. may be used to meet no more than 50% of the Shared Amenity Area requirement. (R)

e. A minimum of two of the following amenities shall be provided within the Shared Amenity Areas (P):

(1) Swimming pool and/or hot tub.

(2) Fitness center/sport court or facility.

(3) Tot lot/playground.

(4) Barbecue/picnic/common kitchen area.

(5) Gathering area with focal feature (fountain, firepit/fireplace, television, game tables, kitchen etc.)

(6) Pet exercise area.

*Rationale: Shared Amenity Areas should include a variety of amenities which may be used by multiple residents, but are not shared with non-residents (such as an on-site store, restaurant, or bar). Staff may approve additional types of amenities similar to*

*those listed above and meeting this intent. Two separate amenities in the same category may also be approved.*

H. **Open Space Development Regulations.** Open space, when provided for sustainability bonus credits per Section 1223 or as part of a multi-family Shared Amenity Area requirement, shall comply with the following:

1. Open Space shall be provided at ground level. Roof tops, areas inside structures, or areas placed underground cannot be counted as open space. Outdoor areas provided under a building overhang are permitted so long as they are fully open to at least one Frontage Zone. (R*)

2. Each Open Space area shall abut and include a Frontage Zone. The area of the Frontage Zone may be included in the minimum area and dimensions required for qualifying Open Space areas. (R*)

3. Each Open Space area shall be a minimum of 500 square feet with a minimum dimension of 20 feet in any direction. (R*)

4. All Open Space areas are subject to the design requirements for Frontage Zones, with the following modifications: (R*)

    a. No automobile uses (parking, loading, etc.) of any type may be provided within an Open Space area.

    b. Open Space areas with a dedicated public access easement may not be fenced or walled off from the street except for low walls not exceeding 40 inches in height, unless the height of the wall is further restricted by the Frontage Zone or Frontage Element requirements.

I. **Enhanced Corner Requirements.** Developments located on Enhanced Corners (per map in Section 1202.D) should be integrated with and oriented toward the corner, as follows:

1. A primary entrance that faces both streets and that serves as a main entry for the building shall be provided at each Enhanced Corner. An entrance to a single commercial suite or residence does not meet this requirement. (R*)

2. Additional building articulation, architectural features, signage, pedestrian amenities, and/or art that emphasizes the corner and draws attention to the Enhanced Corner entry of the building shall be provided. (P)

    *Rationale: An Enhanced Corner should be visually obvious and comfortable for pedestrians to use as the building's primary entrance.*

3. If an Enhanced Corner entry plaza is provided which is deeper than the applicable Frontage Zone depth(s), the building frontage along the corner entry plaza shall still count towards the minimum building frontage requirement(s), so long as compliance with other Streetscape and Frontage Zone requirements (including but not limited to slopes, landscaping, and amenities) is demonstrated. (R*)

J. **Structured Parking/Parking Garage Design Guidelines.**

1. Where parking structures are visible from a street or neighboring property, they should utilize approved Frontage Elements, art/murals, decorative materials, imaginative use of colors and patterns, and/or permitted signage to fully screen vehicles from view and to create interest at the ground level. (P)

   *Rationale: Parking structures, particularly ones with exterior unfinished concrete masonry or panels, do not engage or create interest for pedestrians. The side of a parking garage should never appear to be "blank".*

2. Parking structures shall be designed so that light from vehicle headlights, when parked head-in in a parking space, is fully screened from view from all perimeter streets. (R*)

3. Parking structures should be integrated with the form and materials of the main site structures, or the scale, form, color and materials of the immediately adjacent area. (P)

   *Rationale: Parking structures should not be a dominant feature of the building design, and creative solutions should be integrated and/or complement the design elements of other buildings on site or within the surrounding context area.*

4. Rooftop lighting on a parking garage should be set back a minimum of 25 feet from the perimeter of the rooftop parking structure and be mounted no higher than 12 feet above the roof deck. (P)

   *Rationale: The direct source of light should not be visible from lower levels or adjacent uses.*

5. There should be a convenient, clear, safe and efficient internal circulation system within the parking structure for both vehicular and pedestrian traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs). Pedestrian routes should always be separated from vehicular traffic, except where required crossings can be provided safely. (T)

6. Pedestrian entrances to parking garages should be separate from vehicular entrances. (P)

7. Garage openings should be enhanced with specialty lighting, artwork, or materials to visually notify vehicle drivers that pedestrians may be crossing, and vice versa. (P)

   *Rationale for J.7 and J.8: Safety at pedestrian and vehicular crossings should be addressed with design.*

8. Underground parking may extend to a height of five feet above finished grade, provided that the garage perimeter wall does cause the Frontage Element assigned to that portion of the building façade to become non-compliant with other required development standards. (R*)

K. **General Design Guidelines.**

1. All building facades adjacent to interior property lines (i.e. not abutting or within a Frontage Zone) should have a level of trim and finish equivalent with and complementary to the Frontage Zone façade(s). (P)

*Rationale: Most buildings within Downtown are of heights that they are visible from quite a distance. Facades visible from the street or other properties should be of a quality similar to that required for facades facing streets, and should never appear to be unfinished or "blank".*

2. All buildings over 10 stories tall should be designed with a base that is visually differentiated from the remainder of the building. The base may be between one and four stories in height. (P)

   *Rationale: All buildings should be scaled at the base to relate and connect to pedestrian uses.*

3. Windows and balconies in near proximity that face each other should receive special design treatment to increase privacy for existing adjacent residential uses by providing one (or a combination) of the following, or similar as approved by PDD staff: (P)

   a. Louvers;

   b. Privacy screens;

   c. Windows that start a minimum of six feet above respective finished floor;

   d. Frosted or tinted window treatments.

   *Rationale: Existing residential units close enough to be impacted by new development should be able to maintain their level of existing privacy. Incorporating methods of screening with windows and balconies on new development can help provide the means for maintaining this privacy.*

4. Natural surveillance should be maximized in project design to encourage easy observation of people and property near entryways, pathways, public spaces and parking areas. (P)

   *Rationale: Safety and security for pedestrians should be addressed by design. Hidden and obscures spaces can encourage illicit activity.*

5. Building accents should be expressed through differing materials or architectural detailing rather than applied finishes such as paint, graphics, or forms of plastic or metal panels. (P)

   *Rationale: Building accents and detailing should be high quality and durability and not of materials which can fade or deteriorate over time.*

6. Architectural details such as exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting should contribute to creating a coherent architectural concept. (P)

   *Rationale: While buildings should not appear too monolithic or monotonous, they should also not appear to be an assemblage of many materials or designs without a common theme.*

7. Architectural elements. Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting). (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary architectural styles and accents.*

8. Building materials. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices, arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings. (P)

   *Rationale: Character Areas were created to acknowledge the unique characteristics of each area. New development and redevelopment should reflect the existing character by use of similar and complementary building materials.*

9. Architecture and applied treatments that express corporate identity should be de-emphasized. The building should be a unique structure that complements and blends with the surrounding context. (P)

   *Rationale: Corporate identity may be utilized to create a unique identity that can be recognized. However, the overall architectural theme should be the predominant feature of the building.*

10. All electric lines 12 KV and smaller, communications and cable television lines, and all on-premise wiring shall be placed underground in developments where visible from streets or adjoining properties. (T)

    *Rationale: Overhead utility lines are in many cases visually objectionable; can cause issues with proximity to balconies; can obstruct direct pedestrian and vehicular routes and visibility; and can restrict the ability to install required trees and other shading methods.*

11. Freestanding detached monument signage should be integrated with the building architecture. (P)

    *Rationale: Monument signs should incorporate elements of the building architecture through use of similar colors, materials, and/or forms.*

L. **Buffer Alley Development Regulations.** The following regulations shall apply to properties adjacent to Buffer Alleys identified in Section 1202.E, in addition to any other requirements of the Downtown Code:

1. Access to and vehicular maneuvering within a Buffer Alley is not permitted, except for developments meeting at least one of the following criteria: (R)

   a. Abutting properties that currently have legally established access to the Buffer Alley and are not subject to the applicability requirements of Sections 507.B.2 or 507.B.3.

   b. Abutting properties on which there are no more than two dwelling units and no other primary uses.

c. Abutting subdivisions developed in accordance with Section 1203.D.27.

2. If non-residential loading or service areas (including for trash/recycling collection) have established legal access from a Buffer Alley, loading, pickup and deliveries shall be prohibited between 9:00 p.m. and 6:00 a.m.**, UNLESS A USE PERMIT IS OBTAINED.** This restriction shall be prominently posted on signs on the building adjacent to the service area, as well as at the entrance to the property from the Buffer Alley. (R)

3. A stepback equal to the minimum required building setback, plus 10 feet, is required for all portions of buildings taller than 30 feet when adjacent to a Buffer Alley. Additional stepbacks may be required by Section 1207.E. (R)

4. For non-single-family developments, a minimum five-foot wide landscape area and minimum 6-foot high solid wall on the alley side of the landscape area must be provided along the property line abutting a Buffer Alley. The wall must be consistent with the material, design and character of the primary building. (R)

5. All new mechanical equipment, including roof mounted equipment, must be fully screened from view from a Buffer Alley. Solar panels and/or solar water heaters are exempt from this requirement. (R)

6. All trash/recycling containers must be fully screened from view from a Buffer Alley, unless alley collection services are provided by the City of Phoenix. (R)

7. Parking lot and security lighting, including building-mounted lighting, shall not exceed 15 feet in height, including lamp, pole, and base, for properties abutting a Buffer Alley. Light fixtures fully screened by a building or other structure, and not visible from the Buffer Alley, are exempt from this requirement. (R)

8. Decorative lighting (including but not limited to illuminative gases, fiber optics, or LED fixtures) and lighted signage shall not be installed where visible from an adjacent Buffer Alley. (R)

9. Windows, balconies, and rooftop decks on properties abutting a Buffer Alley should be designed to protect the existing privacy of adjacent single-family residential uses. (P)

   *Rationale: These building features should ideally be oriented away from the Buffer Alley. However, if provided, they should be mitigated with things like louvers, screening, frosted/tinted window treatments, and relative window height (i.e. at least 6 feet above the floor).*

M. **Arts, Culture, Small Business Area Development Regulations.**

1. Applicability. The area indicated on the Arts, Culture, Small Business Area Map in Section 1202.F is subject to the following regulations. In the event of a conflict with other provisions of this Chapter, the more permissive regulation shall apply. The development regulations of Section 669 (Arts, Culture, and Overlay District (ACOD) do not apply to properties zoned Downtown Code.

2. Intent. The Arts, Culture and Small Business Overlay is intended to allow greater flexibility in land uses and standards that will contribute to the vitality of Downtown and will enhance community events.

3. Outdoor public events and performances. Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage are permitted, subject to the following: (R)

    a. The outdoor event or performance must be staffed by an employee of an existing business on the property and must comply with all applicable codes and ordinances.

    b. The business' items that are available for purchase during normal business hours may be displayed outdoors and be available for purchase during the event or performance. Payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance.

    c. Outdoor events or performances are limited to Fridays, Saturdays and Sundays only.

    d. Friday and Saturday events or performances shall be limited to the hours between 10:00 a.m. and 12:00 a.m. No amplified music or loudspeakers may be used outside after 10:00 p.m.

    e. Sunday outdoor events or performances shall be limited to the hours between 10:00 a.m. and 10:00 p.m. No amplified music or loudspeakers may be used after 8:00 p.m.

    f. Hours and days of outdoor events or performances may be extended subject to obtaining a use permit in accordance with the standards and procedures of the Zoning Administrator section of the Zoning Ordinance.

    g. Outdoor events or performances in Downtown shall be a minimum of 300 feet from an adjacent Character Area that is not included in the Arts, Culture, and Small Business Area depicted on the map in Section 1202.F and from any single-family zoning district outside of Downtown.

4. Accessory uses.

    a. Home occupations are permitted subject to the following:

        (1) Employees are permitted, subject to obtaining a use permit in accordance with the provisions of Section 307.A.7.

        (2) No more than 50 percent of the dwelling unit may be used for any home occupation.

    b. The following accessory uses are permitted:

        (1) Outdoor dining as accessory to a restaurant is permitted subject to the following:

            (a) The outdoor dining area shall be a minimum of 30 feet from the boundary of an adjacent Character Area not included in the Arts, Culture, and Small Business Area depicted in Section 1202.F and from any single-family zoning district outside of Downtown.

            (b) The outdoor dining area and accessory public space shall be clearly delineated by a minimum three-foot-high continuous fence, wall or planter.

(c) The outdoor dining area shall not be more than 25 percent of the primary building's ground level gross floor area. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.

(d) Hours of operation for outdoor dining area shall not extend beyond restaurant hours of operation.

(e) The outdoor dining area shall not restrict or impede accessible access to the building or the parking area.

(2) Outdoor crafting of art associated with the business inside the building when the subject parcel abuts an arterial or collector street is permitted and subject to the following:

(a) Storage of materials associated with the crafting area shall not exceed eight feet in height and be limited to the rear and side yard.

(b) Storage area shall be fully screened with a solid wall or landscaping.

(c) Storage of materials associated with the crafting area exceeding eight feet in height shall be subject to obtaining a use permit.

5. Signs.

a. A-frame signs are permitted on private property, subject to the following: (R)

(1) No off-site advertising is permitted.

(2) A maximum of one A-frame sign is permitted per 25 feet of street frontage.

(3) A maximum of six square feet of signage per side of the A-frame sign is permitted.

(4) There shall be a maximum height of three feet from natural grade.

(5) All signs shall be removed daily at the close of business or event.

b. Shingle signs are permitted subject to the following: (R)

(1) A maximum of one sign is permitted for each business per facade if access to business is available from that facade.

(2) A minimum clearance of eight feet from finished grade to the bottom of the sign shall be provided.

(3) A maximum of five square feet in area shall be permitted per side.

(4) No backlit or cabinet signs are permitted.

c. Wall and window signs are permitted for structures existing as of May 2, 2008, as follows: (R)

(1) Wall signs.

(a) The maximum square footage permitted per Section 705.D may be increased by 25 percent.

(b) The maximum square footage permitted may be increased by an additional ten percent if graphics comprise a minimum of ten percent of the overall square footage of the sign.

(2) Window signs. The total area of such signs shall not exceed 40 percent of each window area located on the ground floor of the building.

6. Parking, yard and area requirements for nonresidential uses or mixed uses containing nonresidential uses.

a. For parking, yard and area requirements for structures existing as of May 1, 2008: (R)

(1) Regardless of change of use or occupancy no additional parking or landscaping shall be required.

(2) Structures may be increased a total of either 500 gross square feet or 25 percent of the existing structure, whichever is greater, without requiring additional parking or landscaping.

(3) Building additions may exceed the lot coverage of the underlying zoning district by 25 percent, excluding those with Historic Preservation Overlays.

(4) Interior setbacks may be reduced by a maximum of 25 percent of that required by the underlying zoning requirements, excluding those with Historic Preservation Overlays.

b. Outdoor dining that does not exceed 25 percent of the primary building's ground level gross floor area shall not require any additional parking. The outdoor dining area may exceed 25 percent to a maximum of 50 percent subject to obtaining a use permit.

c. Unless subject to Buffer Alley regulations (Section 1207.L), vehicles are permitted to maneuver in the alley when dustproofing/paving, adequate maneuvering space, and visibility are approved by the Planning and Development Department.

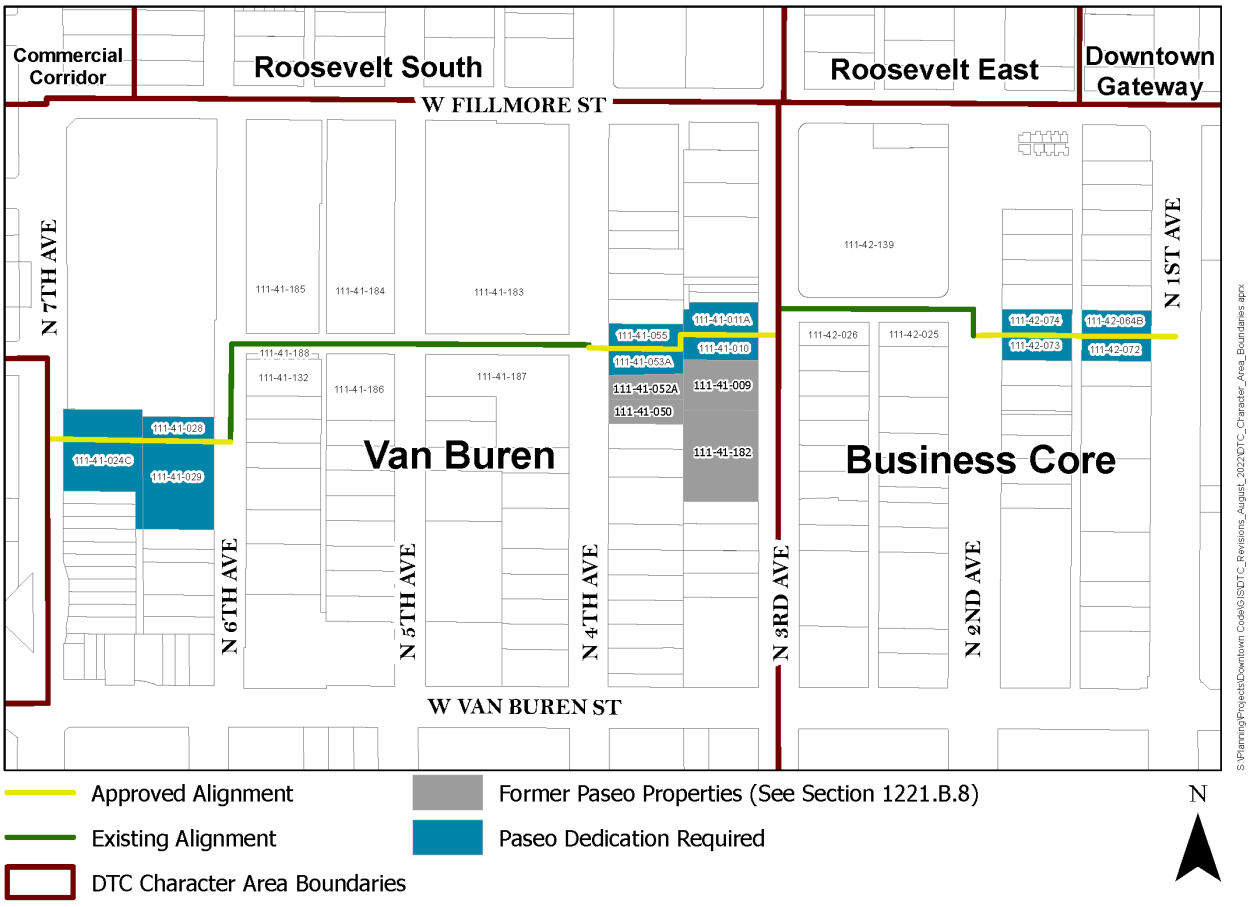
d. Unless subject to Buffer Alley regulations (Section 1207.L), when vehicular access to the site is provided from an alley, no landscape setback is required adjacent to the alley.

N. **Taylor Street Pedestrian Paseo Regulations.**

1. **Intent.** The Taylor Street Paseo is intended to primarily serve pedestrians, connecting the Van Buren Character Area to the commercial, educational, and cultural resources and institutions located in the central portion of Downtown (generally east of First Avenue). The Paseo will provide a mid-block east-west route alternative located generally along the alignment of Taylor Street, to help mitigate the unusually long block lengths between Fillmore and Van Buren Streets.

2. **Applicability.** The properties abutting the alignment indicated on the map below are subject to the following special development regulations:

Taylor Street Paseo




3. **Easement dedication.** Properties abutting the Paseo alignment are required to dedicate a public pedestrian easement (hereafter referred to as "Paseo") per the alignment as shown on the map provided in this Section.

   a. The minimum width of the Paseo, and the public pedestrian easement to be dedicated at the time of development is 20 feet, subject to the following:

      (1) Where the Paseo runs between different properties, the dedication may be split between the properties so long as the Paseo dedications from all properties are made concurrently.

      (2) If the Paseo is dedicated within or abutting a public street, the public pedestrian easement dedication within the adjacent Frontage Zone shall be wide enough to provide a minimum of 20 feet from back of curb to back of easement.

   b. The Paseo may be provided as a pedestrian-only corridor between private lots, or within and/or adjacent to a public street, so long as it is in compliance with all of the applicable design standards and guidelines provided below.

4. **Deviation from approved alignment.** The alignment of the Paseo may be deviated by up to 50 feet either north or south of the approved alignment under the following conditions:

    a. The deviation should not result in a misalignment of more than 90 feet.

    b. A north or south connector Paseo, designed in accordance with this section, should be provided on site when a deviation results in more than 20 feet of misalignment within the block.

    c. The revised easement location shall be dedicated prior to final site plan approval.

    d. The deviated alignment can be used in place of the approved alignment. For sites with an optional alignment two easements are not required.

5. **Paseo Streetscape and Frontage Zone standards**

    a. Streetscape and Frontage Zone standards apply as stated in the applicable Character Area Streetscape and Frontage Zone Matrix.

    b. Streetscape Zone development regulations, per Section 1204, apply when the Paseo is located within or abutting a dedicated street.

    c. Frontage Zone development regulations, per Section 1204, apply within the portion of the Paseo located on private property unless such regulations conflict with other regulations specific to development of the Paseo stated in this Section.

    d. If the Paseo is provided within or adjacent to a public street, the street should be designed with on-street parking adjacent to the Paseo. (P)

        *Rationale:* On-street parking provides a buffer from through traffic lanes, as well as creating an environment encouraging the use of the Paseo as the main access point to residential units or commercial suites fronting the Paseo.

    e. A minimum of 50% of the ground floor abutting the Paseo should consist of active uses and/or residential uses providing primary entrances from the Paseo. (P)

    f. Each ground floor commercial suite adjacent to the Paseo should provide a primary entrance to the Paseo. (P)

        ***Rationale for e and f:*** The Paseo should attract pedestrians and be a safe place for persons to walk and gather.

6. **Paseo Design Regulations**

    a. An ADA compliant sidewalk a minimum of 8 feet in width and clear of obstructions shall be provided within the Paseo. (T)

    b. The Paseo should be a straight as possible and avoid meanders. (T)

    c. The Paseo sidewalk should be a minimum of 75% shaded. If trees are used to provide shade, the percent shading shall be calculated based upon tree canopy at

maturity. Structural shade may also be used to comply with the shading requirement. (P)

d. Decorative paving (e.g. pavers, permeable pavement, colored and textured concrete) should be provided within the Paseo when located on private property. (P)

e. The Paseo should be clearly separated from vehicular maneuvering areas. (T)

f. Automobile access to on-site parking areas or garages should not cross the Paseo, unless the Paseo is located within or abutting a dedicated street. At all such crossings, a crosswalk a minimum of 20 feet wide consisting of paint or contrasting pavement should be provided. (T)

g. A minimum 15-foot by 15-foot visibility triangle should be provided at any intersection with the Paseo and on-site vehicular traffic lanes. (T)

h. Paseo segments that cross surface parking areas should be designed with the following elements: (P)

(1) A minimum 8-foot wide grade separated walkway.

(2) A minimum of 6-foot wide landscape strips on each side of walkway (or 12 feet on one side).

i. The following lighting treatment should be provided within the Paseo: (P)

(1) 15-foot maximum height of lighting fixtures. When adjacent to a street, taller streetlights may be provided in addition to the pedestrian-level lighting.

(2) A minimum of one foot-candle illumination should be maintained over the Paseo sidewalk.

(3) Uniform lighting should be placed along entire Paseo, avoiding bright high glare areas and low visibility dark areas.

(4) Lighting within the Paseo should be illuminated from dusk until dawn.

j. One of the following identifying markers should be provided at each street entrance to the Paseo: (P)

(1) Bollard path light.

(2) Public art.

(3) Decorative directional signage.

k. Temporary security gating—In the event that a block's Paseo is not fully developed, and the Paseo is not located along a dedicated street, temporary removable fencing may be erected at the entrances to the Paseo under the following conditions: (P)

(1) A pedestrian gate is provided that is unlocked during business hours.

(2) A revocable permit is obtained.

(3) The fencing is removed upon completion of the block's Paseo.

***Rationale for a through k:*** *The design of the Paseo should encourage use by pedestrians. Safety, security, and accessibility should work into all design elements, as well as uses which engage and attract pedestrians.*

O. **Lot Coverage.** When 100% lot coverage is permitted by right, or obtained by sustainability bonus points, the following apply: (R*)

1. Interior property line setbacks may be reduced or eliminated.

2. Frontage Zone depths and minimum street building setbacks may be reduced as approved by the Design Review Committee per Section 1224.A.

**Section 1208. Biomed.**

**A. Intent.** The Biomed character area, which is home to the biomedical campus, should be a lively urban district with medical workers, researchers, and students. Restaurants and shops on Garfield Street, Roosevelt Row, and Arizona Center are all located within a short walk and development should be designed to reinforce pedestrian convenience to these areas through a consistent pattern of shaded sidewalks. Small plazas and courtyards are encouraged to be located along streets, typically near building entrances, providing gathering places and "cool pockets" on hot days. Landscaped courtyards interior to the campus should serve as mid-block pedestrian connections. Views of the landscaped courtyards should be visible from the street, enriching the street environment.

**B. Development Regulations.** The following development regulations apply to properties located with the Biomed character area. Where a “bonus” is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** No maximum.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:** governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in

the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix--Biomed*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Garfield Street<br>4th St. to 6th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| McKinley Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 20’ |
| Pierce Street<br>4th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Fillmore Street<br>5th St. to 7th St. | 5' | 25’ | 50% | ALL | 5' | 15’ |
| Van Buren Street<br>5th St. to 9th St. | 0' | 20’ | 75% | ALL | 6' | 12’ |
| 4th Street<br>Garfield St. to Fillmore St. | 5' | 20’ | 75% | SD, PO, S, GA, FC | 6' | 14’ |
| 5th Street<br>Garfield St. to Fillmore St. | 0' | 20’ | 75% | S, GA, FC | 10' | 20’ |
| 5th Street<br>Fillmore St. to Monroe St. | 0' | 20’ | 75% | S, GA | 10' | 20' |
| 6th Street<br>Garfield St. to Fillmore St. | 5' | 25’ | 75% | SD, PO, S, GA, FC | 10' | 20’ |
| 7th Street<br>McKinley St. to Monroe St. | 0' | 20’ | 75% | ALL | 5' | 15’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1209. Business Core.**

**A. Intent.** The Business Core character area should function as a strong regional center for employment, entertainment, conventions, tourism, and cultural institutions, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this character area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit.

**B. Development Regulations.** The following development regulations apply to properties located with the Business Core character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus (north of Madison Street): None.

    b. Bonus (south of Madison Street, within the 80 feet base height category only): Maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: None.

3. **Maximum lot coverage:** No maximum.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:**

    a. Minimum:

        (1) Residential uses: Governed by Section 1206.

        (2) Non-residential uses: None.

    b. Maximum: Governed by Section 1206.

    c. Bonus:

        (1) Increase: Maximum 100%.
        (2) Decrease: maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Taylor Street Paseo**. Certain properties within the Business Core are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N. The affected properties are shown on the map provided within that Section.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Business Core*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>3rd Ave. to 5th St. | 5' | 25’ | Minimum 50% | ALL | 5' | 11' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Taylor Street<br>1st St. to 3rd St. | 5' | 20' | Minimum 75% | S, GA, GR | 8' | 14' |
| Polk Street<br>Central Ave. to 2nd St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Van Buren Street<br>3rd Ave. to 5th St. | 0' | 20’ | Minimum 75% | S, GA, GR | 8' | 14' |
| Monroe Street<br>5th Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, GR | 10' | 16' |
| Adams Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | ALL | 5' | 13' |
| Adams Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Adams Street<br>3rd Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>8th Ave. to 2nd St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Washington Street<br>2nd St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>8th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jefferson Street<br>3rd Ave. to 5th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Jefferson Street<br>5th St. to 7th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>8th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Madison Street<br>5th Ave. to 1st St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>4th Ave. to 1st Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 8' | 14' |
| Jackson Street<br>1st St. to 4th St. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 10' | 16' |
| Buchanan Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14’ |
| Lincoln Street<br>4th St. to 7th St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 8th Avenue<br>Adams St. to Madison St. | 5' | 23' | Minimum 75% | S, GA, GR | 8' | 14' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Avenue<br>Adams St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 6' | 14' |
| 7th Avenue<br>Jefferson St. to Harrison St. alignment | None Required | None Required | None Required | ALL | 6' | 14' |
| 6th Avenue<br>Adams St. to Washington St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |
| 5th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Jefferson St. to Harrison St. alignment | 5' | 25' | Minimum 50% | ALL | 8' West | 14' West |
| | | | | | 5' East | 10' East |
| 4th Avenue<br>Monroe St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 4th Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 10' | 16' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | ALL | 8' | 14' |
| 3rd Avenue<br>Van Buren St. to Washington St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 3rd Avenue<br>Washington St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 2nd Avenue<br>Fillmore St. to Monroe St. | 5' | 25' | Minimum 75% | ALL | Per plans approved by Street Transportation Department. | |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Avenue<br>Monroe St. to Adams St. | 5' | 25' | Minimum 75% | ALL | 10' | 16' |
| 1st Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 1st Avenue<br>Madison St. to Jackson St. | None Required | None Required | None Required | ALL | Per plans approved by Street Transportation Department. | |
| Central Avenue<br>Fillmore St. to Madison St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 1st Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 2nd Street<br>Fillmore St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 3rd Street<br>Fillmore St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 10' | 16' |
| 4th Street<br>Jefferson St. to Jackson St. | 5' | 25' | Minimum 75% | S, GA, GR | 5' | 10' |
| 4th Street<br>Jackson St. to Lincoln St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Fillmore St. to Van Buren St. | 5' | 25' | Minimum 75% | SD, PA, PO, S, GA | 8' | 14' |
| 5th Street<br>Van Buren St. to Jefferson St. | 5' | 25' | Minimum 50% | S, GA, GR | 8' | 14' |

| *Streetscape and Frontage Zone Matrix—Business Core* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 5th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 6th Street<br>Buchanan St. to Lincoln St. | 5' | 25' | Minimum 50% | ALL | 8' | 14' |
| 7th Street<br>Monroe St. to Jefferson St. | 5' | 25' | Minimum 75% | S, GA, GR | 8' | 14' |
| 7th Street<br>Jefferson St. to Lincoln St. | None Required | None Required | None Required | ALL | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**D. Signage Regulations.**

1. Signage in the Business Core Character Area shall be governed by the regulations applicable to signs for commercial land use as established in Section 705. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs.

    a. Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall:

        (1) Identify only one on-site business.

        (2) Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.

        (3) Project no more than three feet into the public right-of-way.

        (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).

    b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

c. Signs painted on the building surface or letters mounted directly to the building surface shall:

(1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet.

(2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

2. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.

3. The foregoing requirements shall not apply to signs exceeding 56 feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705.D.3.i of the Zoning Ordinance.

4. Window signs fronting the public right-of-way shall not exceed a total of more than 20 percent of the window panel area.

5. Second-story or basement business fronting the public right-of-way may only use a sign in a second-story window or use a wall sign. Awning signs shall not be permitted on second-story windows.

6. Corner buildings shall be allowed signage on each street frontage.

7. Freestanding or ground signs may be allowed to a maximum of 40 square feet in area if the primary building is set back 15 or more feet from the property line for more than 50 percent of the street frontage. Said sign shall be a maximum of three feet in height. Signs may be up to 20 feet in height and 100 square feet in area if a comprehensive sign plan is approved and if the project covers a full block or more.

8. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than 25 percent of the area may be devoted to business identification.

9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential use) shall not apply within the Business Core Character Area.

10. Signs, banners, balloons, flags, guidons, and similar devices may be erected subject to a use permit in conjunction with special promotional events to be held within Downtown of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identity. Findings of approval of the use permit shall include:

a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

b. When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.

11. For master planned developments covering one or more downtown blocks (300 feet by 300 feet minimum), signs, banners, and flags may be erected subject to a use permit in

compliance with a comprehensive sign plan. Findings of approval of the use permit shall include:

a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

b. The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.

c. The signs and other displays shall include only logos, graphics and project name of the master planned development.

12. Wall signs on buildings in a designated historic preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

13. The following signs are prohibited:

a. Signs placed above or on top of any portion of the roof or front parapet.

b. Signs advertising goods or services not provided on the premises.

c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.

14. For master planned developments covering contiguous area of at least ten acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within Downtown.

a. Sign types. In addition to other signs permitted in the Business Core Character Area and those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, the following sign types shall be permitted in a Master Planned Development Sign Plan: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic 0signs, and wayfinding signs.

b. Master Planned Development Sign Plan application. A Master Planned Development Sign Plan application shall include the following elements:

(1) Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Ground signs. Ground signs, which may be multi-faced, shall not exceed 50 feet in height and no single face shall exceed 600 square feet. The overall height of ground signs, including sign embellishments, shall not exceed 67 percent of the height of the closest building.

(b) Building mounted signs. Aggregate area for building mounted signs shall not exceed 100 percent of the facade to which the signs are attached, including the building roof. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building.

(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.

(d) Temporary signs. Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability/anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move or stream.

c. Approval of a Master Planned Development Sign Plan. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. The Planning and Development Director or designee shall approve, approve with conditions or deny such application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted and secured so as to not pose a distraction or hazard to vehicles and pedestrians.

(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.

(3) The signs and architectural lighting conform to the vision, goals and policies of the Downtown Phoenix Plan.

d. Detailed project sign plan application. An application for approval of a detailed project sign plan for a development within the boundaries of an approved Master Planned Development Sign Plan shall include the following documents or graphics:

(1) Site plans, building elevations or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure or site.

(2) Graphic rendering of the signs depicting their lettering, illumination, color, shape, area, and height.

(3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination.

(4) Proposed hours for illumination of the signs.

(5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan.

e. Approval of detailed project sign plans. An application for a detailed project sign plan shall be submitted to the Planning and Development Director or designee for review for conformance with the standards, restrictions and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions, or deny a detailed project sign plan application within 15 working days of receipt of the application. The Planning and Development Director or designee shall approve such application only if the applicant demonstrates the following:

(1) The size and location of the signs, banners, flags or architectural lighting are allowed under the standards of the Master Development Sign Plan.

(2) The scale, composition and manner of display of the signs, banners, flags or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan.

(3) The type and hours of illumination and animation conform to the standards of the Master Development Sign Plan.

(4) The durability of the materials proposed for the signs, banners, flags or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags or architectural lighting.

f. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding a Master Planned Development Sign Plan within five

working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.10.e.

g. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

h. Specific signs. Requests for approval of specific, individual signs with a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department.

15. For master planned developments for sports, entertainment or concert venues with a minimum of 4,000 seats, signs, including those signs, banners, and flags otherwise prohibited by Sections 1209.D.10 and 13, may be erected subject to approval of a Master Planned Development Sign Plan. The City may approve a Master Planned Development Sign Plan to allow signs that are larger and taller than are otherwise allowed within the Business Core Character Area within Downtown. All signage permitted under this section shall be reviewed and approved in accordance with the following:

a. Sign types. In addition to other signs permitted in the Business Core Character Area, the following sign types shall be permitted in a master planned development: aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphics signs, and wayfinding signs.

b. Master Planned Development Sign Plan application. An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director or designee for review and approval. A Master Planned Development Sign Plan application shall include the following:

(1) Design guidelines. Site plans, building elevations, or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location and method of installation of the sign. This shall include delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development.

(2) Context plan. The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development.

(3) Standards. The standards and restrictions for each sign type shall include, but not be limited to size, height, illumination, and durability of materials. The standards shall also include calculations showing the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations:

(a) Building mounted signs. Aggregate area for building mounted signs shall not exceed 25 percent on one elevation facing an arterial street and 10 percent on the other elevations, with the ability to transfer up to five percent from the arterial elevation to one other elevation. Building mounted signs shall not project more than 20 feet above the parapet or from the face of the building. If the sign is placed at an angle to the building elevation, the applicant must specify to which elevation the sign area will be counted.

(b) Supergraphics. Supergraphics signs not to exceed 300 square feet or five percent of building elevation whichever is less.

(c) Illumination. Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than 60 feet to such residential use or structure shall not be illuminated between midnight and sunrise.

(d) Temporary signs. Temporary signs may be allowed at the same sizes and heights as permanent signs. Temporary signs or graphics shall be allowed to cover 100 percent of construction fencing and barricades.

(4) Narrative. A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quantity and durability or anticipated lifespan of the proposed sign materials.

(5) Architectural lighting. A Master Planned Development Sign Plan may include provisions regarding architectural lighting, that shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream.

c. Approval of a Master Planned Development Sign Plan. The Planning and Development Director or designee shall approve, approve with conditions or deny such application. The Planning and Development Director or designee shall approve such application in writing only if the following findings are made:

(1) The signs, banners, flags and architectural lighting are mounted, secured, and operated so as to not pose a nuisance.

(2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development.

(3) The signs and architectural lighting are consistent with the vision, goals and policies of the Downtown Phoenix Plan dated December 14, 2004.

d. Appeals. An applicant may appeal the decision of the Planning and Development Director or designee regarding the Master Planned Development Sign Plan within five working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 1209.D.15.c.

e. Amendment. Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan.

16. Signage may be increased by up to 25 percent if a comprehensive sign plan is approved as provided in Section 705.E of the Phoenix Zoning Ordinance.

**Section 1210. Central Park.**

**A. Intent.** Central Park has a strong historic single-family form and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in the primary structure and in appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure.

**B. Development Regulations.** The following development regulations apply to properties located with the Central Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

   c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 50%.

   a. Bonus: None.

   b. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Side: 5 feet.

      (2) Rear: 40 feet.

   b. Accessory structures:

      (1) Side: 3 feet.

      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** Governed by Section 1206.

a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: Maximum 50%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

(1) Walls/fences taller than 40 inches may not be provided closer to the street than the front façade of the structure. This provision does not apply to street side yards.

b. Interior property lines: Maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Central Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Tonto Street<br>Alley west of 1st St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>Alley west of 1st St. to 1st St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>1st St. to 2nd St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| Hadley Street<br>2nd St. to 4th St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, CE, S | 5' | 12' |
| 1st Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S | 5' | 12' |
| 2nd Street<br>South of Grant St. to north of Buckeye Rd. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Central Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>South of Grant St. to north of Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 20' |
| 4th Street<br>South of Grant St. to Hadley St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12’ |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1211. Commercial Corridors.**

**A. Intent.** The commercial corridors should become attractive gateways into downtown. New wider and shaded sidewalks should provide safety and comfort, making it easier for pedestrians and transit riders to access services in the corridor. New mixed-use developments are envisioned to line 7th Avenue, with small restaurants, retail and other businesses serving the surrounding neighborhoods. Along Central Avenue, a street wall should be established that frames the street to create a gateway entrance into Downtown from the south.

**B. Development Regulations.** The following development regulations apply to properties located with the Commercial Corridors character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Accessory structures, including Accessory Dwelling Units: 20 feet.

    c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: None.

3. **Maximum lot coverage:** 50%.

    a. Bonus: Maximum 85% lot coverage.

    b. Additional lot coverage of 10% (total 60%) is allowed for an ADU.

4. **Minimum setbacks from interior property lines**:

    a. Primary building:

        (1) Side: 5 feet.

        (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 50%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Commercial Corridors*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| ***7th Avenue Corridor*** | | | | | | |
| 7th Avenue Alley north of Roosevelt St. to Fillmore St. | 5' | 25' | Minimum 50% | ALL | 6' | 12' |
| Roosevelt Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 11' |
| McKinley Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' west of 7th Ave.<br>14' east of 7th Ave. |
| Pierce Street Alley west of 7th Ave. to 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |
| Fillmore Street Alley west of 7th Ave. to alley east of 7th Ave. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| ***Central Avenue South Corridor*** | | | | | | |
| Central Avenue Grant St. to Hadley St. | 0' | 20' | Minimum 50% | S, GA, SD, PO,CE | 5' | 11' |
| Central Avenue | 0' | 20' | Minimum 50% | S, GA, SD, PO, CE | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Hadley St. to Buckeye Rd. | | | | | | |
| Grant Street 2nd Ave. to 2nd St. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| Sherman Street 2nd Ave. to 1st Ave. crossover | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 11' |
| Hadley Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Tonto Street 1st Ave. to alley east of Central Ave. | 5' | 25' | Minimum 50% | SD, PA, PO, S, GA | 5' | 12' |
| Buckeye Road Alley west of Central Ave. to 3rd St. | 0' | 20' | Minimum 50% | S, GA | 5' | 12' |
| Buckeye Road Alley west of 3rd St. to 4th St. | 0' | 20' | Minimum 50% | S, GA | 7' | 12’ |
| 2nd Avenue Grant St. to Sherman St. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| 1st Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 50% | S, GA | 5' | 19' |
| 1st Avenue Hadley St. to Tonto St. | 5' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 18' |
| 1st Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 1st Street Adjacent to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |
| 2nd Street South of Grant St. | 15' | 25' | Minimum 50% | AFY, SD, PA, PO | 5' | 12' |
| 2nd Street | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Commercial Corridors* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Adjacent to Buckeye Rd. | | | | | | |
| 3rd Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 20' |
| 4th Street Tonto St. to Buckeye Rd. | 10' | 20' | Minimum 50% | AFY, SD, PA, PO, S, GA | 5' | 10' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1212. Downtown Gateway.**

A. **Intent.** The Downtown Gateway should be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

B. **Development Standards.** The following development regulations apply to properties located with the Downtown Gateway character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus: None, except north of Garfield Street, McKinley Street and south of Portland Street where a 30% bonus is allowed.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 100%.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines:** None.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines:

        (1) When a fully dedicated alley is present, view fencing shall be provided for all portions of walls above 40 inches in height.

        (2) When not adjacent to an alley, maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

**C. Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Coronado Road<br>Central Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| McDowell Road<br>1st Ave. to Alvarado Rd. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA, GR | 8' | 16' |
| Lynwood Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Willetta Street<br>Central Ave. to 1st St. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Culver Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Roosevelt Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street<br>West of Central Ave. to Central Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 16' |
| Portland Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Garfield Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Pierce Street<br>Central Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| Fillmore Street<br>Alley west of 1st Ave. to alley east of Central Ave. | 0' | 20' | Minimum 50% | ALL | 8' | 16' |
| 1st Avenue<br>Alley north of Almeria Rd. to McDowell Rd. | 5' | 25' | N/A | SD, PO | 8' | 16' |
| 1st Avenue<br>Roosevelt St. to McKinley St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| 1st Avenue<br>McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Coronado Rd. to Culver St. | 0', unless more needed to comply with Central Avenue Development Standards | 20' | Minimum 75% | ALL | per adopted Central Avenue Development Standards | per adopted Central Avenue Development Standards |
| Central Avenue<br>Culver St. to Roosevelt St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |
| Central Avenue<br>Roosevelt St. to Fillmore St. | 0' | 20' | Minimum 75% | ALL | 8' | 16' |

| *Streetscape and Frontage Zone Matrix—Downtown Gateway* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Alvarado Road<br>Coronado Rd. to McDowell Rd. | 5’ | 20’ | 50% | SD, PA, PO, S, GA | 8' | 16' |
| 1st St.<br>McDowell Rd. to Willetta St. (Cancer Survivor Park) | 0' | 20' | Minimum 75% | SD, PA, S | 8' | 16' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1213. East Evergreen.**

A. **Intent.** The East Evergreen Character Area centers on its incorporation of a historic residential district along with residential offices and newer mixed-use/mid-rise developments. New developments should be compatible with the size of existing buildings, providing an alternative to high-rise housing and offices downtown. New mixed-use projects should be integrated with the historic character of the area by preserving the existing planting strips, palm trees, and landscaped yards on sites within or adjacent to the Historic District. Streets and pedestrian corridors should be inviting and conveniently link the neighborhood to services, parks, cultural facilities and public transportation.

B. **Development Standards**. The following development regulations apply to properties located with the East Evergreen character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

   c. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: None.

3. **Maximum lot coverage:** 50%.

   a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

   b. Additional bonus: None.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Sides: 3 feet; combined total of 10 feet required.

      (2) Rear: 10 feet.

   b. Accessory buildings:

      (1) Side: 3 feet.

      (2) Rear 0 feet.

5. **Required parking:** Governed by Section 1206.

   a. Bonus: None.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—East Evergreen*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Lynwood Street West of 7th St. to 4th St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 10' North 9' South |
| Willetta Street West of 7th St. to east of 3rd St. | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |
| 5th Street South of McDowell Rd. to Interstate 10 Freeway | 5' | 20' | Minimum 50% | AFY, SD, PA, PO | 5' | 19' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—East Evergreen.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. (P)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of East Evergreen, preferably by using historic materials and design elements already found within the Character Area.*

**Section 1214. Evans Churchill East.**

A. **Intent.** The primary intent of the Evans Churchill East Character Area is to be a continuously evolving arts-oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ASU campus to the south and Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

   b. Bonus north of Garfield Street: None.

   c. Bonus south of Garfield Street: 10% maximum increase.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:**

   a. North of Garfield Street: 50%.

   b. South of Garfield Street: 90%

   c. Bonus (both areas): Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**:

   a. Primary building:

      (1) Side: 5 feet.

      (2) Rear: 15 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** Governed by Section 1206.

   a. Bonus:

(1) Increase: Maximum 100%.

(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street 3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Portland Street 3rd St. to 7th St. | 10' | 30' | Minimum 75% | AFY, SD, PA, PO, FC | 5' | 20' |
| Roosevelt Street 3rd St. to 7th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 7' | 17' |
| Garfield Street 4th St. to 6th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| Garfield Street 6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 12' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley Street 6th St. to 7th St. | 5' | 30' | Minimum 50% | ALL | 5' | 20' |
| 3rd Street North of Moreland St. to Portland St. | 5' | 30' | Minimum 75% | ALL | 5' | 17' |
| 3rd Street Portland St. to Roosevelt St. | 5' | 30' | Minimum 75% | ALL | 5' | 15' |
| 4th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 15' |
| 5th Street Moreland St. to Roosevelt St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 5th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | AFY, SD, PA, S | 5' | 20' |
| 6th Street Roosevelt St. to Garfield St. | 5' | 30' | Minimum 75% | SD, PA, S, GA | 5' | 20' |
| 7th Street Moreland St. to | 0' | 20' | Minimum 75% | ALL | 8' | 16' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McKinley St. | | | | | | |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1215. Evans Churchill West.**

A. **Intent.** The primary intent of the Evans Churchill West Character Area is to serve as a transition between the mixed-use neighborhoods to the north and east, the Downtown Gateway Corridor to the west, and the Biomed Cluster to the south. Ideally the area should embrace architecturally innovative high-density residential buildings and offer a dynamic mix of commercial and retail uses. It is the home of the downtown public market and will develop into a destination for retail, restaurants and nightlife. Adjacency to major destinations creates the potential for this area to serve as a major pedestrian thoroughfare. New developments should reflect the innovation of the area and incorporate shade structures and landscaping to create comfortable and inviting pedestrian thoroughfares. Outdoor dining and retail shops will enhance the pedestrian experience and encourage exploration and patronage. Buildings oriented to the street with ample sidewalk space allow for pedestrian amenities in addition to the tree-shaded sidewalks in parkway-like strips.

B. **Development Regulations.** The following development regulations apply to properties located with the Evans Churchill West character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus: For properties located between Pierce Street and Fillmore Street, a maximum additional 100-foot height bonus (in addition to the height permitted per Section 1202.B) may be permitted through a Sustainability Bonus approved by the Design Review Committee per Section 1224.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage:** 75%.

    a. Bonus: Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines**: None.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 100%.

        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum wall height is the same as the maximum permitted building height(s) for the property.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Evans Churchill West*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Moreland Street<br>1st St. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, CE, S, GA | 5' | 20' |
| Portland Street<br>Alley east of Central Ave. to 3rd St. | 5' | 30' | Minimum 50% | SD, PA, PO, CE, S, GA | 5' | 20' |
| Roosevelt Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 12' | 18' |
| Garfield Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| McKinley Street<br>Alley east of Central Ave. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Pierce Street<br>Alley east of Central Ave. to 2nd St. and 3rd St. to 4th St. | 5' | 30' | Minimum 50% | SD, PA, PO, S, GA | 5' | 20' |
| Fillmore Street<br>Alley east of Central Ave. to 1st St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' | 14' |
| Fillmore Street<br>1st St. to 2nd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' | 15' |
| Fillmore Street<br>2nd St. to 3rd St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 5' North<br>8' South | 10' North<br>15' South |
| Fillmore Street<br>3rd St. to 5th St. | 5' | 30' | Minimum 50% | PA, S, GA, CE | 8' North<br>5' South | 15’ |
| 1st Street<br>Moreland St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | Per plans approved by Street Transportation Department. | |
| 2nd Street<br>Moreland St. to McKinley St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' |

| *Frontage and Streetscape Zone Matrix—Evans Churchill West* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 2nd Street<br>McKinley St. to Fillmore St. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' East<br>25' West |
| 3rd Street<br>Moreland St. to Portland St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 15' |
| 3rd Street<br>Portland St. to alley north of Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 20' East<br>10' West |
| 3rd Street<br>Alley north of Roosevelt St. to Roosevelt St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Street<br>Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |
| 4th Street<br>Roosevelt St. to Fillmore St. | 5' | 30' | Minimum 75% | SD, PA, PO, S, GA, CE | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1216. McDowell Corridor.**

A. **Intent.** The McDowell Corridor should create an attractive, pedestrian-oriented mixed-use street as a gateway to the historic neighborhoods and Downtown Phoenix. The mixture of professional offices and retail establishments should become more urban and pedestrian oriented. New structures should be built closer to the street and parking should be located behind buildings.

B. **Development Regulations.** The following development regulations apply to properties located with the McDowell Corridor character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    b. Bonus: None.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

3. **Maximum lot coverage:** 50%.

    a. Bonus: Maximum 85% lot coverage.

4. **Minimum setbacks from interior property lines**:

    a. Primary building:

        (1) Side: 5 feet.

        (2) Rear:15 feet.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 25%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—McDowell Corridor*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>West of 7th Ave. to east of 1st Ave. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, SD, PO, GA | 5' | 15’ |
| McDowell Road<br>3rd St. to 7th St. | 10’, or 0’ if a minimum 50’ ROW is dedicated for the half street | 20' | Minimum 75% | S, GA | 6' | 16' |
| Lynwood Street<br>East of 7th Ave. (north side only) | 15' | 30' | Minimum 50% | AFY, SD, PA, PO | 5' | 15' |
| Lynwood Street<br>5th St. to west of 7th St. | 15' | 30' | Minimum 75% | AFY, SD, PA, PO | 5' | 15' |
| 7th Avenue<br>Alley north of McDowell to Lynwood St. | 0’ | 20' | Minimum 75% | S, GA, CE | 7' | 17’ |
| 5th Avenue<br>Alley north of McDowell Rd. to alley | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 16' |

| *Frontage and Streetscape Zone Matrix—McDowell Corridor* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| south of McDowell Rd. | | | | | | |
| 3rd Avenue<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 75% | SD, S, PA, PO | 5' | North of McDowell: 10’<br>South of McDowell: as established |
| 3rd Street<br>Alley north of McDowell Rd. to alley south of McDowell Rd. | 5' | 30' | Minimum 50% | SD, S, GA, PA, PO, CE | 6' | 16’ |
| 5th Street<br>McDowell Rd. to Lynwood St. | 5' | 30' | Minimum 50% | SD, S, PO | 5' | 15' |
| 7th Street<br>Alley north of McDowell to Moreland St. | 0' | 20' | Minimum 50% | ALL | 6' | 16', or as may be required by ADOT adjacent to freeway ramps |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1217. Roosevelt East.**

A. **Intent.** The Roosevelt East Character Area is comprised of a mixture of historic buildings with larger blocks of land with high-rise entitlements. The area will serve as a transition zone from the smaller scale Roosevelt South and Roosevelt North Character Areas to the Downtown Gateway Character Area located to the east along the light rail.

B. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt East character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

        (1) Bonus: Maximum 25%.

    b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage:** 75%.

    a. Bonus: Maximum 100% lot coverage.

4. **Minimum setbacks from interior property lines.**

    a. Primary building:

        (1) Side abutting HP-zoned lot: 10 feet.

        (2) Side abutting lot not zoned HP: 0 feet.

        (3) Rear: 0 feet.

    b. Accessory buildings:

        (1) Side: 3 feet.

        (2) Rear: 0 feet.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage**. Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

C. **Streetscape and Frontage Zone Development Regulations.** The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Frontage and Streetscape Zone Matrix—Roosevelt East*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>3rd Ave. to west of Central Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA, CE | As Established | As Established |
| Roosevelt Street<br>3rd Ave. to 1st Ave. | 0' | 20' | Minimum 75% | SD, S, PO, GA | As Established | As Established |
| McKinley Street<br>3rd Ave. to alley west of 1st Ave. | 0' | 25' | Minimum 50% | SD, PA, PO | 5' | 15' |
| Fillmore Street | 0' | 25' | Minimum 50% | SD, PA, PO, GA, CE | 5' | 15' North Side |

| *Frontage and Streetscape Zone Matrix—Roosevelt East* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Building Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Ave. to alley west of 1st Ave. | | | | | | 21' South Side |
| 2nd Avenue Portland St. to Roosevelt St. | 0' | 25' | Minimum 75% | SD, S, PO, CE | 6' | 16' |
| 2nd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, PA, S, PO, FC, CE | As Established | As Established |
| 2nd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 75% | AFY, SD, S, PO, FC | As Established | As Established |
| 3rd Avenue Latham St. to Roosevelt St. | 0' | 25' | Minimum 50% | SD, PA, PO, S | 6' | As Established |
| 3rd Avenue Roosevelt St. to McKinley St. | 20' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |
| 3rd Avenue McKinley St. to Fillmore St. | 10' | 30' | Minimum 50% | AFY, SD, S, PO, FC | 6' | 20' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

A. **Additional Design Regulations—Roosevelt East.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

***Rationale:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt East, preferably by using historic materials and design elements already found within the Character Area.*

**Section 1218. Roosevelt North.**

B. **Intent.** Roosevelt North is part of the Roosevelt Historic District and it is comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. Properties generally have carriage houses or garages in the backyard that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt North character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

      (1) Bonus: None.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: None.

3. **Maximum lot coverage:** 40%.

   a. Additional lot coverage of 15% (total 55%) is allowed for accessory structures.

   b. Additional bonus: None.

4. **Minimum setbacks from interior property lines.**

   a. Primary building:

      (1) Sides: 3 feet; 10 feet combined total minimum.

      (2) Rear: 10 feet.

   b. Accessory structures:

      (1) Side: 3 feet.

      (2) Rear: 0 feet.

5. **Required parking:** Governed by Section 1206.

a. Bonus: None.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees, and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt North*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Portland Street<br>7th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Latham Street<br>5th Ave. to 3rd Ave. | 20' | 30' | None | AFY | 5' | 7'5" |
| Culver Street<br>7th Ave. to 300' west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |

| *Streetscape and Frontage Zone Matrix—Roosevelt North* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Willetta Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| Lynwood Street<br>7th Ave. to alley west of Central Ave. | 20' | 30' | None | AFY | 5' | 10' |
| 7th Avenue<br>Lynwood St. to alley south of Portland St. | 20' | 30' | None | AFY | 6' | None Required |
| 5th Avenue<br>Alley north of Roosevelt St. to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Alley north of Roosevelt St. to Culver St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 10' |
| 3rd Avenue<br>Culver Street to alley north of Lynwood St. | 10' | 25' | None | AFY~~, SY~~ | 5' | 6' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt North.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt North, preferably by using historic materials and design elements already found within the Character Area.*

**Section 1219. Roosevelt South.**

B. **Intent.** Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and dining along tree-lined streets creating a highly desirable, walkable neighborhood.

C. **Development Regulations.** The following development regulations apply to properties located with the Roosevelt South character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

    a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

        (1) Bonus: None.

    b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: 100%.

3. **Maximum lot coverage:** 50%.

    a. Additional lot coverage of 10% (total 60%) is allowed for accessory structures.

    b. Bonus: Maximum 75% lot coverage.

4. **Minimum setbacks from interior property lines.**

    a. Primary building:

        (1) Side abutting HP-zoned lot: 10 feet.

        (2) Side(s) abutting lot not zoned HP: 3 feet; 10 feet combined total minimum.

        (3) Rear: 0 feet.

    b. Accessory structures:

        (1) Side: 3 feet.

        (2) Rear: 0 feet.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: Maximum 50%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage is subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Nonresidential Activity in a Residential District Right-of-Way Standards.

8. **Street trees.**

   a. Shade trees, when provided in the Streetscape Zone, shall be Arizona ash or evergreen elm trees. (T)

   b. Palm trees, on blocks where they have existed historically, shall be installed in the Streetscape Zone in addition to any required shade trees, unless prohibited by law. Palm trees should be of the same type as existing historic palm trees and planted in a similar manner/rate as existing on the same block face. (T)

D. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Roosevelt South*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Roosevelt Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 75% | AFY, SD, PO, PA, S | 5' | 6' |
| McKinley Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 10' |
| Fillmore Street<br>Alley west of 6th Ave. to 3rd Ave. | 10' | 30' | Minimum 50% | ALL | 5' | 7'5" |

| *Streetscape and Frontage Zone Matrix—Roosevelt South* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 6' |
| 5th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 14' |
| 4th Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |
| 3rd Avenue Roosevelt St. to Fillmore St. | 20' | 30' | Minimum 50% | AFY, SD, PA, PO, FC, S | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

(Ord. No. G-5480, 2010; Ord. No. G-5777, 2013; Ord. No. G-6409, 2018)

E. **Additional Design Regulations—Roosevelt South.**

1. **Building materials.** Primary buildings should incorporate a minimum 25 percent of brick, brick veneer, or decorative masonry on every facade visible from the exterior. (P)

2. **Window design**. Window format should be square or rectangular and similar to existing historic buildings. Window openings should be recessed or articulated, particularly at the ground level. (P)

3. **Roof forms.** Buildings should incorporate one or more of the following roof forms: gable (including clipped, and with parapets), hip, and flat with parapets. Mansard roof forms are prohibited. (R*)

***Rationale for D.1 through D.3:*** *Building materials, building design, and building accents should be inspired by the context of the area and create a coherent architectural concept that is consistent with and strengthens the historic character of Roosevelt South, preferably by using historic materials and design elements already found within the Character Area.*

**Section 1220. Townsend Park.**

A. **Intent.** The primary intent of the Townsend Park Character Area is to transition between the mixed-use neighborhoods to the east, the McDowell Corridor to the north and the Downtown Gateway to the west. The area's special potential to connect these diverse adjacent areas can be realized through incorporating mixed-use/mid-rise developments that focus on office and cultural facilities. Given the proximity to the City's largest public library and the light rail corridor, a cultural focus in any new development is essential. As with any heavily accessed cultural area, the streetscape should contain inviting and comfortable parkway strips that offer easy links to nearby cultural facilities, parks and public transportation.

B. **Development Regulations.** The following development regulations apply to properties located with the Townsend Park character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height:**

   a. Main building: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

      (1) Bonus: Maximum 30%.

   b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

   a. Bonus: 100%.

3. **Maximum lot coverage:** 75%.

   a. Bonus: Maximum 100% lot coverage.

   b. Accessory buildings may not exceed 25% of the net lot area. This coverage is included within the overall permitted lot coverage.

4. **Minimum setbacks from interior property lines**:

   a. Primary building: 0 feet.

   b. Accessory structures:

      (1) Side: 3 feet.

      (2) Rear: 5 feet, which may be reduced to 0 feet when abutting a fully dedicated alley which is not a designated Buffer Alley per Section 1202.E.

5. **Required parking:** Governed by Section 1206.

   a. Bonus:

(1) Increase: Maximum 50%.

(2) Decrease: maximum 100%.

6. **Walls/Fences.**

   a. Frontage Zones: Per the provisions of Section 1207.D.

   b. Interior property lines: Maximum height of 6 feet.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Townsend Park*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| McDowell Road<br>1st St. to east of 3rd St. | 0' | 20’ | Minimum 75% | S, GA, CE | 5' | 5’ |
| Willetta Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Culver Street<br>1st St. to 2nd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| Moreland Street<br>1st St. to 3rd St. | 0' | 25' | Minimum 50% | ALL | 5' | 15' |
| 1st Street<br>McDowell Rd. to Willetta St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' East<br>7' West | 6' East<br>West—None Required |
| 2nd Street<br>McDowell Rd. to Culver St. | 0' | 25' | Minimum 75% | S, SD, PA, PO, GA | 5' | 25' |

| *Streetscape and Frontage Zone Matrix—Townsend Park* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 3rd Street<br>McDowell Rd. to Moreland St. | 5' | 30' | Minimum 75% | S, SD, PA, PO, GA | 5' | 15' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1221. Van Buren.**

**A. Intent.** The intent of the Van Buren Character Area is to establish a dense, vibrant, urban mixed-use area that is a center for commerce and high-rise urban living. This area comprises some of the tallest height entitlements within the City. The close proximity to government buildings and commercial offices makes this an ideal location for future hotels and iconic residential buildings with a strong urban focus. The active streetscape will connect the primarily residential neighborhoods to the north with the amenities and services provided within the Business Core and Van Buren Character Areas.

**B. Development Regulations.** The following development regulations apply to properties located with the Van Buren character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee.

1. **Maximum height.**

    a. Main building*:* Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

        (1) Bonus: None.

    b. Accessory structures, including Accessory Dwelling Units: 30 feet.

2. **Maximum density:** Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 50% increase.

    b. For properties which dedicate the Taylor Street Paseo, see below.

3. **Maximum lot coverage:** 55%.

    a. Bonus: Maximum 100% lot coverage.

    b. Accessory structures: Maximum 25% total lot coverage. This amount is included in the overall allowed lot coverage.

    c. For properties which dedicate the Taylor Street Paseo, see below.

4. **Minimum setbacks from interior property lines.**

    a. Primary building: 10 feet. No setback required if property line abuts an alley which is not a Buffer Alley.

    b. Accessory structures: None.

5. **Required parking:** Governed by Section 1206.

    a. Bonus:

        (1) Increase: Maximum 50%.

        (2) Decrease: Maximum 100%.

6. **Walls/Fences.**

    a. Frontage Zones: Per the provisions of Section 1207.D.

    b. Interior property lines: Maximum height of 6 feet.

        (1) When a fully dedicated alley is present view fencing shall be provided above 40 inches in height.

7. **Signage.** Signage subject to the regulations of Phoenix Zoning Ordinance Section 705, Table D-1, Commercial/Industrial Right-of-Way Low Volume Street Standards.

8. **Taylor Street Paseo**. Certain properties within Van Buren are subject to the additional development regulations of the Taylor Street Paseo, Section 1207.N., in addition to the modified standards stated above. The affected properties are shown on the map provided within that Section.

    a. For properties that dedicate the Taylor Street Paseo, lot coverage and density are not restricted.

    b. For properties formerly required to dedicate the Taylor Street Paseo prior to the Paseo realignment, lot coverage and density are not restricted if all of the following amenities are provided within the property frontage:

        (1) A minimum 8 foot wide sidewalk is provided for the length of the property.

        (2) Two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk.

        (3) Open space at the ground level on private property (minimum 500 square feet and not less than 10 feet wide any direction), with a public access easement dedicated over all portions of the open space area.

        (4) A minimum of three pedestrian amenities within the open space, such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet.

**C. Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Fillmore Street<br>Alley west of 7th Ave. to 7th Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 7' |
| Fillmore Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 50% | ALL | 5' | 10' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0’ | 20’ | Minimum 75% | SD, PO, S, GA, CE | 8’ | 13’, or 0’ when not located within or adjacent to a dedicated street |
| Van Buren Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | S, GA, CE, GR | 5' | 5' |
| Woodland Avenue<br>9th Ave. to alley west of 9th Ave. | 12' | 30' | Minimum 75% | AFY, SD, PA, PO, S | 5' | 10' |
| Monroe Street<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S | 8' | 10' |
| Adams Street<br>4th Ave. to 7th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 5' | 10' |
| Adams Street<br>7th Ave. to 5th Ave. | 0' | 20' | Minimum 75% | SD, PA, PO, S, GA | 8' | 5' |
| 9th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 50% | ALL | 5' | 20' |
| 7th Avenue<br>Fillmore St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 6th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | East 5'<br>West 5' | East 8'<br>West 5' |

| *Streetscape and Frontage Zone Matrix—Van Buren* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | East 5'<br>West 5' | East 5'<br>West 8' |
| 5th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 5th Avenue<br>Van Buren St. to Adams St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 4th Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 15' |
| 4th Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 7' | 7' |
| 3rd Avenue<br>Fillmore St. to Van Buren St. | 0' | 20' | Minimum 50% | SD, PA, PO, S, GA | 5' | 10' |
| 3rd Avenue<br>Van Buren St. to Monroe St. | 0' | 20' | Minimum 75% | ALL | 5' | 5' |
| Taylor Street Paseo<br>7th Ave. to 3rd Ave. | 0' | 20' | Minimum 65% | SD, PO, S, FC, GA | See Paseo Guidelines | See Paseo Guidelines |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

**Section 1222. Warehouse.**

A. **Intent.** The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. **Development Regulations.** The following development regulations apply to properties located with the Warehouse character area. Where a "bonus" is indicated, the development regulation may be modified within the range stated when sustainability bonus points are earned per Section 1223, as approved by PDD staff or the Design Review Committee, unless stated otherwise.

1. **Maximum height**: Governed by the height map, Section 1202.B, and height transition standards of Section 1207.E.

    a. Bonus (north of Lincoln Street, within the 80 feet base height category only): maximum height of 140 feet shall be permitted only with dedication of a 30-year conservation easement over an existing building designated HP or HP-L, as approved by HP. The property with the conservation easement must be located between Madison Street and Lincoln Street, and within either the Business Core or Warehouse character areas. Sustainability bonus points cannot be used to obtain this height bonus.

    b. Bonus (elsewhere within Character Area): 50%. Exception: Any property within a base height category of 150 feet or greater shall not be permitted a height bonus, due to Airport Downtown Zone height limits.

    c. Additional height restrictions apply for properties subject to Section 1222.B.4.

2. **Maximum density**: Governed by the density map, Section 1202.C.

    a. Bonus: Maximum 100% increase.

3. **Maximum lot coverage**: 100%.

    a. Bonus: None.

4. **Minimum setbacks from interior property lines:**

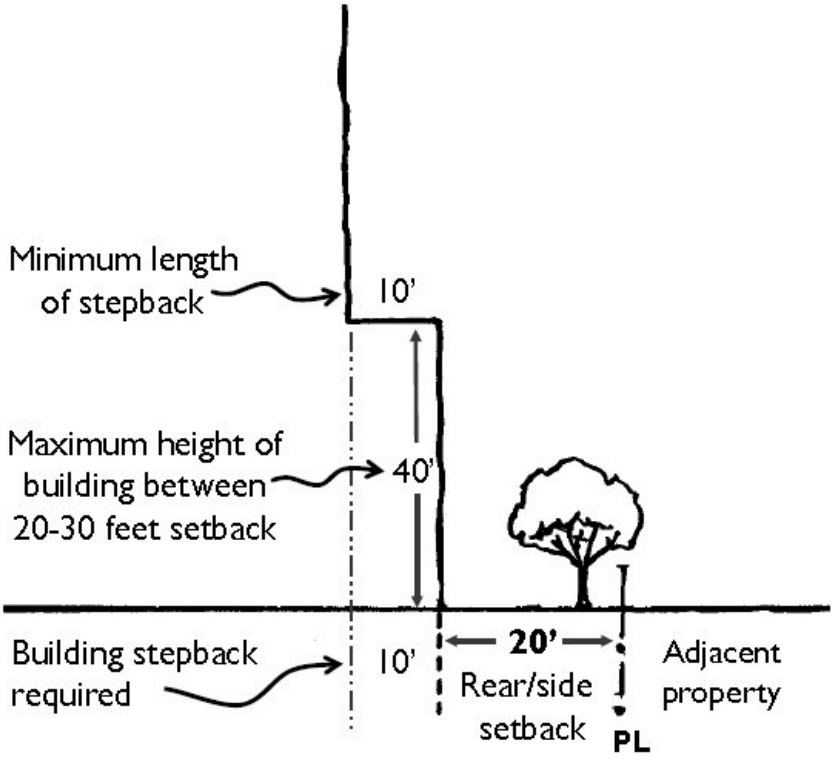
    a. For sites not abutting a property located within the Central Park Character Area: 0 feet.

    b. For sites abutting a property located within the Central Park Character Area (not including properties separated by a fully dedicated alley or street), the following regulations apply:

        (1) Side or rear lot line: Minimum 20-foot building setback, including a ten-foot landscape setback. The landscape setback shall be measured from the property line.

(2) The building shall not exceed 40 feet in height when located between 20 and 30 feet of the side or rear property line.

(3) A stepback shall be required unless the proposed new development is located ten or more feet beyond the required setback line. A minimum stepback of ten feet in depth for the length/width of the building that is adjacent to the Central Park Character Area is required. The stepback shall be measured from the required side or rear yard setback line.




5. **Required parking:**

a. Minimum:

(1) Residential uses: Governed by Section 1206.

(2) Non-residential uses: None.

d. Maximum: Governed by Section 1206.

e. Bonus:

(1) Increase: Maximum 100%.

(2) Decrease: Maximum 100%.

6. **Walls/Fences.**

a. Frontage Zones: Per the provisions of Section 1207.D.

b. Interior property lines: Maximum height of 8 feet.

7. **Signage.** Signage in the Warehouse Character Area shall be governed by the regulations applicable to signs in the commercial districts of Section 705 of the Phoenix Zoning Ordinance.

   a. Signs projecting from the front of buildings shall be perpendicular to the street (i.e., 90-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall require a revocable permit administered by the City of Phoenix prior to issuance of the sign permit. Each sign shall:

      (1) Identify only one on-site business.

      (2) Provide a minimum eight-foot clearance.

      (3) Project no more than three feet into the public right-of-way.

      (4) Be indirectly illuminated from a shielded light source (i.e., not backlit or cabinet sign).

   b. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.

   c. Signs painted on the building surface or letters mounted directly to the building surface should:

      (1) Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of 100 square feet. May have minimum of 40 square feet.

      (2) Be at least half the vertical height of the letters to a building corner (vertical edge) or to a roofline.

   d. Windows visible from the public right-of-way shall not exceed a maximum of 20 percent of the windowpane area.

   e. Second-story businesses may only use a sign in a second-story window, or use a wall sign. Awning signs shall not be permitted on second-story windows.

   f. Corner buildings shall be allowed signage on each street frontage.

   g. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. The maximum height of said directional signs is three feet. No more than 25 percent of the area may be devoted to business identification.

   h. The provisions of Section 705.C.6.d shall not apply within the Warehouse Character Area.

   i. Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2.a, b and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No more than 25 percent of the area may be devoted to corporate sponsorship identification. In

addition to the standards enumerated in Section 705.F, findings of approval of the use permit shall include:

(1) The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.

(2) When adjoining establishments participate in an event, a single request for a use permit may be filed.

j. Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.

k. The following signs are prohibited:

(1) Those placed above or on top of any portion of the roof or front parapet or facade.

(2) Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.

(3) Freestanding signs or ground signs.

l. Signage may be increased by up to 25 percent by submitting a comprehensive sign plan as provided in Section 705.E of the Phoenix Zoning Ordinance.

C. **Streetscape and Frontage Zone Development Regulations**. The following development regulations apply to properties which abut the street sections indicated. All regulations in the table are appealable to the Design Review Committee under the provisions of Section 1224 and considered as R*.

| ***Streetscape and Frontage Zone Matrix—Warehouse*** | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 7th Avenue South of the train tracks to Grant St. | 0’ | 20’ | None | ALL | 5' | 10’ |
| 7th Avenue Grant St. to Sherman St. | 0' | 20’ | Minimum 75% | S, GA, SD, CE | 5' | 10’ |
| 6th Avenue | 0' | 20' | Minimum 50% | ALL | 5' | 12' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Sherman St. to Grant St. | | | | | | |
| 5th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 4th Avenue Sherman St. to Grant St. | 0' | 20' | Minimum 50% | ALL | 5' | 12' |
| 4th Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 19' |
| 4th Avenue Alley south of Jackson St. to Madison St. | 0' | 20' | Minimum 75% | S | 5' | 12' |
| 3rd Avenue Grant St. to Jackson St. | 0' | 20' | Minimum 75% | S | 5' | 20' |
| 2nd Avenue Grant St. to Lincoln St. | 0' | 20' | Minimum 50% | ALL | 5' | 23' |
| 2nd Avenue Buchanan St. to Jackson St. | 0' | 20' | Minimum 50% | S | 5' | 10' |
| 1st Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S | 10' | 15' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Central Avenue Grant St. to Madison St. | 0' | 20' | Minimum 75% | S, GA, SD, CE | 8' | 15' |
| 1st Street Grant St. to Buchanan St. | 0' | 20' | Minimum 50% | ALL | 5' | 15' |
| 1st Street Buchanan St. to Madison St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 2nd Street Lincoln St. to alley south of Jackson St. | 0' | 20' | Minimum 50% | ALL | 6' | 20' |
| 3rd Street South of Grant St. to Grant St. | 0' | 20' | Minimum 75% | AFY, SD, PA, PO, S | 6' | 20' |
| 3rd Street Grant St. south to Railroad Row | 0' | 20' | Minimum 75% | S | 6' | 14' |
| 4th Street Grant St. south to Character Area boundary | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 10’ |
| 5th Street Grant St. to Lincoln St. | 0' | 20’ | Minimum 50% | ALL | 6' | 14' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| 6th Street<br>Lincoln St. to Buchanan St. | 0' | 20’ | Minimum 50% | ALL | 8' | 13' |
| 7th Street<br>Lincoln St. to south of Grant St. | 0' | 20’ | Minimum 75% | ALL | 6' | 14' |
| Madison Street<br>5th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Madison Street<br>1st Ave. to 1st St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 12' |
| Jackson Street<br>5th Ave. to 1st St. | 0' | 20’ | Minimum 75% | S | 8' | As Established with Tree Wells(1) |
| Buchanan Street<br>3rd Ave. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |
| Lincoln Street<br>7th Ave. to 7th St. | 0' | 20’ | Minimum 75% | SD, PA, S | 7' | 12' |
| Grant Street<br>6th Ave. to 2nd St.<br>3rd St. to 7th St. | 0' | 20’ | Minimum 50% | ALL | 5' | 19' |

| *Streetscape and Frontage Zone Matrix—Warehouse* | | | | | | |
|---|---|---|---|---|---|---|
| ***Street Section*** | ***Minimum Setback*** | ***Frontage Zone Depth*** | ***Minimum Building Frontage*** | ***Allowed Frontage Elements*** | ***Minimum Sidewalk Width*** | ***Minimum Streetscape Zone Depth*** |
| Grant Street<br>2nd St. to 3rd St. | 0' | 20’ | Minimum 75% | SD, PA, S | 5' | 19' |
| Sherman Street<br>7th Ave. to 4th Ave. | 0' | 20’ | Minimum 75% | SD, PA, S | 8' | 14' |

***(AFY) Active Front Yard, (PA) Patio, (SD) Stoop/Door Well, (PO) Porch, (CE) Common Entry, (FC) Forecourt, (S) Storefront, (GA) Gallery/Arcade, (GR) Grand Entry, (ALL) All Frontage Elements***

D. **Additional Design Regulations--Warehouse.**

1. New construction from finished grade to 65 feet in height shall use concrete, brick or other quality exterior-facing materials found on the structures in the Warehouse Character Area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. (P)

2. Brick veneer and brick tile applications, when used, should give the appearance of structural brick by using wraparound corner and bullnose pieces to minimize a veneer appearance. (P)

3. Stucco should not be used as a new element on an existing building. For new construction, stucco finishes should be limited to no more than 25 percent of all facades, and located where least visible from Streetscape Zones. (P)

   ***Rationale for D.1 – D.3:*** *The Warehouse Character Area has a unique and historic architectural context which current development should mimic or complement.*

4. The following design elements are only permitted for use within the Warehouse Character area if approved by the Design Review Committee as a Design Alternative per Section 1224 (R*):

   a. Metal or wood siding.

   b. Parabolic arches and other nongeometric forms.

   c. Backlit awnings or panels.

   d. Plastic and acrylic components used in awnings and other accessories.

   e. Steeply pitched roofs (greater than 30 degrees) including mansard roof forms.

   f. Curtain-wall facades.

**Section 1223. Sustainability Bonus.**

**A. Applicability**. The Sustainability Bonus system is designed to provide additional entitlements to developments that exhibit enhanced and/or environmentally friendly design, or other performance elements as outlined in this Section or as approved by the Design Review Committee.

1. A Sustainability Bonus may only be awarded when allowed by the applicable Character Area development regulations.

2. Sustainability Bonus credits (as detailed in Section 1223.C) earned shall only apply to one category of bonus. If multiple bonuses are desired for one development (such as one for height increase, and another for parking increase), each bonus must earn the required bonus credits separately, unless specifically stated otherwise in this Chapter.

3. All items or improvements which are provided specifically to obtain a Sustainability Bonus shall be located on site, and not in public right-of-way, unless approved as a Technical Appeal demonstrating that all required Streetscape improvements, including shade, landscape, and minimum sidewalk width, will still be provided.

**B. Credit Categories.**

1. **Height Increase.** The allowed bonus is an increase in height calculated as a percentage of the base maximum height permitted per Section 1202.B. However, no building height may exceed the Airport Height Limits provided in Chapter 4, Article XIII of the Phoenix City Code.

| **Height Increase** | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 50% |
| 60 | 40% |
| 50 | 30% |
| 40 | 20% |
| 30 | 10% |
| 20 | 5% |

2. **Density Increase**. The allowed bonus is an increase in the number residential units calculated as a percentage of the base maximum units permitted per Section 1202.C:

| Density Increase | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 70 | 100% |
| 60 | 80% |
| 50 | 60% |
| 40 | 40% |
| 30 | 25% |
| 20 | 10% |

3. **Increase of Lot Coverage**. The allowed bonus is the amount of additional lot coverage allowed in addition to the lot coverage permitted by the applicable Character Area; e.g. a development earning 20 bonus credits is allowed an additional 10% lot coverage.

| Increase of Lot Coverage | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 50% |
| 40 | 25% |
| 30 | 15% |
| 20 | 10% |
| 10 | 5% |

4. **Increase of Maximum Parking.** The allowed bonus is an increase calculated as a percentage of the maximum parking allowed per Section 1206.

| Increase of Maximum Parking | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 50 | 100% |
| 40 | 75% |
| 30 | 50% |
| 20 | 25% |
| 10 | 15% |
| 5 | 10% |

5. **Decrease in Minimum Parking.** The allowed bonus is a decrease calculated as a percentage of the minimum parking required per Section 1206.

| Decrease of | |
|---|---|
| **Minimum Credits Required** | **Allowed Bonus** |
| 25 | 100% |
| 20 | 75% |
| 15 | 50% |
| 10 | 25% |
| 5 | 10% |

C. **Sustainability Bonus Credit Matrix.**

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 1. Provide a vertical mixed-use development which incorporates commercial suites at the ground level intended for patronage by the general public, and not associated with the operation of the overall development. Each suite shall have a primary entrance from the Frontage/Streetscape zone. | 25% of gross ground area of building | 5 |
| | 50% + of gross ground floor area of building | 10 |
| 2. Provide pedestrian amenities within the Frontage Zone (or Streetscape Zone if approved through a Technical Appeal and Street Transportation) such as: lit bollards, waste receptacles (recycling and trash), clocks, way finding signs, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. (Must be in addition to any required amenities.) | 3 Different Types of Amenities | 5 |
| | 6+ Different Types of Amenities | 10 |
| 3. Provide outdoor dining within the Frontage Zone. Also applies to outdoor dining provided within a Forecourt or a Gallery/Arcade, but only if the minimum sidewalk width required by the Character Area is maintained. | Minimum 400 sf | 5 |
| | 800+ sf | 10 |
| 4. Provide additional bicycle amenities (beyond any required), as follows in 4a and 4b: | | |
| 4a. For any use type, provide additional amenities such as a secured bicycle parking room; bicycle lockers, tire air-up facilities, and/or bicycle maintenance area or room. | Secured parking room for minimum 50% required bicycle parking | 5 |
| | Bicycle lockers for minimum 50% required bicycle parking | 5 |
| | Tire air-up facility or bicycle maintenance area/room | 3 (each) |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 4b. For non-residential uses, provide showers and/or personal lockers within changing rooms for use by the building's tenants. | Shower | 4 (each); maximum 20 points |
| | Personal lockers in changing room | 3 points for each 5 lockers, maximum 15 points |
| 5. Provide a public art installation within or on the building abutting a Frontage Zone. | Art installation (as approved by PDD) | 5 points per installation |
| 6. Provide on-site permeable paving, structured soil/grass, open grid paving or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The areas provided may include on-site pedestrian walkways, private driveways/aisles and parking stalls, but shall not include loading areas or hardscape located within public ROW. | minimum 250 sf area | 2 |
| | >250 sf to 500sf area | 4 |
| | >500 sf to 1000 sf area | 8 |
| | >1000 sf area | 15 |
| 7. Utilize non-potable gray water and/or rainwater to supplement required landscape irrigation water. | Either gray water or rainwater harvesting system provided | 3 |
| | Both systems provided (may be combined) | 6 |
| 8. Outperform the currently adopted energy code standard by the following percentages, measured by the percent (%) over required energy code standard. | 5%—9% | 5 |
| | 10%—14% | 10 |
| | 15%+ | 15 |
| 9. Provide on-site renewable energy for the entire building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. Based on the load of the service and the percent of load being provided by a renewable source. | | 1 point for each % of building energy usage being provided |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| 10. Provide a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. Measured by percent (%) of power purchased to meet the energy demand for the building. | 10%—35% | 5 |
| | 35%+ | 10 |
| 11. Provide a minimum 8 foot wide public sidewalk for the length of the property frontage (applicable only when the required minimum width is less than 8 feet). | | 5 per street frontage |
| 12. Provide two separate rows of shade trees along the public sidewalk, planted along each side of the public sidewalk. | Second row trees matching Streetscape minimum requirements | 10 per street frontage |
| 13. Provide a minimum 30-year historic preservation conservation easement for the original footprint of a building on a property designated HP or HP-L, as approved by the Historic Preservation Officer. | Easement provided on a property located within Downtown | 20 |
| | Easement provided on a property located within same Character Area as development | 10 (in addition to the base 20 points) |
| 14. Rehabilitate a structure (including building stabilization) on a property zoned HP or HP-L located within Downtown, as approved by the Historic Preservation Officer. | | 30 |
| 15. Provide open space at the ground level on private property (minimum 500 sf and not less than 10 feet wide any direction), as follows: | Provide at least 5% of the gross site area. | 5 |
| | Provide at least 10% of the gross site area. | 10 |

| CREDIT DESCRIPTION AND QUALIFIERS | OPTIONS | POSSIBLE CREDITS |
|---|---|---|
| | Dedicate a public access easement over the full open space area used to qualify for bonus | 10 additional |
| 16. Provide affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department. | 10%—24% | 10 |
| | 25%—49% | 15 |
| | 50%+ | 20 |
| 17. Provide solar panels on the roof of the building(s), as follows: | At least 25% of the total roof area, up to 50% | 5 |
| | More than 50% up to 75% of the total roof area | 10 |
| | More than 75% of the total roof area | 15 |
| 18. Provide electric vehicle charging spaces with installed electric vehicle charging stations (maximum 30 points total). | For use by building owners or tenants only | 2 per EVC space |
| | For use by building visitors and/or general public | 4 per EVC space |
| 19. Provide below grade and/or lower level parking areas only.<br>(not applicable if no parking provided).<br><br>**not including required ADA spaces* | No parking provided above the ground floor level | 10 |
| | All parking* provided below finished grade | 20 |
| 20. Provide shade for a minimum of 50% of all occupiable roof areas. | | 5 |

**Section 1224. Appeals.**

**A. Design Alternative Appeals.** A Design Alternative appeal is a requested deviation from development regulations indicated with (R*), or an appeal of a decision by the Planning and Development Department regarding compliance with a presumption (P). Approval of a Design Alternative appeal shall result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area, as approved by the DRC, as follows:

1. A Design Alternative appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of development regulations as part of a Design Alternative appeal.

3. The DRC may impose conditions or stipulations with an approval of a Design Alternative appeal.

4. When considering a proposed Design Alternative for the required frontage type/design, the DRC is authorized to provide relief from other related Zoning Ordinance standards and regulations indicated with (P), (R*), and (R), but not items indicated with (T). **"RELATED" IN THIS CONTEXT MEANS THAT RELIEF FROM AN ITEM INDICATED BY (P), (R*), OR (R) IS NECESSARY TO APPROVE THE PROPOSED DESIGN ALTERNATIVE.**

5. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. For properties with a Historic Preservation (HP) designation, a Certificate of Appropriateness or Certificate of No Effect must be obtained in advance of filing the appeal and a copy submitted with the appeal application;

    b. A listing of each of the development regulations that are the subject of the proposed Design Alternative, including all additional items indicated with (P), (R*) and (R) which also require relief to attain the proposed Design Alternative;

    c. A narrative statement describing the justification for the Design Alternative and the manner in which the proposed Design Alternative would result in a furtherance of the goals and policies of the applicable Character Area, and would satisfy the findings required for approval;

    d. Site plan;

    e. Building elevations;

    f. Context plan (per Section 507.E);

    g. Landscaping and shading plan;

    h. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor's Office; and

    i. Such other information as may be required by the Planning and Development Director or the DRC.

6. In order to approve a Design Alternative appeal, the DRC must make findings as follows:

    a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

    b. That the project demonstrates design excellence by addressing at least two of the following:

        (1) Design innovation and the imaginative use of space, forms, and materials.

        (2) Permeability and connectivity which enables people to move within, around and through the project with ease.

        (3) That the design alternative would improve safety and security by introducing human activity to the public realm with active building frontages onto streets and other public spaces, and enable "eyes on the street."

        (4) The design alternative will incorporate materials and design which enhance thermal comfort.

**B. Sustainability Bonus Appeals.** An applicant may ~~file a request for the Design Review Committee to~~ appeal a decision of the Planning and Development Department regarding Sustainability Bonus credits, as outlined in Section 1223~~.~~**, TO THE DESIGN REVIEW COMMITTEE, AS FOLLOWS:**

1. A Sustainability Bonus appeal shall be reviewed and acted upon by the Design Review Committee (DRC) in accordance with the procedural requirements of Section 507.G.

2. The DRC may approve substitute methods of meeting the intent of specific bonus credits as part of a Sustainability Bonus appeal.

3. The DRC may impose conditions or stipulations with an approval of a Sustainability Bonus appeal.

4. Each Design Alternative appeal application shall include, at a minimum, the following:

    a. A listing of the credits that are being utilized and any supporting documentation (to be sealed by a licensed professional);

    b. Site plan;

    c. Building elevations;

    d. Context plan (per Section 507.E);

    e. A narrative statement describing any deviation from the prescribed bonus credit(s) that indicates how the proposed standard is furthering the goals and policies of the Downtown Phoenix Plan and making a quantifiable improvement in the performance of the building(s);

    f. List of property owners located within 150 feet of the subject property as supplied by the Maricopa County Assessor’s Office;

g. Such other information as may be required by the Planning and Development Director or DRC.

5. In order to approve a Sustainability Bonus Appeal, the DRC must make findings as follows:

   a. That the project is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. That the project is improving the overall performance of the building(s) through generally accepted building and design standards and innovation; and

   c. That the increased entitlements are consistent with the improved performance of the building(s).

**C. Variances/Zoning Adjustment.** A variance is a requested deviation from a development regulation designated as a requirement, or (R), and shall comply with the provisions of Section 307.A.9, in addition to the following:

1. Any variance/zoning adjustment request within Downtown must be formally reviewed by the Design Review Committee prior to processing of the variance request**, UNLESS THE REQUEST IS NOT DESIGN-RELATED, AS DETERMINED BY THE DESIGN ADVISOR, OR IS REGARDING A SIGN REGULATION.** The formal review shall be through the same public hearing process as indicated in Section 1224.B, except that the Design Review Committee shall, instead of making findings and a decision, provide a written recommendation to the Zoning Administrator regarding the variance request. The written recommendation shall, at a minimum, address the following items:

   a. Whether the request is consistent with the intent, goals, and polices stated for the applicable Character Area; and

   b. Whether the request is consistent with the intended Streetscape design and shade requirements for the applicable Streetscape and Frontage Zones.

2. The applicant shall provide a written narrative for the DRC to review and address as part of its written recommendation regarding the variance request. The narrative shall, at a minimum, include the following items:

   a. How much relief has, or could be obtained through application of a Sustainability Bonus;

   b. A written explanation why a Sustainability Bonus cannot be applied or obtain the relief desired by the variance request; and

   c. A written explanation of how the development and the variance request is consistent with the intent, goals, and polices stated for the applicable Character Area.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
November 7, 2024

| | |
|---|---|
| ITEM NO: 4 | |
| | DISTRICT NO.: Citywide |
| SUBJECT: | |
| | |
| Application #: | Z-TA-2-24-Y |
| Proposal: | Amend the following sections of the Phoenix Zoning Ordinance, as follows:<br><br>1. Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms;<br>2. Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) to comply with HB 2720;<br>3. Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to comply with HB 2720;<br>4. Section 605 (Residential Estate RE-43 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;<br>5. Section 606 (Residential Estate RE-24 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;<br>6. Section 607 (Residential R1-14 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage;<br>7. Section 608 (Residential Districts) to comply with HB 2720;<br>8. Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage;<br>9. Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720;<br>10. Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and<br>11. Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720. |
| Applicant: | City of Phoenix, Planning Commission |
| Representative: | City of Phoenix, Planning and Development Department |

**ACTIONS:**

Staff Recommendation: Approval, as shown in the proposed text in Exhibit A.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion:

Commissioner Boyd engaged in dialogue with Christopher DePerro about three points of concern. Commissioner Boyd desired that the word “common wall” be replaced with “shared wall” within the modifications to the definition of “Accessory Dwelling Unit, Attached” in Chapter 2. He expressed concern regarding the design integration requirements within Section 706 for attached Accessory Dwelling Units. Lastly, Commissioner Boyd stated that he believed the Use Permit requirement to place an ADU between the main dwelling unit and right-of-way was unnecessary.

There was discussion amongst the commissioners regarding Commissioner Boyd's recommendations and most agreed on the first item related to the definition, but not the other items.

Commissioner Jaramillo made a MOTION to approve Z-TA-2-24-Y, per the staff recommendation, with a modification to amend Chapter 2, Section 202, to strike "common wall" and replace it with "shared wall" in the definition of "Accessory Dwelling Unit, Attached".

Commissioner Matthews seconded.

Commissioner Boyd made a MOTION for a substitute motion to amend the prior motion to include an additional modification to strike Section 706.A.5.

The substitute motion died for lack of a second.

Motion details: Commissioner Jaramillo made a MOTION to approve Z-TA-2-24-Y, per the staff recommendation, with a modification to amend Chapter 2, Section 202, to strike "common wall" and replace it with "shared wall" in the definition of "Accessory Dwelling Unit, Attached".

Maker: Jaramillo
Second: Matthews
Vote: 9-0
Absent: None
Opposition Present: No

Findings: The proposed amendment to the Zoning Ordinance will bring the City into compliance with the requirements of HB 2720.

Proposed Language:

**Amend Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms.**

***

*Accessory Dwelling Unit (ADU):* A dwelling unit, as defined in this section, subordinate to the primary dwelling unit and situated on the same lot ~~and used for a residential accessory use~~. ADUs, where permitted, do not count towards calculations of gross density.

*ACCESSORY DWELLING UNIT, ATTACHED:* AN ADU WHICH IS CONSTRUCTED HAVING A ~~**COMMON**~~ **SHARED** WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

*ACCESSORY DWELLING UNIT, DETACHED:* AN ADU WHICH IS CONSTRUCTED WITH NO CONNECTION TO THE PRIMARY DWELLING UNIT, EXCEPT AS MAY BE EXPLICITLY PERMITTED WITHIN THE ZONING ORDINANCE. A DETACHED ADU MAY INCLUDE AN INTEGRATED GARAGE, CARPORT, OR PORCH. TWO ADUS ATTACHED TO EACH OTHER, BUT NOT TO THE PRIMARY DWELLING UNIT, SHALL EACH BE CONSIDERED AS A DETACHED ADU.

***

*Multi-Family/Multiple-Family:* A lot or parcel where two or more dwelling units are provided, not including ~~a~~ permitted accessory dwelling unitS.

***

**Amend Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) to read as follows:**

**Section 603. Suburban S-1 District—Ranch or Farm Residence.**

***

A. **Permitted Uses.**

1. Dwelling Units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS, and

   c. For each additional 10 acres provided above the minimum lot size, one additional accessory dwelling unit for use by on-site laborers may be provided.

   d. IN ADDITION TO THE ABOVE, ONE ADDITIONAL ACCESSORY DWELLING UNIT (ADU) MAY BE PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING.

***

B. **Yard, Height and Area Requirements.**

1. Each lot shall have a net area of not less than one acre.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

**Amend Chapter 6, Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to read as follows:**

**Section 604. Suburban S-2 District—Ranch or Farm Commercial**

***

B. **Yard, height and area requirements.**

1. Each lot shall have a net area of not less than three acres.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

a. The minimum front setback is 40 feet.

b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

**Amend Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence) to read as follows:**

**Section 605. Residential Estate RE-43 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned RE-43 prior to September 13, 1981.

The RE-43, One-Family Residence DISTRICT, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 43,560 square feet, and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. Dwelling units. Each lot may have the following:

a. One primary dwelling unit.

b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

~~c. The time limit allowed in Section 605.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 605.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 605.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

~~e. For the purposes of Sections 605.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

~~(1) One trailer per subdivision;~~

~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

~~(4) Subject to all provisions listed in Section 605.C.1.~~

~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.

(2) The model home complexes shall be within four hundred feet of an arterial or collector street.

(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.

(4) Off-street parking and circulation shall be dustproofed.

(5) Lighting shall be limited to security lighting of the model home complex.

If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

1. There shall be a lot area of not less than 43,560 square feet. No lot shall hereafter be subdivided to provide less than 43,560 square feet of lot area, nor to have a width of less than 165 feet, nor to have a lot depth of less than 175 feet.

2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established [front yards, then the minimum front yard shall be that established] by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than fifty feet in depth nor to permit a front yard of less than forty feet in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than forty feet.

   In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follow an approved plot plan of the tract development and providing the front yards of all lots be not less than forty feet.

3. There shall be two side yards each having a width of thirty feet.

4. There shall be a rear yard having a depth of not less than forty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley where only a one-half or partial alley exists.

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 43,560 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 165 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 175 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 40 FEET.

   b. THE MINIMUM SIDE SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM REAR SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 20 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of Section 701.a.3.a (1)(b), are not permitted.

***

**Amend Chapter 6, Section 606 (Residential Estate RE-24 District—One-Family Residence) to read as follows:**

**Section 606. Residential Estate RE-24 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned RE-24 prior to September 13, 1981.

The RE-24, One Family Residence District, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 24,000 square feet and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. *Dwelling Units.* Each lot may have the following:

   a. One primary dwelling unit.

b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

~~c. The time limit allowed in Section 606.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 606.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 606.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

~~e. For the purposes of Sections 606.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

~~(1) One trailer per subdivision;~~

(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);

(3) Signs shall not exceed six square feet;

(4) Subject to all provisions listed in Section 606.A.1.

g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:

(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.

(2) The model home complexes shall be within four hundred feet of an arterial or collector street.

(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.

(4) Off-street parking and circulation shall be dustproofed.

(5) Lighting shall be limited to security lighting of the model home complex.

If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

1. There shall be a lot area of not less than 24,000 square feet. No lot shall hereafter be subdivided to provide less than 24,000 thousand square feet of lot area nor to have a width of less than 130 feet nor a lot depth of less than 120 feet.

~~2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.~~

~~3. There shall be two side yards which shall have the following minimum widths:~~

~~a. Fifteen feet on the street side of a corner lot.~~

~~b. Ten feet on an interior side yard.~~

~~4. There shall be a rear yard having a depth of not less than thirty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley or from what would be the centerline of a full sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 24,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 130 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. *SETBACK REQUIREMENTS:*

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

**Amend Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence) to read as follows:**

**Section 607. Residential R1-14 District—One-Family Residence.**

The provisions of this section shall apply only to land zoned R1-14 prior to September 13, 1981.

The R1-14, One-Family ~~Resident~~ RESIDENCE District, is a district of single-family homes designed to maintain, protect, and preserve a character of development on lots with minimum area of 14,000 square feet and with not more than one dwelling unit and customary accessory building upon one lot. Dwelling groups shall also be allowed in the districts on certain lots of excessive size, then developed consistent with the character of adjacent residential uses in the district.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 14,000 square feet. No lot shall hereafter be subdivided to provide less than 14,000 thousand square feet of lot area nor to have a width of less than 110 feet nor a lot depth of less than 120 feet.~~

~~2. Front yard requirements shall be the same as for RE-24.~~

~~3. Side yard requirements shall be the same as for RE-24.~~

~~4. Rear yard requirements shall be the same as for RE-24.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 14,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 110 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

**Amend Chapter 6, Section 608 (Residential Districts) to read as follows:**

**Section 608. Residential Districts.**

***

E. **Land Use Conditions.**

1. **Single-Family Detached Dwelling Unit.** Each single-family lot is permitted one single-family detached primary dwelling unit and no additional dwelling units, unless otherwise permitted elsewhere in this section.

2. **Accessory Dwelling Unit (ADU).**

a. ~~Each single-family detached lot is permitted one accessory dwelling unit in addition to the primary dwelling unit, except that lots having a duplex or triplex may not have an ADU.~~
WHEN A LOT HAS NO MORE THAN ONE SINGLE-FAMILY DETACHED PRIMARY DWELLING, TWO ADUS ARE PERMITTED IN ADDITION TO THE PRIMARY DWELLING UNIT. A THIRD ADU MAY BE PERMITTED WHEN AT LEAST ONE OF THE ADUS QUALIFIES AS AFFORDABLE HOUSING, AND THE NET LOT SIZE IS A MINIMUM 43,560 SQUARE FEET. HOWEVER, LOTS HAVING A DUPLEX OR TRIPLEX, SINGLE-FAMILY ATTACHED UNITS, OR ANY MULTI-FAMILY DWELLING UNITS ARE NOT PERMITTED ANY ADUS.

b. An ADU is subject to the development regulations of Section 706.A.

***

**Amend Chapter 6, Section 609 (RE-35 Single-Family Residence District) to read as follows:**

**Section 609. RE-35 Single-Family Residence District**

***

**TABLE 609.A**
**RE-35 Development Options**

| ***Standards*** | ***(a) Subdivision*** | ***(b) Average Lot*** | ***(c) Planned Residential Development*** |
|---|---|---|---|
| *** | *** | *** | *** |
| Lot coverage | 25%, except if all structures are less than 20' and 1 story in height then a maximum of ~~30~~ 40% lot coverage is allowed. | 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40% | 30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40% |
| *** | *** | *** | *** |

***

**Amend Chapter 7, Section 701.A.3 (Projections) to read as follows:**

***

A. **Lots.**

***

3. **Projections.**

a. The following provisions apply to development in Sections 604 through 607 and Section 619 and in the subdivision option of Sections 609 through 618:

***

(2) Closed Projections.

***

(d) The main building (which may include an attached ADU) may project into the required rear OR SIDE yard, SUBJECT TO THE FOLLOWING: ~~when no portion of the projection exceeds 15 feet in height; the projection is no closer to the rear property line than three feet, and the projection is no closer to a side property line than allowed by the district; unless a use permit is obtained in accordance with the provisions of Section 307.~~

(i) THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN FIVE FEET;

(ii) THE PROJECTION IS NO CLOSER TO A REAR PROPERTY LINE THAN THREE FEET; AND

(iii) THE PROJECTION DOES NOT EXCEED 15 FEET IN HEIGHT, UNLESS GREATER HEIGHT IS PERMITTED BY OBTAINING A USE PERMIT PER SECTION 307.

***

**Amend Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to read as follows:**

***

B. 2. Landscaping and open space areas shall be provided as follows at the time of initial development and shall be maintained in a living condition on any lot subject to residential district standards with ~~four~~ FIVE or more dwelling units.

***

**Amend Chapter 7, Section 706 (Accessory Uses and Structures) to revise language regarding Accessory Dwelling Units, as follows:**

**Section 706. Accessory Uses and Structures.**

A. **Accessory Dwelling Units (ADU)**

1. ~~In zoning districts where accessory dwelling units are a permitted use, one ADU is permitted per lot when a single-family detached primary dwelling unit is also provided, unless otherwise permitted by the zoning district.~~ THIS SECTION APPLIES TO ACCESSORY DWELLING UNITS WHEN A LOT HAVING NO MORE THAN ONE SINGLE-FAMILY DWELLING UNIT IS PERMITTED ONE OR MORE ADUS PER THE UNDERLYING ZONING DISTRICT.

2. ~~An ADU is not permitted on a lot with a single-family attached dwelling unit, a duplex, triplex, or multifamily dwelling units, unless otherwise permitted by the zoning district.~~ AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, SUBJECT TO THE FOLLOWING:

   a. A MAXIMUM OF ONE ATTACHED ADU MAY BE PROVIDED PER LOT.

   b. A MAXIMUM OF ONE DETACHED ADU MAY BE CONNECTED TO THE PRIMARY DWELLING UNIT BY A PORCH, DECK, COVERED PATIO, CARPORT, BREEZEWAY, OR SIMILAR.

3. ~~An~~ ADUS ~~may be either attached to or detached from the primary dwelling unit,~~ ARE subject to the following design guidelines:

   a. An attached ADU shall be integrated into the design of the primary dwelling unit so that it appears to be part of one single family home, rather than a duplex. This guideline does not prohibit the provision of separate entry features. (P)

   b. A detached ADU, when visible from adjacent streets, ~~shall be constructed with similar and/or complementary materials, design, and color(s) as the primary dwelling unit,~~ SHOULD HAVE A RESIDENTIAL APPEARANCE IN NATURE AND DESIGN, or as may be approved by Historic Preservation for HP zoned or designated properties. (P)

   *Rationale*: ADUs are intended be subordinate to the primary single-family home and should visually appear as such. ~~An ADU which looks like a second duplex unit, or a second detached primary dwelling unit, does not meet this intent.~~ MATERIALS MORE COMMONLY ASSOCIATED WITH COMMERCIAL STRUCTURES SHOULD BE AVOIDED. HOWEVER, THESE DESIGN GUIDELINES DO NOT REQUIRE THAT AN ADU MATCHES THE EXTERIOR DESIGN, ROOF PITCH, OR FINISHING MATERIALS OF THE PRIMARY DWELLING UNIT.

4. A detached ADU ~~may be located within the required rear yard,~~ IS subject to the following:

   a. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR OR SIDE YARD(S), AND/OR WITHIN A REQUIRED ON-LOT PERIMETER SETBACK WHICH IS NOT ALSO THE FRONT YARD.

   ~~a.~~ b. Setbacks.

      (1) Minimum ~~ten~~ FIVE feet from a street side property line.

(2) Minimum three feet from an interior SIDE OR REAR property line.

(3) No setback is required adjacent to a fully dedicated alley.

(4) FRONT SETBACKS APPLY AS STATED FOR THE ZONING DISTRICT.

~~b.~~ c. PERMITTED Height. ~~Maximum 15 feet unless use permit approval for a greater height is obtained per Section 307.~~

(1) WHEN LOCATED WITHIN THE REQUIRED REAR OR SIDE YARDS: MAXIMUM 15 FEET, UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.

(2) WHEN NOT LOCATED WITHIN ANY REQUIRED YARD: THE SAME HEIGHT AS PERMITTED FOR THE PRIMARY DWELLING UNIT.

~~5. A detached ADU not located within the required rear yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.~~

~~6.~~ 5. WHEN IN COMPLIANCE WITH THE MINIMUM REQUIRED FRONT SETBACK, ~~A~~a detached ADU may not be located between the primary dwelling unit and the front property line unless use permit approval is obtained per Section 307.

~~7.~~ 6. An attached ADU shall comply with same height regulations and setbacks (including permitted projections per Section 701.A.3) required for the primary dwelling unit~~.~~

~~8.~~ 7. AnY ADU shall comply with the lot coverage requirements applicable to the property.

~~9.~~ 8. AnY ADU shall not have a gross floor area which exceeds 75% of the gross floor area of the primary dwelling unit, and:

a. For lots up to 10,000 square feet in net area: 1,000 square feet.

b. For lots over 10,000 square feet in net area: the lesser of 3,000 square feet or 10% of the net lot area.

For the purposes of these calculations, any garage, ATTACHED SHADE STRUCTURE, or attached carport constructed as part of a detached ADU shall NOT count toward the gross floor area of the ADU. ~~Any attached shade structures shall count towards lot coverage, but not gross floor area.~~

~~10. Notwithstanding any other provision, using the ADU for an activity requiring a permit under Chapter 10, Article XVI of the City Code is prohibited.~~

B. **Single-Family Residential Accessory Structures.** The following regulations apply to accessory structures which are not accessory dwelling units, and located on lots having only single-family residential uses:

1. Accessory structures are not permitted within the required front yard. Accessory structures located behind the required front setback but between the primary dwelling unit and the front property line are not permitted unless use permit approval is obtained per Section 307.

2. SETBACKS.

a. MINIMUM THREE FEET FROM A SIDE OR REAR PROPERTY LINE.

b. NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY, UNLESS NEEDED FOR REQUIRED VEHICULAR MANUEVERING.

~~2.~~ 3. Permitted Heights.

a. WHEN LOCATED WITHIN A REQUIRED REAR OR SIDE YARD, A ~~M~~maximum height of eight feet IS PERMITTED when located ~~within ten~~ LESS THAN FIVE feet ~~of~~ FROM a street side property line, AND A MAXIMUM HEIGHT OF ~~or~~ 15 feet IS PERMITTED when located FIVE FEET OR MORE FROM A STREET SIDE PROPERTY LINE ~~elsewhere within the required rear or side yard~~.

b. Heights in excess of 15 feet, when ~~not~~ located ~~within ten~~ FIVE feet ~~of~~ OR MORE FROM a street side property line, may be approved through a use permit obtained per Section 307.

c. An accessory structure not located within the required rear or side yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~3. Setbacks. Accessory structures shall maintain a minimum setback of three feet adjacent to a rear or side property line, except that no setback is required adjacent to a fully dedicated alley.~~

***

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

# ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
October 10, 2024

| | |
|---|---|
| ITEM NO: 2 | |
| | DISTRICT NOS.: 4, 7, and 8 |
| SUBJECT: | |
| | |
| Application #: | Z-TA-5-22-4-7-8 |
| Proposal: | Amend the following sections of the Phoenix Zoning Ordinance, as follows:<br>1. Revise and clarify provisions in Chapters 2, 3, 5, 6, and 7 regarding definitions; variance and Design Review appeal processes, and to address how other sections interact with Chapter 12(Downtown Code): Section 201 (Rules of Construction), Section 202 (Definitions), Section 307.A (Authority and duties of the Zoning Administrator), Section 507 (Development Review Approval), Section 669 (Arts, Culture, and Small Business Overlay District), Section 702 (Off-Street Parking and Loading), and Section 703 (Landscaping, Fences and Walls).<br>2. Add a new Section 312 to Chapter 3 to create the Technical Appeals Committee.<br>3. Repeal and replace Chapter 12 (Downtown Code) with revised and clarified text. |
| Applicant: | City of Phoenix, Planning Commission |
| Representative: | City of Phoenix, Planning and Development Department |

**ACTIONS:**

Staff Recommendation: Approval, as shown in the proposed text in Exhibits A and B of the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:
**Encanto** 8/5/2024 Information only.
**Central City** 8/12/2024 Information only.
**Encanto** 9/9/2024 Approval, per the staff recommendation. Vote: 9-1.
**Central City** 9/9/2024 Approval, per the staff recommendation. Vote: 12-0.

Planning Commission Recommendation: Continued to the November 7, 2024 Planning Commission Hearing, without fee.

Motion Discussion:

Commissioner Boyd made a MOTION to approve Z-TA-5-22-4-7-8, per the staff recommendation in the Addendum A Staff Report.

Commissioner Gorraiz seconded the motion.

Commissioner Boyd made a MOTION to amend the motion to include the deletion and replacement of page 41, the Land Use Matrix, regarding drive-throughs to not be permitted in the Commercial Corridor and McDowell Corridor.

Commissioned Hu seconded the motion.

Chairman Gaynor initiated a roll-call vote.

The motion failed with a vote of 2-5 (Boyd, Hu) (Busching and James absent).

There was discussion about the legality of updating land uses due to possible Proposition 207 diminution in property value claims and that the intent of the text amendment was not to update uses, so there was a legal advertising issue.

Commissioner Matthews made a MOTION to continue Z-TA-5-22-4-7-8 to the November 7, 2024 Planning Commission hearing and to have an executive session on the item.

Commissioner Jaramillo seconded the motion.

Chairman Gaynor initiated a roll-call vote.

The motion passed with a vote of 4-3 (Gorraiz, Read, Gaynor) (Busching and James absent).

Motion details: Commissioner Matthews made a MOTION to continue Z-TA-5-22-4-7-8 to the November 7, 2024 Planning Commission Hearing, and to have an executive session on the item.

Maker: Matthews
Second: Jaramillo
Vote: 4-3 (Gorraiz, Read, Gaynor)
Absent: Busching, James
Opposition Present: No

Findings: The application was continued to the November 7, 2024 Planning Commission Hearing to allow for an executive session on the item.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 76

## Public Hearing and Resolution Adoption - General Plan Amendment GPA-DSTV-2-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Resolution 22266) - District 2

Request to hold a public hearing on a General Plan Amendment to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 20.52 acres from Residential 2 to 5 dwelling units per acre to Commercial. This is a companion case to GPA-DSTV-3-23-2 and Z-39-23-2, and must be heard prior to GPA-DSTV-3-23-2 and Z-39-23-2.

## Summary

Application: GPA-DSTV-2-23-2
Current Designation: Residential 2 to 5 dwelling units per acre
Proposed Designation: Commercial
Acreage: 20.52
Proposed Use: Commercial use

Owner: Arizona State Land Department
Applicant: Ryan Ash, Vestar
Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval.
VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.
VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial, by a vote of 9-1.
PC Action: The Planning Commission heard this item on January 4, 2024, and continued to item to a date uncertain and remanded the item back to the Village Planning Committee for reconsideration, by a vote of 7-0.
VPC Action: The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, by a vote of 9-2.
PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee recommendation, by a vote of 8-1.

## Location
Southwest corner of Black Mountain Boulevard and Deer Valley Drive
Council District: 2
Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

## 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 RESOLUTION**

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-DSTV-2-23-2, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-DSTV-2-23-2. The 20.52 acres located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive is designated as Commercial.

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

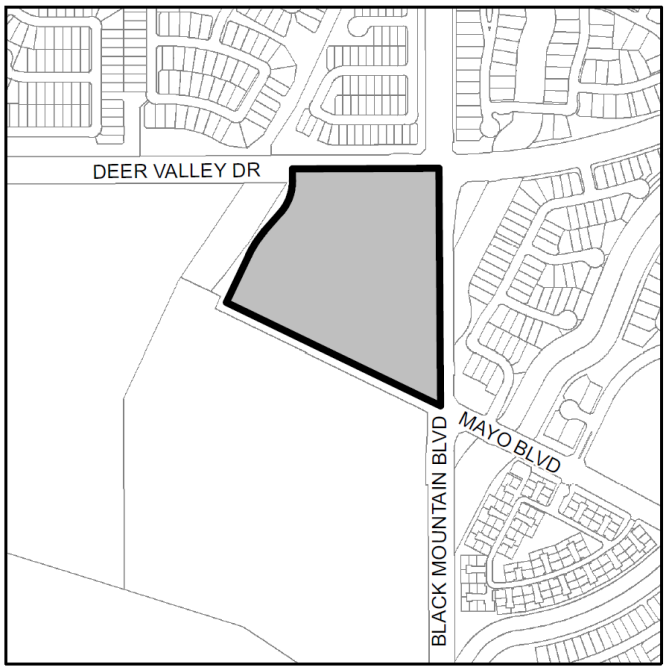
DRAFT

**PROPOSED CHANGE:**

Commercial ( 20.52 +/- Acres)

Proposed Change Area

Commercial




PASSED by the Council of the City of Phoenix this 4th day of December 2024.

_____

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

DRAFT

**ATTACHMENT B**

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

# GENERAL PLAN AMENDMENT
# STAFF ANALYSIS
September 26, 2023

| | |
|---|---|
| Application: | GPA-DSTV-2-23-2 |
| Owner: | Arizona State Land Department |
| Applicant: | Ryan Ash, Vestar |
| Representative: | Stephen Anderson, Gammage & Burnham |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| Acreage: | 20.52 acres |
| Current Plan Designation: | Residential 2 to 5 dwelling units per acre (20.52 acres) |
| Requested Plan Designation: | Commercial (20.52 acres) |
| Reason for Requested Change: | A minor General Plan Amendment for commercial use. |
| Desert View Village Planning Committee Meeting Date: | October 3, 2023 |
| Staff Recommendation: | Approval |

**FINDINGS:**

1) The proposed General Plan Land Use Map designation of Commercial would allow retail and service uses that would contribute to a mix of land uses in the surrounding area, providing services to nearby residential neighborhoods.

2) The companion rezoning case, Z-39-23-2, proposes a commercial shopping center, which, as stipulated, enhances the surrounding area with features promoting pedestrian safety, facilitating alternative transportation, and providing pedestrianized amenity spaces for the community.

3) The subject site is appropriate for commercial uses with adequate street access to two arterial streets.

## BACKGROUND

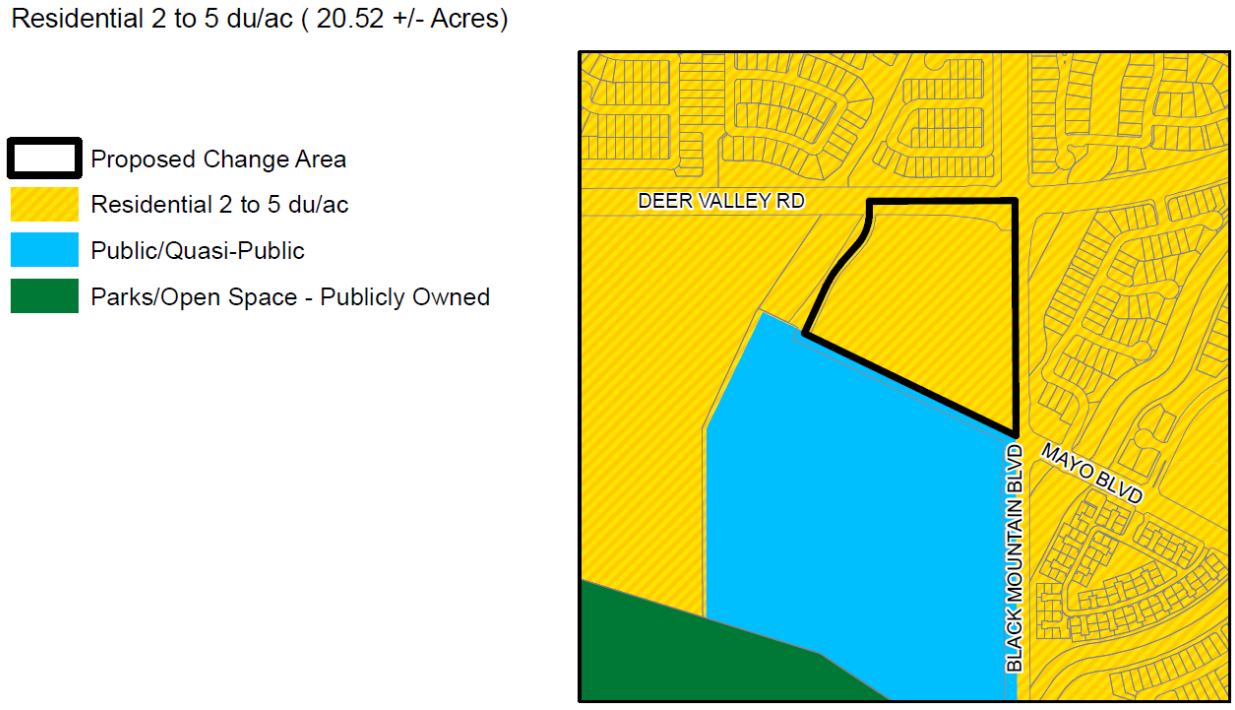
The subject site is 20.52 acres of undeveloped land, located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive. There are two companion cases with this case. Companion case GPA-DSTV-3-23-2 is an amendment to the Desert Ridge Specific Plan to create a commercial parcel, allowing C-2 zoning, coterminous with the subject site. Companion case Z-39-23-2 is a rezoning request from S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) to C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan).

The General Plan Land Use Map currently designates the subject site as Residential 2 to 5 dwelling units per acre. The applicant proposes to change the designation to Commercial. This change, along with the companion cases, will facilitate the development of a new commercial shopping center.

## SURROUNDING LAND USES

North, east, and west of the subject site is land designated Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map with single-family residential housing developed to the north and east. The land to the west is undeveloped.

South of the subject site is Pinnacle High School, which is designated as Public/Quasi-Public on the General Plan Land Use Map.




*Existing General Plan Land Use Map designation, Source: Planning and Development Department*

## RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

### *CONNECT PEOPLE AND PLACES*

- ***CORES, CENTERS, & CORRIDORS; DESIGN PRINCIPLE: Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.***

  The proposal, as stipulated in the companion rezoning case, Z-39-23-2, will provide a commercial center with a pedestrian plaza, shaded walkways, enhanced features for pedestrian safety, bicycle parking, and a safe crossing to the adjacent school.

### *CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS*

- **DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.**

  The proposal will contribute to a mix of land uses by providing retail and services closer to surrounding residential neighborhoods.

- **CONNECTED NEIGHBORHOODS; LAND USE PRINCIPLE: Locate neighborhood retail to be easily accessible to neighborhoods.**

  The proposal will enhance accessibility to retail uses by locating retail closer to neighborhoods and as stipulated in companion rezoning case Z-39-23-2, providing pedestrian and bicycle amenities that promote non-vehicular transportation.

### *BUILD THE SUSTAINABLE DESERT CITY*

- ***TREES AND SHADE: DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

  The proposed development, as stipulated in companion rezoning case Z-39-23-2, provides shaded detached sidewalks on all bounding streets and enhanced shade to pedestrian areas and surface parking areas on site, which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

## COMMUNITY INPUT SUMMARY

At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

## CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-DSTV-2-23-2. The proposed land use map designation allows for development that provides additional retail and commercial service options for the surrounding community and locates uses appropriately at the intersection of two arterial streets. The companion rezoning case, Z-39-23-2, as stipulated, will provide connectivity with the surrounding area.

**Writer**
Anthony Grande
September 26, 2023

**Team Leader**
Racelle Escolar

**Exhibits**
Sketch Maps (2 pages)
Community Correspondence (600 Pages)

# GENERAL PLAN AMENDMENT

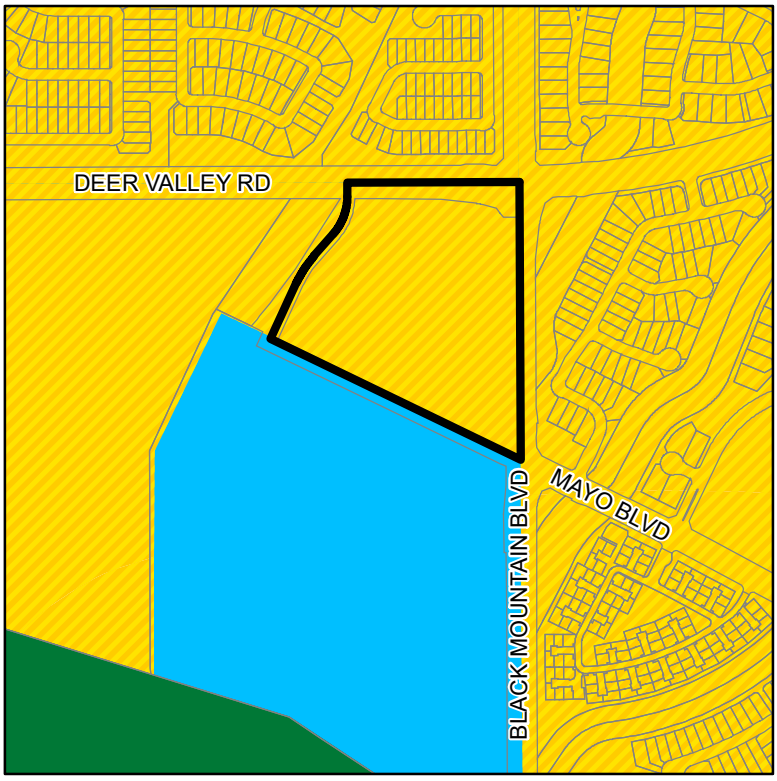
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

| | | |
|---|---|---|
| APPLICATION NO: GPA-DSTV-2-23-2 | ACRES: 20.52 +/- | REVISION DATE: |
| VILLAGE: Desert View | COUNCIL DISTRICT: 2 | |
| APPLICANT: Ryan Ash | | |

**EXISTING:**

Residential 2 to 5 du/ac ( 20.52 +/- Acres)

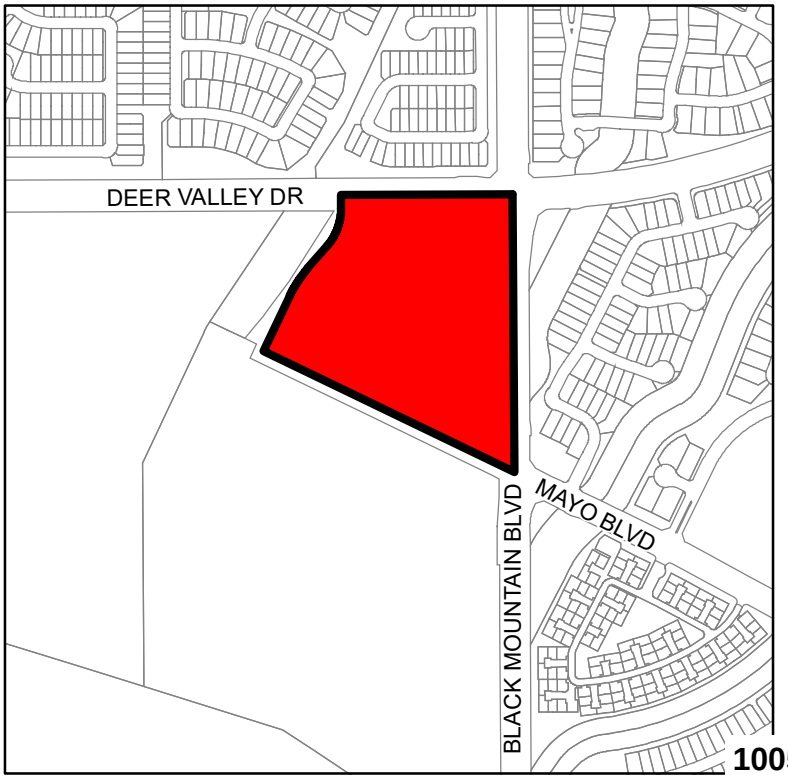
Proposed Change Area
Residential 2 to 5 du/ac
Public/Quasi-Public
Parks/Open Space - Publicly Owned




**PROPOSED CHANGE:**

Commercial ( 20.52 +/- Acres)

Proposed Change Area
Commercial



# GENERAL PLAN AMENDMENT

CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

| | | |
|---|---|---|
| APPLICATION NO: GPA-DSTV-2-23-2 | ACRES: 20.52 +/- | REVISION DATE: |
| VILLAGE: Desert View | COUNCIL DISTRICT: 2 | |
| APPLICANT: Ryan Ash | | |

**EXISTING:**

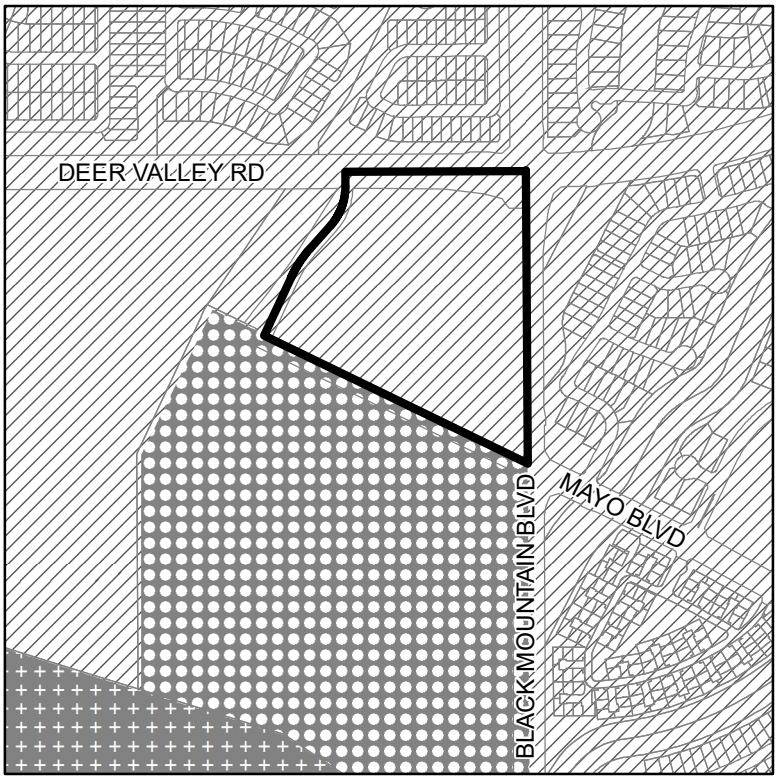
Residential 2 to 5 du/ac ( 20.52 +/- Acres)

Proposed Change Area

Residential 2 to 5 du/acre

Public/Quasi-Public

Parks/Open Space - Publicly Owned




**PROPOSED CHANGE:**

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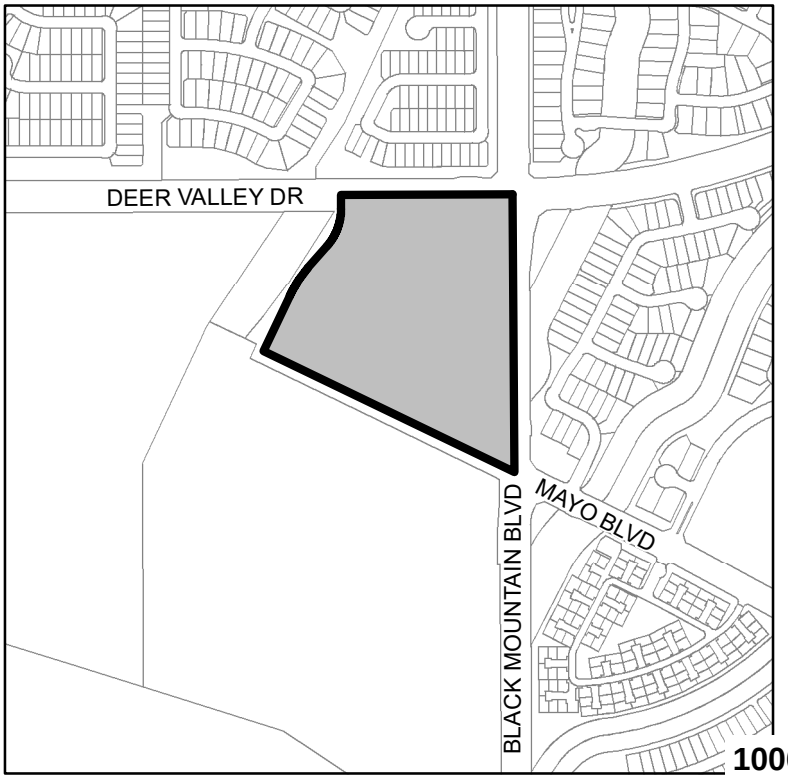
Commercial



**From:** Scott Clark
**To:** Anthony M Grande
**Subject:** Case GPA-DSTV-2-23-2/DSTV-3-23-2, Z-39-23
**Date:** Saturday, July 29, 2023 11:20:21 AM

---

Dear Mr Grande,
I am a resident of Aviano neighborhood and live 1 block from Deer Valley Drive and Black Mountain Blvd. I wanted to send an email that my family is opposed to rezoning the land use from residential to commercial, GPA-DSTV-2-23-2.

The reason that I am opposed is that the proposed site is next to Pinnacle High School and during the times of before and after school the area becomes very crowded with families driving their kids to school, children walking and biking to school.

Having a commercial shopping center next to the school is going to create an unsafe environment for the children walking and biking to school. There is a significant amount of vehicle congestion from drop off/pickup that makes that area very congested. Adding a commercial shopping area will make the area even more congested and unsafe. I have 4 children that may go to Pinnacle High School and think the current zoning as residential is appropriate for the area next to a high school.

Thanks

Scott Clark
Resident of 3610 E Donald Dr
602-363-7729 (Cell)

**From:** Nathan Friedland
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Superblock 12
**Date:** Wednesday, August 2, 2023 10:52:40 AM

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Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard. As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected and I appreciate our community's need for additional businesses like a grocery store and restaurants. However, I would like to bring to your attention some concerns that I have and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly bringing to our community more noise with drivers revving their engines and peeling out of the new center. This will be especially realized should a gas station be approved and built. A gas station, if approved on this parcel, must be restricted in their hours of operation with it being closed over night. In all candidness. a gas station is not really needed as there are a number of stations near by on Cave Creek and on Tatum - all within 2 to 3 miles from this area.

2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the night time that will disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

*Nathan Friedland*
North 34th Way - Sky Crossing
Phoenix, Az 85050

**From:** Rachel McLean
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Wednesday, August 2, 2023 3:18:23 PM

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Hello Mr. Grande,

I am writing to you in regards to the Black Mountain Village Project (GPA-DSTV-2-23-2). I understand that you are the City Planner for this project and would like to share my opinion. I live in the Sky Crossing neighborhood directly across Deer Valley Rd from the proposed project. While I am in favor of commercial development on this parcel, I must urge you to only allow for businesses that will not degrade our neighborhood. For example, most neighbors are opposed to a gas station. This is an unnecessary addition as there are multiple gas stations on both Tatum and Cave Creek Rd. A gas station would bring unwanted loitering and excessive noise and traffic to this residential neighborhood.

Another issue I have is with a large grocery store (ie Frys, Albertsons, etc). Again, this being an entirely residential neighborhood it would detract from our community to have a large grocery store. I do however support a smaller grocery store with less traffic such as a Sprouts or Trader Joe's.

Both the grocery store and a gas station would create a large amount of light pollution. I would like to see building plans that involves less lighting, more landscaping and a more cohesive ambiance with the desert and the natural surroundings.

This leads me to my last point that our homes in Sky Crossing are typically selling around $1M. To me, this would indicate a higher scale neighborhood. I would appreciate if the commercial businesses fit in with the demographic of the area, similar to business parks in Scottsdale. A gas station and large grocery store would be unwelcome and an eye sore whereas a smaller neighborhood grocery store and smaller, tasteful restaurants and shops would be a welcome addition.

Please consider these points and I look forward to attending the next meeting to hear the latest development.

Rachel McLean
Sky Crossing Resident

*Laurie D. Smith*
*3749 E Covey Ln*
*Phoenix, AZ 85050*
*602-826-3181*

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23

August 2, 2023

To whom it may concern:

Thank you for notifying me of Vestar's application. I did attend the Desert View Planning Committee Meeting last night and after hearing Vestar's presentation and comments/questions from committee members and residents, I wish to express my strong opposition to this rezoning request.

A change to the City's General Plan, and particularly a change from residential to commercial, is a major change in general and to our Desert Ridge master planned community in particular. I was struck by the very close proximity to Pinnacle High School and surrounding residential communities.

The following concerns were expressed by residents during Public Comments and are shared by me:

- Traffic in that area continues to be a major challenge, especially during drop off and pick up times at the high school. It is frankly unsafe, yet the city and the school have been unable to find solutions. A shopping center of any size will, of course, generate additional traffic.
- On Vestar's conceptual site plan three driveways are shown on Mayo Blvd, which directly adjoins the school. Pedestrian and motor traffic safety on that shared street will be real concerns. Oddly, there are fewer points of ingress/egress shown on the major roads of Black Mountain Blvd and Deer Valley.
- Drive-through fast food restaurants/coffee shops present additional concerns for lines and traffic like those seen at Starbucks on Tatum Blvd.
- Residential homes will be impacted by light and noise pollution homeowners could not have anticipated when they purchased their homes under the current General Plan.

Some homeowners paid a premium for view fences that would look right over the natural open area into the shopping center. Their quality of life and their property values will be negatively impacted.

- A gas station generated the strongest opposition, adding gas fumes to the negative impacts.
- Tanker tracks and semi-trucks making deliveries to a grocery store, restaurants and gas station will generate noise in the nighttime and early morning.
- The Arizona Republic reported, "The application also claims the development would provide options for Pinnacle High School students before and after school, and during lunch, which could reduce their car trips." I would disagree that student hangouts close to a high school would be of benefit to anyone.

I appreciated the thoughtful questions and comments from Planning Committee members last night as well as this opportunity to express my opposition. I will plan to attend the next Village Planning Committee Meeting.

Sincerely,

Laurie D. Smith

Laurie D. Smith

**From:** Richard Starr
**To:** Anthony M Grande; PDD Desert View VPC
**Subject:** planned commercial/retail center at SWC Black Mtn Pkwy & Deer Valley
**Date:** Wednesday, August 2, 2023 3:50:16 PM

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Hello Anthony and Desert View VPC,

I am a nearby resident (Fireside) of this proposed project. My main concern here is Pinnacle HS parking. The high schoolers often park in the adjacent residential neighborhoods as Pinnacle's lot are simply not large enough for its growing population. The AZ State Land Department, Paradise Valley School District and any potential bidder/buyer of this ASLD property should work together (now) to facilitate the purchase of additional 3-5 acres for more Pinnacle High School parking north of Mayo Blvd. The school parking could be on west side of future retail center. Otherwise, students and visitors for sporting events will simply park in the new commercial center, upsetting retail tenants and customers alike.

Thank you.

Richard "R.T." Starr
(623) 521-5668
rtstarraz@hotmail.com

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Construction possibilities Deer Valley and Black Mountain
**Date:** Wednesday, August 2, 2023 7:24:45 PM

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As Sky Crossing homeowners, we wanted to express our objection to the potential of large commercial development at this corner. When school is in session the traffic is awful. It's going to be exceptionally worse if there is a commercial structure at that corner. Moreover, I have no idea how the owner will police the students parking there. It's going to bring more traffic, crime, congestion and so on. This is not the kind of thing we want to see in our area. It's very likely to negatively impact home values as well.

Thanks so much for noting our objection.

Tracy and Ronee Steiner

**From:** Sabrina Sundquist
**To:** Anthony M Grande
**Date:** Wednesday, August 2, 2023 11:45:07 AM

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Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard.

As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected, and I appreciate our community's need for additional businesses like a grocery store and restaurants.

However, I would like to bring to your attention some concerns that I have, and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly. Please do not allow a gas station on this corner, it is not a major arterial intersection. There are plenty of gas stations in both directions of this corner and those are both busier streets and can accommodate the need.
2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the nighttime, this will greatly disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns, and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

Sabrina Sundquist

3506 E. Daley Lane

| | |
|---|---|
| **From:** | nav bajwa |
| **To:** | Anthony M Grande |
| **Subject:** | REZONING OF THE LAND AT BLACK MOUNTAIN AND DEER VALLEY |
| **Date:** | Friday, August 4, 2023 7:38:56 AM |

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To Mr. Grande,

My name is Nav Bajwa. I am a resident of Aviano. As a concerned citizen, I am writing this email to urge and appeal that you reconsider keeping the area zoned for residental purposes only. The infrastructure in that area is not built to handle a shopping complex, with all the increased traffic from the Pinnacle high school as well.

Thanks,
Nav.

**From:** Julie Gibson
**To:** Anthony M Grande
**Subject:** Oppose the development Black Man Deer Valley
**Date:** Friday, August 4, 2023 7:55:25 AM

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Hi Anthony,

First I want to thank you for what you do. I worked ever so briefly in planning in Portland, OR. I know it's a tough and under appreciated role in development. So I do not like sending an email with a negative tone, but on this one I must.

Regarding the development at Black Mountain Blvd and Deer Valley I have 2 major concerns:

1. The additional traffic to an already clogged area - especially with high schoolers in the area. It increases frustration and potential for life treating accidents. (Teen brains in the mornings aren't really the the sharpest in the intersection).

2. How can we guarantee that this doesn't end up a strip mall of vape stores and liquor stores? Again the last thing that should be placed near a high school. Our kids have so much on their plate already in terms of the availability of addictive substances. Why make this any harder for them?

I do hope the City will take in consideration the development's proximity to a high school and the challenges it poses with the teens that will no doubt surround the area before and after school.

I will do my best to be at the next meeting in October.

Warm regards,
Julie

Julie Gibson
julsgc@me.com
480-352-8612

**From:** Gordon Smith
**To:** Anthony M Grande
**Subject:** Development at the corner of Deer Valley and Black Mountain Blvd
**Date:** Friday, August 4, 2023 2:17:59 PM

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I live close by and strenuously object to developing this land for commercial use. This would place a commercial lot right in the middle of neighborhoods and a school. I happen to live in the closest adjoining neighborhood (Fireside - Copper View) and my property values will be negatively impacted by this decision. My quality of life will be negatively impacted by this decision.

From a practical perspective, this is a dangerous place to build a development of that nature. We already suffer from high school kids parking and clogging our streets in the adjoining neighborhood. At best, this would shift that burden to this new development. Having entitled parents with their bad parking/waiting habits combined with parking lots full of high school teens disobeying parking regulations and the increased pedestrian traffic there is a recipe for disaster. I sure hope they have amazing insurance - they'll need it.

This will create light and noise pollution, add more traffic to an already congested area and degrade my property values. If anything, this state land should be used for an expansion of the school itself to allow for more high school parking and activities of the existing population attending that school.

We have gas stations nearby already. We have grocery stores nearby already. We have fast food nearby already. We do not need this development.

Sincerely,

Gordon Smith
3608 E Salter Dr
Phoenix AZ 85050

**From:** Christian Klein
**To:** Anthony M Grande
**Subject:** Case: GPA-DSTV-2-23-2
**Date:** Friday, August 4, 2023 12:42:04 PM

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Dear Anthony Grande,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime which when coupled with declining property values would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Christian Klein

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Additional information on potential project at Deer Valley and Black Mountain
**Date:** Friday, August 4, 2023 7:33:48 AM

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I urge you or someone from your office to come by between 7 am and 7:30 and see what the traffic is like. It's unbearable. I literally have to change my work schedule by leaving either before 7 or after 7:30. Any commercial addition to that corner is going to make things exponentially worse, create more accidents or worse. Kids are walking across the street and not at the intersection because there is gridlock and they think that they can just do that.

The Steiners

Jeffrey Smith
3749 E Covey Ln
Phoenix, AZ 85050
August 7, 2023

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case Number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23

Dear City of Phoenix Planning and Development Department:

I recently became aware, through your notification, of Vestar's application to have the above referenced parcel rezoned from residential to commercial. After attending the Desert View Planning Committee meeting on August 1st and listening to Vestar's presentation I wish to register my strong opposition to this rezoning change.

The property in question sits directly north of Pinnacle High School and butts up against two short stretches of major roads that lead in and out of the adjacent neighborhoods. These two roads are (and have been for 10+ years) choked with traffic to the point of gridlock twice a day with the start and end of the school session. Adding a commercial development with multiple businesses and around 500 parking spaces would simply add to the congestion already present. The current traffic situation has led to numerous accidents and unsafe practices and is unacceptable. To add to it would be irrational.

Additionally, Vestar made the claim that the businesses brought in would offer the high school students options before, during, and after school. I submit that such options to allow students to "hang out" are not beneficial to our community.

Lastly, to change from residential to commercial after the fact is also unacceptable. As homeowners, we bought in a master planned community because of the master plan and its planned land use. Changing the land use from the master plan violates the conditions under which we made our decisions and has the potential to materially impact our home values in a negative way.

For these reasons and others that were expressed at the Planning Committee meeting, I urge the Department to oppose these requests for rezoning.

Sincerely,



Jeffrey Smith

**From:** Layla
**To:** Anthony M Grande
**Subject:** Case#GPA-DSTV-2-23-2/ Desert Ridge Community
**Date:** Tuesday, August 8, 2023 10:25:52 AM

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Mr. Grande,

My husband and I, and our children, have lived in the Desert Ridge Community since 2010. What attracted us to this area was the quiet, beauty of the desert, and the many, many young families that live here. Our children attend all the neighborhood schools including Pinnacle High School.

We feel strongly that changing this residential land site to commercial would be detrimental to our community. The increased traffic would be catastrophic to the neighborhood environment. It is already difficult to get my children to school, this would increase substantially. We have studied the developers plans for this land and we are deeply troubled. Our neighborhood will be forever changed with drive-thrus and a gas station. Huge semi trucks will now be delivering gas and food to our quiet community. We cannot allow this to happen! We do not need another gas station or grocery store here. We can drive less than a mile to obtain that. Why destroy a neighborhood/community all for money.

We are pleading with you to put a stop to this! If you have any further questions, please let us know.

Thank you,

Darrin and Layla Saikley
602-329-4432

**From:** Wendy
**To:** Anthony M Grande
**Subject:** Rezoning for Commercial of Corner Black Mountain & Deer valley
**Date:** Tuesday, August 8, 2023 10:00:00 AM

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Hi Mr. Grande,

This email is too put in our objection for the rezoning to make commercial the corner of Black Mountain Blvd and Deer Valley.

The traffic in that area is already very busy with the school and subdivisions. As is there is usually backups. This is a residential neighborhood with lots of families and kids. We do not need to bring additional traffic or buildings that don't belong in the middle of a residential area. There is enough stuff very close by. We did not buy in the area to have that type of stuff right in the middle of our neighborhoods.

I highly object to this and would not approve it!

Thank you,
Wendy

**From:** Helen"s Cox Email
**To:** Anthony M Grande
**Subject:** Application No. GPA-DSTV-2-23-2
**Date:** Thursday, August 10, 2023 10:42:07 AM

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Hello Mr. Grande,

We are homeowners of (2) homes in Desert Ridge and we STRONGLY OPPOSE the proposed commercial tract along Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

Please make a note of our position.

Thank you,
Helana and Timothy Doyle

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:20:48 AM

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**Name**

Peter Feldman

**Email**

peterjfeldman@gmail.com

**Address / Neighborhood (Optional)**

Fireside at Desert Ridge

**Support Comments**

This development is a terrible idea. Traffic in right lane of Deer Valley is already backed up for a half mile at drop off and pick up at high school. Black Mtn is impassible with the kids crossing the street and cars parked along the sides of the roads. Some kid is going to get hit by a shopper leaving that center and everyone associated with the development is getting sued.

This is literally the worst possible use for the property.

**From:** Sue
**To:** Anthony M Grande
**Subject:** Zone change of the Southwest Corner of Deer Valley Drive and Black Mountain Boulevard
**Date:** Thursday, August 10, 2023 11:23:32 AM

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Dear Mr. Grande,

I am against the zone change from residential to commercial.
There are many, many reasons why I am opposed to this zone change (lights, noise, traffic , etc.).
I live in the Sky Crossing community.
I attended the August 1st meeting, but nothing favorable was convincing.

Sincerely,
Suzanne Corlett Sayegh
21827 North 33rd Street
Phoenix, Arizona 85050

Sent from my iPhone

| | |
|---|---|
| **From:** | Rusty Ludwig |
| **To:** | Anthony M Grande |
| **Subject:** | Proposed Development on Black Mountain and Deer Valley |
| **Date:** | Saturday, August 12, 2023 12:30:18 PM |

Hi Anthony,
We have lived in Aviano for the past 17 years, when we purchased our home, in the general plan this was zoned residential. We have no problem driving to the commercial areas already developed for that type of businesses. From the sounds of the development it's catered to capture the local high school, the area is already congested in that area. Please forward this response to the City Staff responsible for the decision to change the zoning, please leave it residential.
Thank You,
Rusty Ludwig
--
Rusty Ludwig
RJL Excavating, Inc.
602-920-8003
rjlexc@gmail.com

**From:** cmotjen
**To:** Anthony M Grande
**Subject:** Deer Valley & Black Mountian
**Date:** Sunday, August 13, 2023 9:51:17 AM

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Hi Anthony,

If possible, I hope you can restructure the thought of making Deer Valley and Black Mountain a commercial property. Our kids have to walk by this intersection everyday on their way to school. We moved into a neighborhood to have a neighborhood, not a city.
If commercial is the only option, please look at other corporations. The locations built by Vestar are tacky and unappealing, sprawling at best. We need something sophisticated and classy. We/You are beyond fortunate Sky Crossing Elementary, Fireside Elementary and Pinnacle High School are some of the BEST schools in the PV school district.
Please don't let us down in making a rash decision,
Christina Otjen

Sent from my iPhone

**From:** Helen's Cox
**To:** Anthony M Grande
**Subject:** Application # GPA-DSTV-2-23-2
**Date:** Monday, August 14, 2023 11:05:23 AM

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Hello Anthony,

I understand that the city would like a more detailed explanation as to why we are strongly against rezoning this tract for commercial building.

My husband and I have lived in Desert Ridge since 2004. Phoenix does not have many areas where the beauty and quiet of the desert is so prominent. However, the Desert Ridge community is one of the beautiful, quiet and family friendly neighborhoods in Phoenix. In fact when we outgrew our home and decided to buy another one we chose to remain in Phoenix in the Desert Ridge area because we love it so much.

All of our children have and do attend the neighborhood schools. The Desert Ridge area has always been a safe and quiet neighborhood. Building a commercial plot right next to Pinnacle High School would be outrageous. It would cause a dangerous amount of traffic, crime and be very disturbing to the school and surrounding neighborhoods. Desert Ridge Marketplace is less than 1 mile away.

We understand there is a proposed gas station in the plans. This is extremely short sighted. There is a gas station less than a mile away. The future is electric. In the next few years gas cars will become obsolete. Gas stations are so toxic, it is incredibly hard to convert the land when it will no longer be needed. This begs the question, is the development being funded by a gas company?

It appears that the city is being motivated by money and not seeing how this will impact a beautiful neighborhood.

Currently, the neighborhoods in Desert Ridge are very much like you'd see in the city of Scottsdale. The Desert Ridge area is highly sought after in the City of Phoenix and gives the City of Scottsdale a "run for its money". This proposed tract is obviously money motivated with no regards as to the impact it will have on Pinnacle High School and the surrounding neighborhoods and ultimately the City of Phoenix.

The City of Phoenix is already filled with unsightly commercial plots next to neighborhoods and schools which downgrades those areas immensely.

Keep the Desert Ridge neighborhood as one of the few in the City of Phoenix that is peaceful, beautiful and safe.

Be the future and preserve this neighborhood for generations to come. Please Do Not build commercial on this land. Be better and do what's right for the city.

Thank you,
Timothy and Helana Doyle
602-432-9504

**From:** Ginger Kurtz
**To:** Anthony M Grande
**Subject:** new development in desert ridge phx az
**Date:** Wednesday, August 16, 2023 12:09:48 PM

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I am a resident of Desert Ridge. We have been in Desert Ridge since the beginning March 1995. We have seen the growth . We feel blessed everything is within walking or a short drive . We have gas stations, grocery storel and plenty of restaurants and some fast food. If you dont like Desert Ridge for shopping you have a short drive to Bell Road off Tatum for morel choices or go to cave creek off of Deer Valley. We dont need to bring more traffic and more traffic and chaos to this neighborhood. We oppose the new development off Deer Valley BLack mountain.

Thank you Ginger Kurtz, Kristina Koontz

**From:** V H
**To:** Anthony M Grande
**Subject:** Parcel at Black Mtn and Deer Valley
**Date:** Thursday, August 17, 2023 2:47:26 PM

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Hi Mr. Grande,

I want to express my opposition to the proposed rezoning of the parcel on the Southwest corner of Black Mountain and Deer Valley. It is being proposed that the land be rezoned from residential to commercial. This is a terrible idea for many reasons. I am a full time resident in Sky Crossing and below are just a few potential issues that will be created by commercial zoning.

Violence, as experienced at Desert Ridge shopping area
Increased noise
Predators/sex trafficking
Light pollution
Increased burnouts - burnouts are currently in every intersection in the area
Increased traffic in an already crowded area
Safety - speeding is rampant in the area and there was a death on Deer Valley last year
High school pedestrian safety
High school drop off and pick up is already severely congested
Increased wear and tear on roads from commercial vehicles
Increased commercial vehicles - brakes, horns, noise

There is zero need for a gas station, grocery store, or any other commercial property on this land. Those services are already conveniently located 2-3 miles in either direction.

Please don't make a decision to rezone the parcel. The future cannot be undone when issues arise. It's not always about money. Sometimes - in this case for instance - it's about keeping a neighborhood a neighborhood with residential properties as initially zoned. Home owners in Sky Crossing were sold on the idea of residential and not commercial across the street. No commercial zoning nearby was a huge selling point for property owners. Don't go back on this commitment.

Please don't rezone the parcel at Black Mountain and Deer Valley north of Pinnacle High School. Be proactive and put residents first.

Thank you for your time.

Vicki

**From:** Wendy Piermarini
**To:** Anthony M Grande
**Subject:** Do Not Change Residential Lot into Commercial
**Date:** Friday, August 18, 2023 9:05:36 AM

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Anthony,
We built in Desert Ridge back in 1997 and studied the Master Plan. It **DID NOT** include commercial inside the Desert Ridge Community. It is the worst idea to change the residential property into commercial. It will only bring crime, homelessness and more congestion to an already very congested area. Trying to navigate around Pinnacle High School is already ridiculous and any changes to the navigating that problem has not helped. . This was never the plan and it should not be a new plan in order to profit a few. Keep our area beautiful!!!!

**From:** wroodenburg@cox.net
**To:** Anthony M Grande; David Urbinato
**Cc:** Laura Farrell; Council District 2 PCC; Sarah Stockham; bgeorge@pvschools.net; nwilcox@pvschools.net; PDD Desert View VPC
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero
**Date:** Friday, August 18, 2023 4:00:29 PM
**Attachments:** image003.png
image005.png
image006.png

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Thanks everyone for your input.

What strikes me in general is that it seems a very reactive process to "wait and see" who comes up with a plan for the vacant land.

There is :

1. already a master plan for Desert Ridge,
2. the land is owned by the Arizona State Land Department, beneficiaries include the k-12 schools,
3. there is a Vision Zero plan and budget to reduce casualties,
4. there is a federal program regarding infrastructure.

On top of that,

1. the school was build in 2000 during a time when Fireside/Aviano/SkyCrossing/DesertRidge marketplace were not even there yet.
2. The school was build in 2000 whilst the freeways like 101 were not build yet, etc, etc
3. During curriculum night at the Pinnacle High School, this topic was brought up and the principal re-iterated that he was 100% against the commercial proposal – this is not what came across in the meeting and I would love to see the exact wording used that night.
4. Pinnacle High school is further expanding the number of students every year and it should be able to get the infrastructure and parking capabilities for students to get to school safely.
5. Student Drivers are mixed with in with people that need to get to work in time and this creates a recipe for disaster for these drivers and the students crossing the intersection.

Adding up all these before mentioned items and elements of existing/approved budgets, would we (as a community) be wrong to assume that there is somebody at City or State level working with the school district to alleviate the pressures that now exist in this neighborhood, proactively.
We have escalated the issue, discussions and actions have taken place between the school and the city, but this year the dropoff and pickup is in exactly the same state of chaos around the school and we're all just waiting for 1 child to get run over.
This doesn't seem in line with the Vision Zero.

My main question is this;
Does the city planner and the village planning committee have the ability to – themselves - create a proposal for this vacant land, recognizing that the area has grown tremendously over the last decade and that improvements to the infrastructure, traffic patterns, school safety, etc are now needed.

Here are the benefits:

1. The biggest benefit is the fact that Pinnacle Highschool is one of the few lucky schools that has vacant land around it to still expand and address the issues.
2. Both committees are experts in State and City guidelines and laws
3. Both committees can invite other necessary parties to the table that they know are required to make a good plan and include people from the school districts and the department of education.
4. You have inside knowledge of budget and grant opportunities at State and Federal level to plan for funding
5. Vision Zero survey results are available in more detail then what the public gets to see and it should have been highlighted by the participation of the community in Aviano and Fireside.
6. State Land should benefit the school – so why not expand the footprint for this high school directly (and not selling the land for proceeds)

I'm no expert in what it is people on this email can do or not – but I would strongly urge all of you to take my points into consideration and NOT approve the vestar proposal in any shape or form, because it is NOT what the area needs and it is NOT in the best interest of student safety.
We can only decide ONCE what will happen to this piece of land and it was already decided to NOT be commercial.
We have a great community, they have engaged with surveys and shown up at meetings. We love where we live and it's mainly because of the master plan that is already in place.

If you require further input and or participation of our community and/or have any suggestions to have this proposal stopped, please let us know.
Much appreciated if this can be added to the proposal as feedback.

Kind regards,
Wouter Roodenburg
4805672716

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**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Friday, August 11, 2023 4:00 PM
**To:** David Urbinato <david.urbinato@phoenix.gov>; wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Hi all,

I want to add some information here. Vestar has filed an application to rezone the property for commercial use. The Desert View VPC heard an informational presentation on August 1 and took public comments. I know Mr. Roodenburg, you were there and provided input on the rezoning proposal. As was discussed at the meeting, the case is still under review and won't have a formal staff recommendation until it returns to the VPC in October for public hearing and recommendation. In the meantime, we are reviewing all comments received, which will be made part of the case file and included in the staff report for the case.

Please feel free to reach out with any additional questions or comments.

Thanks,
Anthony

**Anthony Grande**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

**From:** David Urbinato <david.urbinato@phoenix.gov>
**Sent:** Friday, August 11, 2023 12:37 PM
**To:** wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** FW: Pinnacle High School - Traffic flow / Vision Zero

Mr. Roodenburg, Street Transportation Department staff forwarded your question about development plans for the circled parcel below. This parcel of land is owned by the Arizona State Land Department. They submitted a request for a pre-application review (PAPP 2206799) of a site plan and potential rezoning that proposed a shopping center on the property. At this time, the owner has not submitted any additional documents beyond the pre-application stage. Please note that details of proposed plans can change somewhat as they move past the early pre-application stage.

I have copied the village planner for that area, Anthony Grande, if you have any questions about how the rezoning process would play out from here should the applicant choose to proceed.

The State Land Department sells parcels based on guidelines in state law. Whether they legally could donate the land to the school district would be a question to address directly with the Land Department. I've included a link to their home page as a place to start. Home | Arizona State Land Department (az.gov) [land.az.gov]




**David Urbinato**
Economic Development Program Manager
Ombudsman Section
Phone: 602-534-3630
City of Phoenix
► Planning & Development Department
Ombudsman Section
200 West Washington St., 3rd Floor
Phoenix, AZ 85003
pdd.ombudsman@phoenix.gov

**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, August 1, 2023 1:48 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>; bgeorge@pvschools.net; nwilcox@pvschools.net
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Following our previous conversations, it seems that Pinnacle high school and the city have worked together on a better drop off procedure for this year by changing the drop off route to be going around the school.
There also seem to have been an investment in more signs everywhere and a reduction in speed at Mayo boulevard, but it won't stop the students being dropped off on the corner of mayo from where they literally cross this junction in anyway they can (no longer following the crossings). It actually has gotten worse in the last year.

Although these previous mentioned actions are positive signs, they do not seem to address the rootcauses of the traffic issue and doesn't directly help the safety of the students, nor provide extra capacity for drop off locations.
Only the land north of the school would be able to provide this with some development.

However, residents have noticed that the city is considering an application for rezoning the land North of the school with commercial intentions. ( Black Mountain Village / Superblock 12 - Gammage & Burnham | Attorneys at LawGammage & Burnham | Attorneys at Law (gblaw.com) [gblaw.com] ). See Zoning hearings sign attached.
I have copied some board members of the PV school district and hope they are aware of this rezoning application, impacting Pinnacle high school student safety.

After the Fireside residents have tried to communicate our concerns with the safety of this area with the City and our participation in the Road Safety surveys, I find it very surprising that the City is considering to add yet more traffic to this junction where a lot of high school students are and more new student drivers are going to be this year.

Are you able to share the information you have gathered last year that prompted some of the changes with this Planning commission to take into consideration?
Would you be able to advise us about the options, procedures needed to rezone/donate this exact piece of land to be of future use for Paradise Valley School district and expansion of the highschool?

Looking forward to further information on this topic.

Kind Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Thursday, August 11, 2022 11:09 AM
**To:** Wouter <wroodenburg@cox.net>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Wouter,

I apologize for not getting back to you Monday, but I was unexpectedly out. I did leave you a voicemail yesterday afternoon, and I promised to follow up with an email today.

Staff analyzed the traffic count data and have been monitoring the two traffic signals near Pinnacle High School, especially the one at Black Mountain and Mayo boulevards, this week as school started. They determined that an adjustment to the signal at Black Mountain and Mayo was needed to allow for more green times when the signal detects an increase in vehicles. However, while the adjustment has helped some, the amount of traffic present during school pick-up and drop-off times is still causing congestion, which signal adjustment cannot remediate.

Staff also noticed some issues with the way students/pedestrians are crossing at this intersection. Therefore, staff will contact the school to work with them on safety education. Staff will also see if they can make some suggestions to the school regarding their pick-up/drop-off plans.

Unfortunately, there is no street engineering solution we can offer to solve this issue. The traffic congestion at Pinnacle High School is not unique; all high schools in the City have similar congestion issues during the peak morning and afternoon hours, which dissipate once those peak hours are over. We do have a school safety coordinator who works with schools on their pick-up and drop-off plans to minimize traffic impacts as much as possible, while also educating them on safety. However, we can only make suggestions as the City does not have the authority to force schools to change their plans. Arizona State Law exempts them from having to comply with zoning ordinance requirements as other businesses and property owners must do within the City. Schools are governed by the locally elected school district or the Department of Education at the state level.

I do understand that safety is of utmost concern to you and the other parents as it is for us, too. We will continue to provide as much assistance as we can by monitoring the signals and communicating with the school. I also urge you to contact the school board or district to solicit their assistance with your concerns.

I also want to thank you for participating in the Road Safety Action Plan Phase I survey. The results are available at phoenix.gov/streets/roadsafety. Another survey for Phase II is now open through August 31 if you'd like to take that one as well. Please keep checking the website for other community engagement opportunities and plan updates.

I do hope this information is helpful. Please feel free to call me if you have other questions or concerns.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
**laura.farrell@phoenix.gov**
Follow us on Twitter **@StreetsPHX** [twitter.com]




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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Monday, August 8, 2022 7:47 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Laura,

Hope you also had some time off this summer.
We're ready to have the kids go back to school and was wondering whether any changes will be made to the traffic light timing of the various lights.

As a community we continue to participate in the questionnaires that came out, etc but hope there is something the city is willing to do now to make the situation safer.

Kind regards
Wouter Roodenburg
480-567-2716

Sent from my iPhone

> On May 20, 2022, at 4:00 PM, Laura Farrell <laura.farrell@phoenix.gov> wrote:
>
> Hi Wouter,
>
> Thank you for your email, and I appreciate the chance to speak with you on the phone today.
>
> Just to reiterate our conversation, we are monitoring the two traffic signals near Pinnacle High School, and we are finalizing traffic counts before school is out next week. We will analyze the data to see if there are any adjustments we can make. During our monitoring, we did note the school ingress/egress pattern, so our school safety coordinator is going to review and reach out to the school to see if we can provide some assistance.
>
> I know school is out next week, but we will continue to work with the school and monitor the traffic signals especially when school is back in session in August. I've noted that one of your main concerns is with vehicles getting backed up on Mayo Blvd when turning onto Black Mountain (both turning left with the arrow going west then southbound onto Black Mountain and turning right when going east then southbound onto Black Mountain from Mayo) as they wait for students to cross. I have forwarded your concern to the traffic management center, so they can be sure to monitor this especially. I will let you know if there are any adjustments we can make.
>
> I also let you know that the results of the Road Safety Action Plan (RSAP) public survey should be published on the RSAP website at phoenix.gov/streets/roadsafety in early to mid-June. I'll make sure to keep this on my radar to update you once it's available.
>
> I do appreciate you letting us know of your safety concerns as we are dedicated to working on improving the safety of our roadways as much as possible.
>
> Please feel free to reach out to me again if you have other concerns. In the meantime, I'll make sure to provide you with updates as I have them.
>
> Have a wonderful weekend!
>
> Thank you,
> Laura Farrell
> Management Assistant II
> City of Phoenix Street Transportation Department
> 200 W. Washington St., 5th Floor
> Phoenix, AZ 85003
> (602) 495-2047
> laura.farrell@phoenix.gov
> Follow us on Twitter @StreetsPHX [twitter.com]
>
> Streets PHX
> STREET TRANSPORTATION DEPARTMENT

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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Friday, May 20, 2022 7:33 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Good morning
I wanted to follow up on the traffic light evaluation. Has it occurred yet?

There really should be some adjustments to make it safer for the kids

Will the results of the questionnaire be published ?

Much appreciate an update

Regards
Wouter

Sent from my iPhone

On Feb 17, 2022, at 7:46 AM, Laura Farrell <laura.farrell@phoenix.gov> wrote:

Good morning Mr. Roodenburg,

Thank you so much for sharing the survey with your neighbors and submitting your feedback.

I have requested the two signals be evaluated, and I'll follow up once they have been completed. Staff is also evaluating the area for any pedestrian crossing issues and looking into options.

We do appreciate your willingness to help. We can certainly let you know if there are any opportunities for neighborhood feedback. I'm copying Tricia Quiroz to be your future contact person. She is my counterpart in our Traffic Services Division, which is the division that handles traffic signals, pedestrian crossings, and school safety.

One of us will follow up with you with the results of the signal timing evaluations. Let me know if you have any other questions.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, February 15, 2022 2:47 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Thank you for the information. I will take this up with the school district as well.
I did post your survey on our community facebook page and you should see multiple submissions already from me and my neighbors.

I hope that traffic around schools gets prioritized appropriately in your plan.

Please start the process required to get the timing of traffic signals around that intersection reviewed again and adjusted accordingly.
The cross walk lights should be isolated and run separately from the cars to avoid accidents between the kids and cars making last minute turns.
The light from Mayo turning onto black mountain south - should be isolated and run longer to clear up the lines.

Again – there is a large group of parents in Fireside that wish to participate in any effort to make that area safer for our kids and ideally allow them to walk/bicycle more to school.
Let us know how we can help or who our contact is at the Transportation department.

Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Tuesday, February 15, 2022 9:02 AM
**To:** wroodenburg@cox.net
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Mr. Roodenburg,

Councilman Waring's office sent your email to the Street Transportation Department for investigation.

Thank you for contacting the City of Phoenix with your concerns. Unfortunately, the Street Transportation Department has no authority over your proposals for parking ingress/egress for the school. We also have no jurisdiction over the state land parcel. We suggest taking your proposal directly to the school district first to see if they can accommodate any of your parking proposals.

What the city can offer at this time is to review the timing of the traffics signals at Black Mountain and Mayo boulevards, and Black Mountain Boulevard and Deer Valley Road to ensure they are timed appropriately for the traffic volumes.

Regarding Vision Zero, Phoenix City Council did just recently approve adopting Vision Zero with the goal of eliminating all traffic fatalities on Phoenix roadways. We are also developing a comprehensive Road Safety Action Plan (RSAP) for the city and will be incorporating

Vision Zero goals into the RSAP. We are currently requesting public input to help shape the plan, so I highly encourage you and your neighbors to visit phoenix.gov/streets/roadsafety for information on the RSAP and to take the survey.

I do hope this information is helpful and thank you again for contacting the City of Phoenix. Please let me know if I can be of any further assistance.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 4:10 PM
**To:** Council District 2 PCC
**Subject:** Pinnacle High School - Traffic flow / Vision Zero

Dear Councilman Waring,
We are living in Fireside Community near Pinnacle High School. Every morning dropping our kids off has turned into a nightmare.
A lot of traffic is building up around this area. Lot of frustrated drivers that I have filmed going through red lights and near collisions, mixed in with student drivers trying to park their car at the school.
Currently I'm not aware of any fatalities on this highschool junction, but we would hope the city will be pro-active in this case preventing any accidents before they happen.

Please find below a request to the city with regards to the traffic situation around Pinnacle High School.
Parents are getting very concerned about the safety of our kids.
A lot has changed in this part of phoenix, with big new housing divisions going in and black mountain blvd connecting to the 51 freeway.
The way this new road was build did not consider the kind of traffic that we're dealing with currently. A bridge to cross Black mountain blvd was build 500 feet away from the junction which is causing nobody to use it.
Available State land on the corner – highlighted below in picture - is staying vacant and would be the perfect addition to repurpose for the safety of our kids and increase the parking capacity of the school.

I have seen articles regarding "Vision Zero" and new funding being available to reduce the number of accidents and fatalities in Phoenix and would very much hope that his will be a timely request to consider by the city council.

We would very much like to understand how we can work with the city to address this dangerous situation.
Much appreciate your feedback on the matter.

Kind regards,
Wouter Roodenburg
480-567-2716

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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 3:42 PM
**To:** 'patrick.presley@phoenix.gov' <patrick.presley@phoenix.gov>
**Subject:** Pinnacle High School - Traffic flow questions

I'm trying to find out who to speak with regarding the traffic situation at Pinnacle High school.
Most parents in our Fireside community are very concerned about the junction our kids have to cross and cars that are driving through that intersection.
I've got some video's from just 1 random day and captured a lot of dangerous driving through red lights and almost collisions.
A lot of traffic is going down the same roads trying to reach the school or get onto the 51 freeway causing a massive traffic jam every day.

We would very much like to know if we could work with the City to resolve these situations to increase the safety of our kids.
The plot of state land highlighted in light blue should ideally become part of the highschool to have additional parking for a fast growing highschool.
Closing the entrance from black mountain blvd, forcing students to go via Deer Valley instead.

I've included the situation and also some possible solutions to consider.
When the State land becomes part of PV district - Then you could have much needed additional parking and also incorporate a safe drop off and bridge to have them enter the school.
Traffic will then be diverted away from Mayo Blvd and Black mountain blvd

Much appreciate your feedback.




Kind regards,
Wouter Roodenburg
480-567-2716

*******

## Anthony M Grande

**From:** Chris Hanley <c3hanley@gmail.com>
**Sent:** Saturday, August 19, 2023 4:16 PM
**To:** Anthony M Grande
**Subject:** Black Mountain and Deer Valley Village

Hello Anthony,

My name is Chris Hanley and I live in the Sky Crossing community. I moved into this neighborhood in March 2020 and am the original owner of my home.

I understand there is a zoning hearing for the parcel of land on Deer Valley, West of Pinnacle High School. I also understand that a commercial developer wishes to buy the land to develop a shopping center and needs the land to be rezoned from residential to commercial.

I am opposed to this rezoning.

Sky Crossing is a new neighborhood. Many of us bought here in the last few years with the knowledge of the open land to our south being other homes, not a grocery store, gas station, and other retail. This isn't an old neighborhood where things have changed over the decades, we're less than 5 years into this.

As you know, Deer Valley is a 3 lane road in each direction. It is heavily travelled. The high school contributes to the traffic load at certain times of day. WIth Black Canyon as a feeder onto SR 51, there is high traffic already.

While I understand how that would appeal to a commercial developer, the community is highly concerned about the added traffic and congestion a shopping center would bring. In addition, the shopping center would add light pollution and added noise pollution.

As you also know, shopping centers draw in pan handling, the homeless, and additional trash. We don't need that in a family community, next to a high school and close to Sky Crossing Elementary.

Cave creek road to our West has 2 gas stations on it (north of the 101) and plenty of retail. We have an Albertsons at Tatum and Deer Valley, with a gas station, and again lots of retail at Desert Ridge. There is also a Safeway and Frys north of us at Tatum and Cave Creek. We don't need any more grocery stores and there are plenty of gas stations.

Please do not approve the rezoning. Thank you for your consideration on this matter and please reach out if you would like to discuss.

Chris Hanley
3118 E. Herrera Dr
Phoenix AZ 85050
c3hanley@gmail.com

## Anthony M Grande

**From:** Justin M <justinmeyers20@yahoo.com>
**Sent:** Sunday, August 20, 2023 9:44 AM
**To:** Anthony M Grande
**Subject:** Opposition to Vestar Development Group's Plans for Northwest Corner Deer Valley and Black Mountain

Dear Anthony Grande,

I hope this messages finds you well. I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Northwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale, the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Northwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

Sincerely,

Justin M.
(602)-481-8143

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:30:19 PM

---

**Name**

Rebecca Eldridge

**Email**

rebecca.n.eldridge@gmail.com

**Address / Neighborhood (Optional)**

Fireside Desert Ridge

**Support Comments**

I do NOT support a shopping center at this location. It's already too congested as it is at that intersection and south toward the 101. This is not a prime location for something like this right near the high school and between so many large neighborhoods. Maybe great for the businesses but terrible for neighbors!

The design of our roads and infrastructure in our area was not designed and is not currently conducive for more high traffic areas. The roads will become a nightmare - even more so (esp in black mountain) than they are now.

It's relatively quiet in our area too - aside from the chaos on Tatum in Desert Ridge. Let's not bring that chaos west a few blocks!

I will not support a shopping center at this location and aside from those reasons shared above, I have a list full of others.

If anything, make parking and traffic easier on Pinnacle students and families so they don't have to block intersections, slow traffic, or bring their traffic for pick up and drop off into neighborhood streets. If anything, that high school and its community need support for better access before, during, and after school.

I guarantee if you put a shopping center in, that parking lot will be filled with student parking M-F. Make decisions that are to the benefit of the community, not for making money hungry investors richer.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 3:51:41 PM

---

**Name**

Jennifer Francyk

**Email**

jfrancyk@me.com

**Address / Neighborhood (Optional)**

Fireside

**Support Comments**

Please do not allow a gas station on that corner. How about a public library? A park? A community center? Do we really need to put junk food outlets and hang outs so close to the high school? Property values won't be the same if this is not done properly. If anything a small grocer like sprouts or Trader Joe's might be ok. Prefer it was just housing.

JAMES W. TUFFIN
21214 N. 36th Pl
Phoenix, Arizona 85050
(516) 359-6420
james.tuffin@tuffinlaw.com
(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
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terrance.smith@fsresidential.com
**desertridgelifestyles.com**

**24/7 Customer Care Center: 855.333.5149**
Facebook | LinkedIn | YouTube

FirstService RESIDENTIAL

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** Fireside resident - regarding black mountain village
**Date:** Wednesday, August 23, 2023 9:37:38 PM

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Hello Anthony,

I am Rajesh Gadde live in fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village , I think it's going to make our safe neighborhood area into commercial area thus causing danger to kids , we don't want this at all. Please help us om this matter.

Thanks
Rajesh

**From:** Julia Levene
**To:** Anthony M Grande
**Subject:** Desert View, rezoning application
**Date:** Wednesday, August 23, 2023 4:45:07 PM

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HI Anthony:

I attended the recent board meeting regarding case GPA-DSTV-2-23-2 regarding the rezoning of the 20.5 acres located on the corner of Deer Valley and Black Mountain in the Desert Ridge area.

I currently live in the Fireside neighborhood, and was taken back by plans to change this lot from residential use to commercial use. I would like to see that land developed for residential as it was originally intended; or given to Pinnacle High School, as they need additional parking for their students.

In no way would I want a gas station or large grocery store to be located in that area. Not only would the light pollution from the gas station be bothersome, and the noise from delivery trucks at early hours, but the added traffic to the area as well! This is already a busy corner!

Please take the residents, the high school students, and the neighborhoods into consideration before changing this lot from residential to commercial.

Thank you,

Julia

Julia Levene, CMP
CEO
Go West Destinations, Inc.
DBA: APP, Association Planner Partners
3734 E. Ringtail Way
Phoenix, AZ 85050
Phone: 602 320-8323
www.associationplannerpartners.com [associationplannerpartners.com]






**From:** Andrea Remke
**To:** Anthony M Grande
**Cc:** Council District 2 PCC; Eric Molenaar
**Subject:** Proposed land development at Mayo/black mtn
**Date:** Sunday, August 27, 2023 9:29:11 AM

Mr Grande, city officials, etc,

Assuming you are the proper representatives to contact regarding this matter, I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

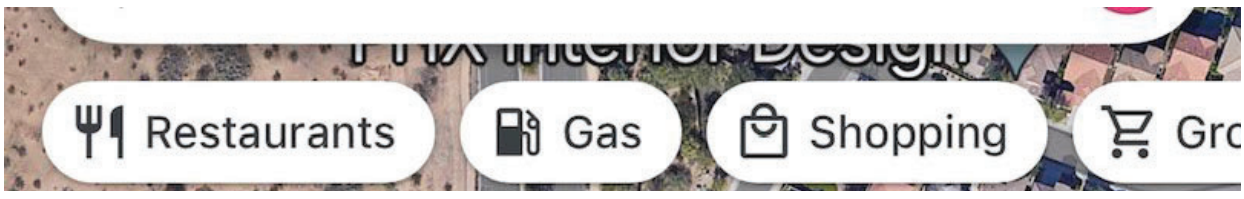
City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,
Andrea Remke,
Phoenix resident of Fireside Desert Ridge




problem intersection
Blvd
E Mayo Blvd
N 36th St
Cloud Reflexol
Black Mountain Blvd
current bridge
200 ft
50 m
Google

**From:** T R
**To:** Anthony M Grande
**Subject:** Southwest corner of Deer Valley and Black Mountain
**Date:** Monday, August 28, 2023 10:28:56 AM

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Hello Mr. Grande,

We are Desert Ridge community members. We have lived here for almost 15 years and in that time, we've seen many changes. Some are good, some not so good.
We are very concerned about the proposal to convert the property from residential to commercial at the corner of Black Mountain and Deer Valley. That corner is active all day, especially during school and sports hours. It's grown from 2 lanes into the large vein that cuts through Desert Ridge connecting Cave Creek to 56th and possibly in the future, Scottsdale Road. Added traffic and distractions could be disastrous for all drivers on the road. Traffic will become heavier (shoppers coming and going, drive-through lines, delivery trucks, etc.) creating an even more congested intersection. We would honestly love to see a traffic survey done as this is such a busy intersection and we all need to get a full idea of usage and traffic patterns.
There are 3 schools within walking distance of this area. We are very concerned about inviting strangers to the heart of our neighborhood for a quick stop. Security and issues at DR Marketplace have been escalating and we don't feel we need to invite more people into our neighborhood for some Chick-fil-A or to gas up their vehicles. We don't have the resources to handle disturbances in DR Marketplace. Why would this be any different?
We also don't believe stores and convenience markets should have the ability to sell alcohol and tobacco products that close to a high school. It will just bring issues to law enforcement that is stretched unbearably thin.
Our children are still young, but we've heard there isn't enough parking at the high school so this will just entice kids to park there and create issues with parents, the high school, and business owners. We've heard that the developer won't limit the store sizes so parking could be inadequate for the project which would add an additional level of stress for shoppers and drivers trying to find parking spots and exit or enter the center.
We feel converting this land will come with a whole host of issues that will outweigh the benefits to DR citizens. We in no way think the land developers have the community's best interest in mind. They, as many before them, build and leave. They never give a second thought to what impact they add to the communities they have worked within. Honestly, with all the new builds going up in Desert Ridge, we feel we need to proceed slower than we are to make sure the roads and area can handle all this growth. We have several big projects currently in different stages (clearing land on Deer Valley for 882 new apartments, a whole new community going in off 56th and the massive plans for City North) the added fallout including the number of new community members, additional cars on our already congested roads without an option for expansion and added pressure on the school district, etc., is yet to be seen.

Thank you for your time,
Adam and Timari Rusak

**From:** Jason Tininenko
**To:** Anthony M Grande
**Subject:** planning committee
**Date:** Monday, August 28, 2023 7:13:35 PM

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We have lived here in Aviano for 7 years. It's a great neighborhood with easy access to Fireside, Explorer, Wildfire and Pinnacle. If you allow a gas station and other stores to be built next to Pinnacle - the traffic will increase, the crime will increase, the traffic accidents will increase and our properties will devalue. Please vote against building in this area. thank you.

| | |
|---|---|
| **From:** | Brad Burnes |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Black Mountain marketplace - NO |
| **Date:** | Tuesday, August 29, 2023 5:03:20 PM |

Hello, my name is Brad Burnes, and my family and I moved to 36th St in Fireside a little over 10 years ago. I can unequivocally say the idea of a shopping center at Deer Valley and Black Mountain is an awful idea, and only a play for cash.

Have you witnessed the traffic during school dropoff and pickup? It's a disaster. Can you provide details of home values in other neighborhoods where a shopping center was allowed to be built after a re-zoning?

We moved to this area because of the vision and community aspect. If the city proceeds with this development against the majority of Desert Ridge residents, how does that value the voice of the residents?

There's plenty of land north of Pinnacle Peak. Please use common sense and do not allow this to happen.

A very concerned voter and resident,
Brad Burnes

**From:** Micheal Copeland
**To:** Council District 2 PCC; Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, August 29, 2023 9:43:47 PM

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Hi Anthony,

My name is Micheal Copeland and I'm a resident in Fireside. I would like to express my deep concern and opposition to the proposed rezoning by Vestar of the parcel located at the SW of Deer Valley and Black Mountain High.

Potential uses including gas stations and quick service retail with drive would have quite a negative impact on the neighborhood. It would also increase the risk to high school students next door given the already existing issues with traffic and parking.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

I'd also point to the City's "Vision Zero" (zero traffic casualties) plan to highlight my concerns with regards to the traffic situation and student safety around Pinnacle High School. I have not seen anything from Vestar that would ameliorate these concerns.

Furthermore, Vestar could easily develop what they want under the existing plan on pre identified commercial zones. Given the proximity to over 600,000 square feet of retail within a mile, there simply is not a need to add additional retail on this parcel.

Sincerely,

Micheal Copeland

Sent from my iPhone
Quick reminder to everyone that tonight at 6pm is the Fireside HOA meeting. The attorneys from Vestar will be doing their presentation and answer any questions you may have.

Goto zoom.com and use meeting ID: 811-9962-3685 and Passcode : 997589

I attended the Desert Ridge Community HOA meeting last week and my conclusion was that nobody in the HOA's, nor the Village Planning Committee for our area will stop this proposal.

It will take all surrounding communities to attend all the meetings and at least write their views on the proposal and submit them to our councilman ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov) ) and the City Planner ([anthony.grande@phoenix.gov](mailto:anthony.grande@phoenix.gov) ). Reference : GPA-DSTV-2-23-2

They should know that it needs their attention instead of making a quick buck by selling the land. We need to separate the school traffic from the work traffic to ease the congestion around that area and we should be adding safer drop off areas behind the school and away from Blackmountain boulevard and point out that this Highschool still has vacant land available to address the situation.

Once this is sold and a big box grocery, gas station, big trucks, etc, etc are put their instead, the community will have to live with the consequences. Everyone should also be concerned about the impact of Grocery/Gas stations on the students behavior and attendance of classes. Other folks from the community have brought up other concerns as well.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because

Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

The school will be there for a long time – so we should make an effort now to keep Desert Ridge communities desirable and family friendly.

We should put student safety before anything else whilst we still can.

Please email your views!!

Let us know your thoughts on this at the meeting or on this post.

| | |
|---|---|
| **From:** | Andy M |
| **To:** | Anthony M Grande |
| **Subject:** | Black mountain village plan - no vote |
| **Date:** | Tuesday, August 29, 2023 10:50:35 PM |

Hi Anthony,

I'm strongly against the Black Mountain Village plan and zoning changes (cases are GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

It feels like a bait and switch for our community (especially us in the cooper view sub-community on black mountain and deer valley who would feel this impact the hardest).

There is plenty of land closer to cave creek available and already designated for commercial purchase.

Thank you,
Andy Mesecher

**From:** Sara Millett
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Strongly Oppose
**Date:** Tuesday, August 29, 2023 10:11:20 AM

---

Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of an 8th grader and a 5th grader in the community.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle High School is already dangerous and adding a commercial building would surely lead to additional traffic issues and potential accidents.

Desert Ridge Marketplace and High Street already offer plenty of shopping and restaurants and we are have plenty of convenient options being so close to the freeway.

Please halt plans for the Black Mountain Village shopping center.

Thank you for your time and consideration.

Sara Millett
3845 E Cat Balue Drive
Phoenix, AZ 85050

**From:** Marisa OConnor
**To:** Anthony M Grande
**Subject:** Black mountain village - strongly oppose
**Date:** Tuesday, August 29, 2023 8:59:01 AM

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Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of a freshman at the nearby Pinnacle High School and a 5th grader at Fireside Elementary.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle high school is already horrible and adding a commercial building would surely lead to additional traffic issues and potential accidents.

There is plenty of shopping nearby with Desert Ridge Marketplace and High street.

Please help keep the children of our community safe!

Thank you for your time and consideration!

Marisa O'Connor
3905 E Half Hitch Pl
Phoenix AZ 85050

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|---|---|
| **From:** | Peter Feldman |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Reference : GPA-DSTV-2-23-2 - Proposed development at deer Valley and Black Mountain |
| **Date:** | Wednesday, August 30, 2023 10:09:02 AM |

I am a resident of Fireside and my children attend the local schools. I am writing to tell you that I am completely opposed to the rezoning of land for commercial development at the corner or Black Mountain Pkwy and Deer Valley Rd.

The proposed development will make an already difficult traffic situation dramatically worse. Student safety crossing Black Mountain is already compromised by the lack of crossing guards and / or police presence. Cars are parked on Black Mountain and Mayo Blvd at dropoff and pickup times, already blocking normal traffic flow. Eastbound traffic on Deer Valley already gets backed up for hundreds of yards on school days during pickup and dropoff times. This new development would make it significantly worse and dangerous for pedestrians.

The property in question was previously earmarked for public space, like a park. Why is that plan being dropped?

There are other plots of land nearby (Cave Creek / Pinnacle Peak) which are already approved for the type of development being proposed. There should be no changes of the use of the property at Deer Valley and Black Mtn, until that already approved plots are sold and developed.

-Peter Feldman

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| **From:** | Alexandra Hyszczak |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village / Superblock 12 |
| **Date:** | Wednesday, August 30, 2023 11:47:11 AM |

Dear Anthony,

I am writing in regards to the rezoning of the land parcel at the corner of Deer Valley Rd and Black Mountain Boulevard ("Black Mountain Village / Superblock 12"). As a resident of Sky Crossing, across Deer Valley from this parcel, my family and I, along with 1220 homeowners, will be directly impacted by this proposed development.

I would like to bring to your attention some concerns that I have relevant to this rezoning.

Traffic is already high on these two streets – at morning drop-off, cars line up from the school around the corner onto Deer Valley all the way to 32nd St. The addition of a large shopping center will greatly increase this traffic, bringing more inconvenience, noise and pollution, especially so if a gas station is built. A gas station is not something we need in this location, as there are a number of gas stations nearby on Cave Creek and on Tatum, all within 2 to 3 miles from this area.

Additionally, the proposal contains multiple access/egress points with no provision for safe crossing or pedestrian/bike safety. A proposal that has the potential to create roughly double the traffic should be required to address these impacts, especially when located across from residential areas and next to a school.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are, frankly, unproven and unsupported by the conceptual design, given the proposed rezoning contains no description of how the commercial center will cater to walking and biking.

Light Pollution is another major concern. Nobody wants to see bright lights on all night that will disrupt the tranquility of our lives and interrupt our sleep.

We chose to build our home in Sky Crossing due to its location, being *between* two retail areas (Desert Ridge and Cave Creek Rd) and not directly adjacent to those busy areas. Creating a commercial zone in this community greatly reduces the value of this location.

Thank you for your time and attention to this important matter.

Alexandra Hyszczak

3144 E Tina Dr

Phoenix 85050

| | |
|---|---|
| **From:** | Kelly Davis |
| **To:** | Anthony M Grande |
| **Cc:** | msantoro@gblaw.com |
| **Subject:** | Black Mountain Village Development GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, August 31, 2023 1:43:39 PM |

To whom it may concern,

I appreciate the opportunity to have my voice heard. I am a homeowner in Fireside and I absolutely love our neighborhood. I love it how it is. I am extremely concerned for the future of our neighborhood and the other surrounding areas if this project is allowed to commence.

I absolutely do not support this development. Desert Ridge Marketplace is bad enough with all the fights, theft, and sketchy people that it draws to the area! I refuse to allow my kids to go to Desert Ridge without an adult present, and my oldest is 16! There are too many homeless panhandlers, and unsavory people that are drawn to shopping centers. To have a development right next to the high school and elementary school than my kids attend is not what we were promised when we bought our home. My kids walk to school, that's a primary reason for buying our house. I would not feel comfortable with my kids walking to/from school if it was right next to a shopping center like Desert Ridge Marketplace, I see the type of people that shopping centers draw in. Even this one, being a more high end area brings in distasteful people.

This area is residential, and it needs to stay that way. The increased traffic alone, is a huge concern. Have you ever tried to come through the area in the morning or afternoon when kids are arriving or leaving school? I pray the day NEVER comes that an impatient or inexperienced driver strikes and kills a student, but this area is like a ticking time bomb. Too many cars on too few streets. The area cannot support more traffic. Does the bottom line only come down to money? What about our kids and their safety? We bought our home here to have a safe place for our kids to grow up…this was NOT a part of the plan for this community. The safety issue comes down to more than just cars. Do you realize how easy it is for a kid to be abducted in/around a shopping center or for kids to be lured into trying drugs or alcohol as they pass by on their way home? I am not in support of this development and I truly hope that this will not just be pushed through without the consent of the taxpayers living in the surrounding neighborhoods.

Kelly Davis
Fireside Homeowner

**From:** Zak House
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Thursday, August 31, 2023 11:57:07 AM

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Hello Anthony,
I am reaching out to voice my displeasure and to ask for your support with ensuring that Vestar/other corporations are blocked from rezoning from “residential” to “commercial” for the proposed Black Mountain Village in Desert Ridge. The *residential* zoning was absolutely a key factor when we purchased our home and would be devastating to our community if rezoning is allowed. There seems to be plenty of commercial zoning between High Street, Tatum and Cave Creek Roads.

Regards,
Zak House

**From:** Sam
**To:** Anthony M Grande
**Subject:** Black Mountain Village/Superblock 12
**Date:** Thursday, August 31, 2023 5:06:20 AM

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Sam Zytcer and Marlene Zytcer are totally against this commercial development project monstrosity. It will bring excess traffic and crime to an already over crowded area. My neighbors are also in concurrence with me.
There will be major resistance from your constituents to this commercial project as proposed. Remember, we vote.
Sincerely,
Sam Zytcer

Sent from Mail [go.microsoft.com] for Windows

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|---|---|
| **From:** | Matthew D. Chitwood |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Anne Chitwood |
| **Subject:** | land at Black Mountain and Deer Valley Road - rezone consideration |
| **Date:** | Friday, September 1, 2023 12:51:36 PM |

re: Black Mountain Village plan and zoning changes cases GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2/Z-39-23-2

Mr Grande -

Writing as a concerned resident of Desert Ridge in the Fireside neighborhood. I moved here in 2007 and have watched this neighborhood grow. Love it. Raised 3 children here, two of which are at Pinnacle High School and another starting next year.

My wife and I are quite concerned with the proposed re-zoning of the property north of Pinnacle High School at the corner of Black Mountain Blvd and Deer Valley Road. This property is smack dab in the middle of other residentially zoned homes, Thousands. There are sufficient commercially zoned properties in the Desert View Village to support future resident growth of this beautiful area... not to mention a wonderful village core in and around Desert Ridge Marketplace.

There is the issue of commercial traffic conflicting with the Pinnacle traffic which is already a safety issue. I am aware of the fact that Pinnacle High School leadership is NOT supportive of this re-zoning even though that was misrepresented by the developer at the 8/1/23 village meeting. Adding commercial traffic to this area that is not familiar with the daily high school traffic patterns (as residential traffic would be) is IRRESPONSIBLE. This issue in and of itself should be enough for the Committee to reject this re-zoning request.

On top of this are the hundreds of neighbors of mine who invested in property thinking this land would be used for future residential use.

I don't intend to hop on the NIMBY train; I just don't think this request of Vestar is in alignment with what the General Plan originally intended this land be used for and I specifically request the Committee REJECT the developer's case.

Thanks for listening -

Matt Chitwood
21625 N 39th Place Phoenix 85050

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|---|---|
| **From:** | Steven Deacon |
| **To:** | Anthony M Grande; msantoro@gblaw.com |
| **Cc:** | Metty, Cody; emolenaar@associatedasset.com; Steven Deacon |
| **Subject:** | Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 - Opposed |
| **Date:** | Friday, September 1, 2023 10:58:13 AM |
| **Attachments:** | image004.png<br>image005.png<br>image006.png<br>image007.png<br>image008.png<br>image009.png |

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Anthony,

I also live adjacent to the project at Black Mountain Village proposal. From an outsider's opinion, I can see why the idea of more commercial real estate would monetarily benefit the city of Phoenix, Vestar and their attorneys Gammage & Burnham. However, **what is heavily being overlooked is the safety of our community and our children** with the rezoning from residential to commercial.

**Safety of our children:**
Our section in the Fireside community called Copper View sits adjacent to the proposed land at the southeast corner of Black Mountain and Deer Valley. Since 2012 our section has been a cut through for the aggressive drivers both parents and children of Pinnacle High School. On my street alone (Cat Balue Dr.) there are 27 children under the age of 10 years old that walk to the elementary school and play in our neighborhood. This doesn't include the other 4 streets with 50 additional homes to consider. We have seen too many close calls where our children were almost hit by these aggressive drivers! Imagine living in a community where you do not feel safe letting your kids play out front.

Additionally, Stephen, the attorney for Gammage & Burnham, said on our Fireside community call this Tuesday that the new traffic would be "counter cyclical patterns" around school hours during the week and weekend. This means to me that not only do we have to deal with aggressive drivers from Pinnacle High School, but now we must deal with aggressive drivers all day and on the weekends! We cannot live in a community where our children are at a greater risk of being hit by a car while walking to school or playing in their neighborhood.

Secondly, I am concerned that a commercial zone would bring a bus stop right at the corner of Copper View (Black Mountain & Deer Valley). There are numerous amounts of homeless people that sleep on the bus stops at Tatum & Deer Valley. I see them at all hours of the day starting at 5am when I go to Mountainside Fitness and in the evening. We do not want to attract nor give reason for more homeless to encroach our family neighborhoods with a commercial zone. This is not only a safety concern for our families but will also impact our property values. PLEASE keep our neighborhoods (Fireside, Aviano, Sky Crossing) a family suburb of Phoenix. **I am asking as a concerned parent of 3 little kids that you help us protect our children and the safety of our community by putting a stop to this project.**

I appreciate your time and commitment to keeping Desert Ridge a GREAT, family friendly community in Phoenix.

Steve Deacon & Family

3625 E Cat Balue Dr.
Phoenix, AZ 85050

3654 E Cat Balue Dr.
Phoenix, AZ 85050

Best,

Steve Deacon, CFP®, CIMA®, *Private Wealth Advisor*
CA Insurance License #0H03830
***Five Point Wealth Advisors***
*8925 E Pima Center Pkwy, Suite 135*
*Scottsdale, AZ 85258*
***Phone: 480-948-2416***
***FAX: 480-291-8643***
**www.fivepointwealth.com** [fivepointwealth.com]

FivePoint
WEALTH ADVISORS [fivepointwealth.com]



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**2023 Forbes Best In State Wealth Advisors**, created by SHOOK Research. Presented in April 2023 based on data gathered from June 2021 to June 2022. 22,243 were considered, 7,321 advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

**2022 Forbes Top Next-Gen Wealth Advisors Best in State**, created by SHOOK Research. Presented in Aug 2022 based on data gathered from March 2021 to March 2022. 3513 Advisors were considered, 1000 Advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

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**From:** Metty, Cody <CodyMetty@rocketmortgage.com>
**Sent:** Friday, September 1, 2023 8:40 AM
**To:** anthony.grande@phoenix.gov
**Cc:** Steven Deacon <sdeacon@fivepointwealth.com>
**Subject:** RE: Black Mountain Village- Please NO commercial development

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
Triple Crown Banker
Rocket Mortgage

**T** (480) 346-0885
**C** (248) 404-7854
**F** (877) 380-8287
**NMLS# 26912**









| | |
|---|---|
| **From:** | Metty, Cody |
| **To:** | Anthony M Grande |
| **Cc:** | sdeacon@fivepointwealth.com |
| **Subject:** | RE: Black Mountain Village- Please NO commercial development |
| **Date:** | Friday, September 1, 2023 8:40:01 AM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png |

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
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Rocket Mortgage

**T** (480) 346-0885
**C** (248) 404-7854
**F** (877) 380-8287
**NMLS# 26912**




[rocketmortgage.com]




[social.pr]

| | |
|---|---|
| **From:** | Neeraj Chandak |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Cc:** | Neeraj Chandak; Emolenaar@AssociatedAsset.com |
| **Subject:** | Desert Ridge Superblock 12 rezoning |
| **Date:** | Sunday, September 3, 2023 9:57:47 AM |
| **Importance:** | High |

Hi,

I am a long-time resident of Fireside at Desert Ridge and am very concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

We moved here 10+ years back with an explicit understanding that this was a residential area, with high quality living and low crime rates. Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Connection to Hwy 51 has significantly increased vehicular traffic and noise levels at all times for the neighborhood
- It is a nightmare getting out near Pinnacle High school in the morning, traffic back up in all directions and is a nuisance to the Fireside neighborhood. I have to go around it to drop my daughter to PVHS at that same time.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

If the rezoning and the development project is approved, here is what I foresee happening :

- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby areas
- Property value will take a dip

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I would urge you to strongly oppose this change, and save the serenity and quality of the neighborhood that we all love and like so much. It would be shame to have money-grab development destroy the character of the community.

Regards,
Neeraj Chandak
623-203-9583

| | |
|---|---|
| **From:** | Kavita Chandak |
| **To:** | Council District 2 PCC; Emolenaar@AssociatedAsset.com; Anthony M Grande |
| **Cc:** | Kavita Chandak |
| **Subject:** | Desert Ridge Superblock 12 rezoning- Opposing Vestar"s Balck Mountain Village proposal |
| **Date:** | Sunday, September 3, 2023 10:36:21 AM |

Hello,

As a long-time resident of Fireside at Desert Ridge I am deeply concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

I moved here back in 2013 with my family and 2 young daughters to be part of this beautiful neighborhood with great community feel and low crime rates.
Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Increased traffic and noise level due to Connection to Hwy 51.
- Dis-respect and abusing of our neighborhood by Pinnancle High School drop off and pick up crowd. Our Neighborhood has become a parking spot for Pinnacle parent drop off and pick up making it extremely difficult for residents to walk or even take their cars out for morning and afternoon commute.
- Getting out of the copper view subdivision is at nightmare due to backed up traffic for Pinnacle High school in the morning, It back up in all directions and is a nuisance to the Fireside neighborhood. I fear for my teenage daughter's safety as she drives to her high school amidst this crazy traffic.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

This is what I dear with the rezoning and the development project is approved.

- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby area
- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Our property values will dip considerably

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I strongly oppose this change and request you to not zone this as a commercial zone to save the serenity and quality of the neighborhood that we all love and like so much. I would hate to see this beautiful neighborhood being destroyed by few folks who are looking at it for mere financial gains into their pockets.

Thanks,
Kavita Chandak

**From:** Lori Tininenko
**To:** Anthony M Grande
**Subject:** Proposed Shopping Center
**Date:** Monday, September 4, 2023 7:06:39 PM

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I am 13+ year resident of Desert Ridge and strongly oppose the proposal to build a shopping center at the corner of Black Mountain and Deer Valley. It will increase traffic tremendously at an already congested intersection, endanger kids walking in the area, increase crime, increase noise & light pollution, and serve as an overall eyesore.

PLEASE keep our residential area residential!

Lori Tininenko

Sent from my iPhone

Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

September 1, 2023

Dear Members of the Desert View Village Planning Committee,

Paradise Valley Unified School District appreciates the opportunity to provide input regarding the potential retail development on the southwest corner of Black Mountain Blvd. and E. Deer Valley Dr. We understand the importance of responsible and thoughtful planning in our community, and we want to share our concerns regarding the proposed development.

In a holistic evaluation, it appears that the proposed development may not be optimally situated, given the potential challenges it could pose to Pinnacle High School. In the event that the committee decides to approve the development, we respectfully request that the following considerations be taken into account as a minimum requirement.

**1. Student Safety with Crossing Mayo to Enter the Shopping Center:**
Our primary concern is the safety of our students when crossing Mayo Blvd. to access the shopping center. This may pose a significant risk, especially during peak traffic hours. If this development is approved, we urge the committee to consider safety measures such as pedestrian crosswalks, traffic signals, or other infrastructure improvements to ensure the well-being of our students.

**2. Increase in Traffic along Black Mountain and Mayo Blvds:**
The proposed retail development is likely to lead to an increase in traffic along Black Mountain Blvd., which is already a busy thoroughfare, and Mayo Blvd. The additional traffic congestion could have a detrimental impact on the flow of school buses and the safety of our students. If this development is approved, we recommend a comprehensive traffic impact analysis to assess potential congestion and to explore mitigation strategies.

**3. Parent/Student Parking at the Shopping Center:**
The existing parking capacity at Pinnacle High School is currently quite constrained, and it is highly likely that some students will opt to utilize the parking facilities within the proposed retail development. It is important to acknowledge that the school lacks the necessary staffing and resources to effectively manage or mitigate this parking issue.

**4. Shoppers Parking Along Mayo Blvd. or on School Grounds:**
Without sufficient parking spaces within the shopping center, there is a risk that shoppers may resort to parking along Mayo Blvd. or, worse, on school grounds. This could lead to disruptions and safety concerns for our educational environment. We urge you to require the developer to provide ample parking options within the development.

**5. Increase in Tardy/Truancy due to Shopping Center Services:**
We are concerned that the proximity of the shopping center to our school may lead to an increase in tardiness and truancy. Students might be tempted to leave campus to access the services provided by the shopping center, causing disruptions to their education. We recommend working with the developer to establish guidelines that minimize these distractions during school hours.

In conclusion, we have serious reservations about the impact this project will have to the safety of our students. If the development is approved, we believe it is essential to address these concerns proactively to ensure the safety and well-being of our students and maintain the quality of our educational environment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,



Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

| | |
|---|---|
| **From:** | Bill Smith |
| **To:** | Anthony M Grande |
| **Subject:** | Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar |
| **Date:** | Tuesday, September 5, 2023 6:52:27 AM |
| **Attachments:** | GPA-DSTV-2-23-2-App2Amend.pdf |

September 5, 2023

Greetings,

I'm writing you today regarding a rezoning request made here by Vestar application No. **GPA-DSTV-2-23-2** and some comments heard by residents resulting from a recent HOA board meeting held by Desert Ridge Community Association.

My name is William Smith and I am a resident of Regalia Bear Subdivision which is located just off Tatum Blvd and North of Marriott Drive in Desert Ridge for 13.5 years. Formally a resident in Vista Norte located at Dynamite and 57$^{th}$ Streets for 14 years. I've been a resident in Arizona since 1969 and have lived the majority of my life in North Scottsdale / North Phoenix 25 miles or more from downtown.

When my wife and I moved to Desert Ridge I began participating in many of the community HOA meetings assisting mostly on the Awareness Committee. I believe it's important we continue to live in a safe and healthy community. The many challenges I've witnessed over the past 13.5 years have been noise pollution, traffic congestion and bottle neck due to lack of arteries (roads), vandalism and crimes committed by an increase number of teenagers.

Noise pollution continues from above with fly overs; also truck deliveries made during overnight or early morning hours are heard by vehicles creating those loud safety warning beeps when backing up. With the increase of home deliveries since the pandemic we've seen an more delays within our Desert Ridge community and about. Thankfully a great deal of the air traffic above was reduced after our Desert Ridge community associates worked with the aviation department to reverse a decision that was made several years ago that allowed commercial places to fly directly over Desert Ridge using a new flight path. We still have a few non commercial planes and helicopters that don't always follow the appropriate flight path, but we are thankful the majority of commercial planes are no longer constantly flying low overhead. In addition, we reported to the Marriott about the noise issue from trucks backing up that could be heard for a mile in the silence of the early morning hours and that has stopped. Our voices are being heard!

As far as vehicle noise issues we continue to hear traffic due to the type of road surface and proximity of both Tatum Blvd and Marriot Drive. Everyone is racing to be first coming in both

directions cutting through our community because as we all know there aren't enough arteries (roads) that allow traffic to flow around the heart of Desert Ridge. Traffic on Tatum Blvd has met it's maximum capacity 5 years ago and its only getting worse. ***Deer Valley road is starting to show signs of stress unless we start now and think forward***.

Let's talk a little about Desert Ridge planning and how Vestar was originally involved in the design and planning of this community. I believe just 13.5 years ago when we moved here I heard mention Desert Ridge was just over 40 percent built out. Since then we seem to continue cramming more and more condos, apartments, schools, single family homes in addition to the huge development along the 101 from 56th to Tatum Blvd. There seems to be this need to fill up every inch of both Super Blocks along the 101 from 56th through to Black Canyon Blvd. We all know growth brings congestion and headaches.

Listening to representation by Vestar at community planning meetings they talk about building another marketplace in an area of Desert Ridge that is zoned **low** residential. I'm writing you here today to provide my opinion about why we ***shouldn't*** change this residential parcel as this application suggest to commercial and that we should consider looking for a location that has better access to the 101 and has the ability to get vehicles in and out of the area from all four directions without impeding traffic and causing delays. For the past 8 years or so all I've brought up to anyone that would listen that the City of Phoenix must work on a plan that will open up more arteries (roads) that allow traffic to flow more around Desert Ridge Market Place and through our community as well.

***We can not continue to build both up and out; allowing thousands of more residents, merchants, delivery vehicles and visitors to move about and not have additional access roads and arteries (roads) that will provide additional alternatives to Tatum Blvd and Deer Valley Road.***

Everyone knows it will be expensive and we need it; an access road along the 101 that will allow traffic to access both super blocks from 56th street to as far as Cave Creek Road if we have too. The idea is to take excess traffic away from Tatum Blvd and Deer Valley Road when everyone is either trying to get to and from their residence in Desert Ridge, pass through it to get home in Tatum Ranch or visit Desert Ridge Market Place to enjoy all the shops, restaurants and planned activities Vestar an their business partners plan throughout the year. Additional roads that could help the flow of traffic could be at 40th street, Black Mountain Blvd, 56th street and any additional roads developed during the super block expansion phases which should include access roads along the 101 freeway. **We can't even head east or west using Black Mountain Blvd at the 101 to help avoid using Tatum Blvd at the 101?**

We understand change is necessary and some people believe we need more growth and there is no stopping it. However, the reason Desert Ridge has lasted as long as it has being in the

spotlight a community most desirable for its amenities and location is because we live in a place beyond the boundaries of the City. ***A place between Rural and the big City life; simply a suburban experience like no other.***

If we allow another marketplace with a gas station at the location of Southwest Corner of Black Mountain Boulevard and Deer Valley Drive we are going to have big disappointment with additional traffic, noise, crime, vandalism not only during the day, ***but all night as well.*** We don't want or need any more attention drawn to close to existing residential community during the overnight hours. If you have to rezone **which I'm not for**, bring in medical therapy centers, Dental, Vision, Day Care Centers, Animal Veterinarians businesses that will bring value to the investment and more in line with education and health without attracting any negative impact we currently have going on at Desert Ridge Market Place and our Community City Parks by individuals that hang out in groups in public places with no regard for others property. There is so much open space in super block there where the fitness center is and the hotels are located that if Vestar thinks Desert Ridge needs another grocery store well go big and ***put a Walmart there along the 101***; build the access road along the 101 and make it easy to visit the store without impeding any more traffic delays on Tatum Blvd and Deer Valley Road and push the traffic away from our beautiful neighborhoods.

***Final thoughts that come to mind you can all think about …***

Observation #1 – The traffic gets so bad moving North and South on Tatum sometimes it takes 3 minutes just to exit out of my subdivision from Williams Drive onto Tatum. The traffic gets backed up so bad the distance on Tatum between Deer Valley and the 101 one can spend 6 minutes waiting for lights going in any direction. When there is construction, emergency vehicles or an accident forget being on time for any scheduled appointment. **This is not right**!

Observation #2 – Recently in the past 4 years after the completion of this new condos and new single family subdivisions we noticed in addition to Vestar bringing live entertainment along with Sip and Stroll attractions among other big events, that traffic delays have now extended everywhere including Tatum Blvd to 56$^{th}$ street going North or South along Deer Valley road. Drivers are in such a big hurry they speed illegally North on 56$^{th}$ to Pinnacle and in addition there is so much traffic during rush hours on Deer Valley from 56$^{th}$ all the way to Cave Creek and beyond due to the 101 bottlenecks experienced when approaching the 51 freeway from either direction. Drivers are not only using Deer Valley, but they are using Pinnacle Peak from Scottsdale all the way to Cave Creek Road to escape the 101 traffic debacle during rush hours.

Observation #3 -

Recently we've seen a huge increase in teenagers committing crimes and they seem to like

hanging out at Desert Ridge Marketplace. This was brought up at our meetings and Vestar did speak out regarding our community concerns about the lack of security and care anyone we would expect to be responsible for managing issues of this nature. Concerns about Target, Albertsons, In&Out Burger and Panda Express have been going on for as long as I can remember brought up at Community gatherings with our neighbors for coffee and other meetings. It's been on the news this summer about a gang of teenagers sucker punching a teenager from another group causing 15,000 worth of dental work needed. Teenagers hang out at Target and act like the sports department is there personal playground. Teens stealing a cell phone right out of another teenagers hand who was picking up a take out order from Panda Express and too often homeless people coming up to you for money in front of and in the parking lot of Albertsons. These attractions that are enticing young people to party drink and get high not only occur in the marketplace, now we are seeing these young people come into the neighborhoods within Desert Ridge causing quite a bit of damage. Our Cashman park has been vandalized at least 3 times within the last couple years that I've heard about.

**Conclusion**:

Please consider another location for this grocery store and gas station to be developed. Lets choose a location away from existing residential and try to develop existing locations already designated residential and take the idea of bringing another grocery store and gas station to already designated commercial zones.

We don't need any **24 hour a day business** on Deer Valley and Black Mountain Blvd. We already have Desert Ridge Market place a gas station on the intersection at Tatum Blvd and Deer Valley Road. Take this proposed plan and build on 20.5 acres closer to the 101 and Black Mountain Blvd. Even if you were to propose moving this development to 40th Street and Deer Valley Road my suggestion would be to insure there are enough roads leading away from Tatum and Deer Valley for vehicles to maneuver towards the 101 without impacting the already congested traffic flow on Tatum and Deer Valley.

We should consider bringing in a large super center like Walmart along the 101 in the super block between Tatum and Black Mountain Blvd's. Get the City of Phoenix and the Army Core of Engineers to build functional access roads and lets see how well traffic flows around Desert Ridge. Spread things out a bit, petition for business to build on one of the two corners on the north side of Pinnacle Peak Road.

Leave the corner next to the high school open for **residential** or if you really think businesses deserve to come in an take over that property; like I said before consider those businesses that would help families with their children's education, day care, health services (mental health services), vision and dental care along with considering Veterinarian services.

Look I could write a book on how if think about all this push for growth here in Desert Ridge, but I'm sure in the end people that have the most funding will win. In the past whenever there was a decision made about something that didn't entirely make good sense and I would later bring up my thoughts I was told where were you when during the planning stages and why didn't you speak up then. Well I decided maybe its time I did.

Thanks so much for the opportunity to speak my thought and for listening.

As Ever,

Bill Smith

CITY OF PHOENIX

SEP 05 2023

Planning & Development
Department

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

City of Phoenix Planning Case Nos:
Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

Dear. Mr. Grande:

This letter is regarding the proposed rezoning of the Parcel **212-38-023B** and the application by Vestar Development to develop it as a C-2 medium intensity commercial property. The current proposals for Minor General Plan and Specific Plan Amendments, as well as Rezoning to C-2 commercial development are out of step with the character of the area and should be rejected.

The intersection of Black Mountain Boulevard and Deer Valley Drive is surrounded by a unique residential area with preserved natural desert spaces and carefully integrated bike and pedestrian paths. It is unlike the majority of Phoenix neighborhoods and honors the physical geography immediately around it. Socially, it is an active, engaged community full of care for the landscape and protective of the safety of people living there. With such a significant change in land use, the proposed zoning amendment and subsequent commercial development would result in considerable new traffic to the subject site, resulting in more traffic congestion, potential car-pedestrian-bike safety conflicts, added emissions, and light and noise pollution.

Further, there are a number of disconnects with the application itself. The developers have attempted to justify their zoning amendment proposal by saying that the nearby Desert Ridge Marketplace experiences traffic congestion and parking issues. This point is unsubstantiated in their application and from a resident's point of view, completely unsupported by the experience of living in the area and regularly visiting the shopping center. There is more than enough (much more!) parking at Desert Ridge and circulation in and around the site runs smoothly. The retail offerings are substantial and do <u>not</u> leave a gap in market offerings that would be improved by adding medium-intensity commercial at Black Mountain Boulevard and Deer Valley Drive.

The conceptual site plan put forth by the developers is also incongruous with their explanation letter. They attempt to claim community benefit from "a reduction in transportation burdens, increased opportunities for exercise and a cleaner environment." However, there is nothing to support their mention of transportation burdens on the residential area surrounding the subject parcel, nor anything in the conceptual site plan to suggest it would be safe for area residents to

walk or bike to the subject site if developed as a commercial property. Further, the explanation letter states that provision has been made for 580 parking spaces (well beyond the code requirement), while the conceptual design includes 533 spaces, which is still more parking than is required by code. This will not create a cleaner environment, as the developers claim, but will create increased emissions in a sensitive area where residents would like to keep emissions to a minimum. Worse still, the conceptual plan calls out opportunity for a fueling center, yet no designated space for electric vehicle charging (which would be far more helpful in the area, given a pronounced lack of public charging). As such, increased emissions will become a core characteristic of this shopping center if built as presented. It would not result in the "connected oasis" the City hopes to achieve, nor the "village" concept the developer is attempting to sell. What it achieves is what Phoenix already sees too much of—islands of unspectacular commercial offerings drowning in a sea of parking.

The subject parcel for proposed rezoning also lies immediately north of Pinnacle High School, which sees students regularly walking and biking to school, but the concept site design does nothing to ensure student and faculty safety or effective circulation around the school. To the contrary, the conceptual site plan shows 3 access/egress points just off Mayo immediately across from the high school with no provision for safe crossing by pedestrians and bicyclists. To put the greatest number of access points to the site directly across the road from the school shows a serious lack of awareness about school zone safety, as does proposing a site plan that does not incorporate effective circulation by pedestrians and bikes (as the surrounding neighborhoods do through extensive trail systems), but to cars. And the related traffic study does nothing to elevate hope for improved traffic circulation or safety. Instead, it reflects lower levels of service on streets that already experience diminished capacity.

While the concept of community commercial may have some potential if explored at a C-1 neighborhood level, the current applications for Minor General Plan Amendment GPA-DSTV-2-23-2, Specific Plan Amendment GPA-DSTV-3-23-2, and Rezone Z-39-23 to C-2 commercial do nothing to improve livability in the area and should be rejected in the interest of public safety, as well as public health.

Thank you for your consideration,

Ellen Kennedy

**From:** Richards, Dan
**To:** Anthony M Grande
**Cc:** Council District 2 PCC
**Subject:** Black Mountain Village - Superblock 12 Opposition
**Date:** Tuesday, September 5, 2023 4:24:56 PM
**Attachments:** image001.png

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Hello Mr. Grande and Councilman Waring,

I wanted to formally write to you both to express my opposition to Vestar Development's push to rezone the Property known as a portion of Parcel 12.L, within Superblock 12 of the Desert Ridge Specific Plan. My wife and I did a lot of research about the area prior to purchasing and building our home 10 years ago, located at 21618 N 36th Street. I've attached a map with the proposed development layered on it. You can see the yellow star located on the East side of Black Mountain Boulevard showing the location of our house. I have been very vocal at each of the previous two meetings expressing my opposition to this development from happening.

As mentioned, my wife and I did our research prior to building the home we wanted to raise our three boys in. We understood we would have a roadway in our backyard that would create some noise, and that was fine because that meant we wouldn't have another house directly behind our backyard. We love the location, being across the street from Pinnacle High School. One of our boys is currently a sophomore with our other two boys being 8th graders. When they were younger, they could walk the opposite direction to Fireside grade school, so we figured this was a perfect location for our family. If you aren't aware of this yet, Pulte homes sold the West side of 36th Street as premium lots with view fences in our backyard. We all paid extra to have a view of the wash behind our homes. We all paid this knowing that the only thing going in across the street in the future would likely be an exterior block wall of another residential development. That's what the Desert Ridge Specific Plan called for so why would anyone think differently? The news of this commercial development potentially getting built across the street has made every one of these homeowners sick to their stomachs. Talk about a bait and switch!!!!! Pulte probably wouldn't have built these lots as view fences if there was commercial development zoned for directly across the street. Serious question to Mr. Grande - Would the City even sign off on a residential development having view fences directly across the street from a commercial development if it was built after the commercial was already there?

One major concern from the residents of Copper View (36th Street from Mayo to Deer Valley) is the decrease in safety for all our families and our properties due to a commercial development being directly across the street. Shopping centers bring loiterers. Gas Stations are even worse. The increase in homelessness in the Desert Ridge area can't be ignored. If this development happens, this will make Deer Valley a main thoroughfare for these homeless people to walk down between Desert Ridge Marketplace to Black Mountain Village. Nobody wants the potential for this to happen. Several years ago, a group of neighborhood kids found a homeless encampment with mattresses in the wash near Mayo and Black Mountain Boulevard. It was in the storm sewer, under Mayo. We fear more of this will happen if you move forward with this project. None of us with a view fence, just across Black Mountain Boulevard, signed up to live across the street from this sort of development. I enjoy my backyard having a view fence. It makes these tiny yards feel a little larger. Now I will be fearing someone might jump my back fence because they see something they like.

Another major concern that Copper View resident have is light pollution. Nobody wants to live across the street from a lit up commercial development. If Vestar moves forward with plans to include a gas station with this proposal, I would imagine this would be right on the corner, where they have PAD C is shown on the map I included. That will be my new view from my backyard. A lit-up gas station. Can you even begin to imagine how upset we all were when we heard not only are we going to have a commercial development, but also a gas station? Nobody wants a bright gas station directly across the street from them. Every gas station has loiterers. No place attracts more loitering than a gas station. Copper View residents are not interested in having this across the street from us. Not to mention the constant smell of gasoline. Mr. Grande - Would the City sign off on a residential development having view fences directly across the street from a gas station if it was built after the gas station was already there? The argument for needing more gas stations within Desert Ridge is garbage. Replace Jacksons with a Circle K and I'm guessing you'll see a much higher volume of people using that gas station. Nobody uses that place because the prices are too high. I go to either Costco or Circle K on Union Hills because they're cheaper. Most people with half of a brain do the same.

A 20-acre commercial property in a mostly residential area wouldn't just be making a minor tweak to the Desert Ridge Specific Plan (DRSP). This commercial development would be taking the DRSP and completely throwing it out the window. The DRSP called for commercial development within the residential superblocks to be limited to neighborhood convenience commercial centers with a maximum of 3 net acres. During Mr. Anderson's presentation to the Desert Ridge committee, he mentioned there were 6 previous developments that could have included a neighborhood convenience commercial center but decided against adding them. These 18-acres of commercial development not getting added throughout Desert Ridge are being used to justify Vestar developing 20-acres in one location. Just because other developments decided against adding 3-acre neighborhood convenience commercial centers doesn't justify adding them all together and asking to rezone this area just because Vestar thinks it would be a good investment.

Please take into consideration the families that built around this area that thought they were moving close to commercial development, but not directly across the street from it. I know you have been contacted by several other residents expressing their concerns about the traffic impacts and proximity to the high school. I am 100% in agreement with all other concerns you have heard pertaining to these two topics. This development needs to be stopped. It's just not the right fit for this location. There are a growing number of residents that share this sentiment. We will be at the next OCT 3 Desert Village Planning Committee meeting as well as the NOV 2 City of Phoenix Planning Commission meeting to express our opposition.

Thanks,

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052

STRAND ASSOCIATES®
[strand.com]

dan.richards@strand.com | www.strand.com [strand.com]

*Excellence in Engineering℠*

| | |
|---|---|
| **From:** | paul dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Wednesday, September 6, 2023 6:01:06 AM |
| **Importance:** | High |

It is indisputable that the area affected by Vestar's proposal already has a traffic problem. The 366-page October 2022 Traffic Impact Analysis commissioned by Vestar acknowledges this existing problem. Please note the following excerpt from that Analysis:

> *The results of the existing conditions analysis indicate that all study intersections operate with acceptable levels of service (LOS D or better) with the exception of the northbound approach at the intersection of Black Mountain Boulevard & Deer Valley Drive and the northbound and southbound left at the intersection of Aviano Way & Deer Valley Drive.*

This same Traffic Impact Analysis also reveals the extent to which Vestar's proposal would exacerbate this existing problem. The Analysis describes this impact as follows:

> *The Black Mountain Village proposes to rezone approximately 16-acres of undeveloped land from existing R-2 (residential) to C-2 (commercial) to consists of approximately 76,200 square feet (SF) of grocery supermarket, 41,500-SF of various commercial shops each under 40,000 SF, and 19,700-SF of fast-food restaurants with drive through window. The proposed developed is located on the southwest corner of Black Mountain Boulevard and Deer Valley Drive in the City of Phoenix, Arizona. The site is planned to provide a total of eight (8) access points, of which five (5) are planned for full movement access and the remaining three (3) are proposed restricted right-in/right-out driveways.*

This Traffic Impact Analysis does not mention that Vestar's proposal also includes a gas station. Moreover, this Traffic Impact Analysis does not analyze the traffic impact of the nearby Garden Communities 882-unit apartment complex currently underway at the northeast corner of Tatum Blvd and Deer Valley. It also does not analyze the impact of the planned development of the 410-acre parcel at the southeastern corner of Deer Valley and 40th Street purchased by Taylor Morrison and Pulte Homes for a 1,200-lot master planned community. Because the west boundary of this parcel directly abuts Mayo Blvd, traffic from this planned community would likely use Mayo Blvd for ingress and egress. Moreover, the vehicular traffic entering and exiting the community would also increase the traffic on 40th Street and Deer Valley.

Vestar's description of its proposal is disingenuous. It describes its proposal as a

"low-impact" commercial development. Their description of the proposed project mentions a "neighborhood grocery store and inline retail opportunities." However, omitted from their description is a gas station that they have acknowledged is part of their plan. Also omitted is the "19,700-SF of fast-food restaurants with drive through window" described in their Traffic Impact Analysis. How can anyone honestly describe grocery stores, gas stations, and fast food restaurants with drive through windows as "low impact" uses? Each of these operations would result in increased vehicular traffic entering the proposed site from all four bordering streets. In addition to the increased private passenger vehicular traffic, other traffic entering and exiting the proposed site would include gas tanker trucks and commercial delivery trucks. This increased traffic would be in addition to the traffic already generated by 2,600 students and their parents entering and exiting the Pinnacle High School parking lots twice daily during the school year. Also not to be overlooked are the evening activities at the school that result in numerous vehicles exiting onto Black Mountain Blvd and Mayo Blvd. Even now there are not enough traffic lanes on Mayo Blvd to efficiently handle the vehicular traffic exiting the high school parking lots.

Pinnacle High School is not the only school affected by Vestar's proposed rezoning request. The Fireside Elementary School, with 775 enrolled students, is only a short block away from Superblock 12. Vestar's rezoning request would also impact the traffic to and from this elementary school.

The Arizona State Land Department agrees with Vestar's C-2 rezoning request because it wants to sell this parcel for the highest possible price. The Land Department's position is understandable. However, in this instance, it represents a grave injustice to those homeowners who purchased their homes (many with their life savings) in this neighborhood. They justifiably believed their homes would never border a commercial development because this area was zoned **Residential**. These homeowners should not have their legitimate expectations sacrificed on an altar of money.

For the foregoing reasons, I respectfully request that Vestar's proposal **not** be approved.

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | James Tuffin |
| **To:** | Anthony M Grande |
| **Cc:** | dan.richards@strand.com; "Wouter Roodenburg"; cvanek@arizonarepublic.com; akwok@azcentral.com; Council District 2 PCC; Mayor Gallego |
| **Subject:** | RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Wednesday, September 6, 2023 6:49:55 AM |

Dear Mr. Grande:

An unidentified party is running a sponsored ad on Facebook directing viewers to an online "petition" for a new grocery store in Desert Ridge. The online petition page can be seen at https://chng.it/6L8mkBrdDq [chng.it] . It identifies the promoter of the petition as "New Grocer". It makes no reference to the ongoing zoning and plan amendment cases. It fails to mention, as Vestar's counsel has publicly admitted on more than one occasion, that Vestar cannot say what kind of grocery might ultimately go in. And needless to say, there is no reference to the 20 acres of drive through junk food and gas station also included in Vestar's conceptual plan for the site right next to the high school.

These deceptive tactics are unworthy of any responsible business. City staff should give no weight whatsoever to the results of this patently misleading petition drive.

Thank you for your attention to this matter.

James W Tuffin
21214 N 36th Pl
Phoenix, AZ 85050
James.tuffin@tuffinlaw.com (retired attorney not offering services to the public).

**From:** Treye Elzenga
**To:** Anthony M Grande
**Subject:** Desert View Zoning Feedback - Black Mountain Village Project
**Date:** Thursday, September 7, 2023 11:09:28 AM

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Hello Anthony,

As you and constituents consider the proposed Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23), I wanted to express my strong opposition to this project. City Planners got this right the first time in the General Plan. Schools, dog parks, walking trails, community soccer fields, and four housing developments adjoin this property. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.

Living in this community, safety should always be our number one concern as residents. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children under the age of five. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. Increasing transient traffic flow, especially off the high-speed HWY 51 into this area, greatly increases risks for residents, especially our younger children. Simply there is no compelling argument for this project and only increased risk.

While traffic studies were completed, the analysis and land schematics fail to demonstrate any reference to Fireside Elementary School which is within four hundred yards of this project. How can we consider no traffic turning Left or Right from or onto Mayo Boulevard. This lack of detail shows severe disregard for our pre-school and elementary age children. In the analysis, they also fail to reference when the study was completed other than November 2022. In November, we have slower traffic patterns based on holidays, people traveling outside of Phoenix to visit family, and winter residents not yet arriving to the area. While the necessary paperwork was completed, beyond the abundance of words in the report where is the holistic detail that considers an elementary school within yards of this project.

In 2022, the Arizona Department of Housing identified shortages of over 270,000 housing units across our state. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks. Approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates not the community.

While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, Vestar project and along Cave Creek Road, and HWY 51 south. In addition, all these commercial properties have clearly defined borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. Within Desert View we have an abundance of services of all commercial types within one mile. Making the argument that driving one mile creates hardship is unsubstantiated, unless data is provided on how many cars each household owns in village. Desert View is not the same as an urban core, such as downtown Phoenix. Lack of concrete detail is consistent throughout the rezoning application, while there is an abundance of words and feelings including 'potentially' and 'we feel' it fails to acknowledge key considerations as I have outlined.

We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this rezoning request.

Treye Elzenga

Resident City of Phoenix - Desert Ridge

| | |
|---|---|
| **From:** | Lesley Anderson |
| **To:** | Anthony M Grande; msantoro@gblaw.com; PDD Desert View VPC |
| **Subject:** | Open Letter to the Desert View Village Planning Committee re: REZONING LAND NEAR PINNACLE HS |
| **Date:** | Friday, September 8, 2023 6:47:42 AM |

Dear Anthony Grande, Michelle Santoro, ad the Desert View Village Planning Committee,

I am one of the many **Sky Crossing residents** who found out about the **rezoning of the 20.52 acres on the SW corner of Black Mountain Blvd and Deer Valley Drive** from an article posted on a Facebook group and **not from the City of Phoenix**. I am obviously disappointed that Vestar and the City of Phoenix failed to notify about 95% of the Sky Crossing residents of this potential zoning change that will deeply affect our neighborhood.

**I personally attended the meeting on August 1, 2023** in order to get more information about the potential gas station, grocery store, and restaurants/shops that will affect neighborhood traffic as well as my property value in the near future. My hopes were high as I listened to the presentation by Gammage & Burnham. I was actually in favor of some sort of small commercial property before the meeting.

I waited for details as to the type and size of grocery store, types of restaurants, and of course a solution to the traffic problem that haunts that corner of Desert Ridge, but sadly none of that happened. **It felt like no solutions were given**. Very general information was shared on the slides. No 3D rendering of what it would look like. Will the grocery and gas station lights be on all night? What about the noise from semi trucks dropping off 3 am deliveries at the grocery store? Will the stores blend with the desert landscape like in Fountain Hills or stick out like a sore thumb? Residents were simply left with more questions than answers.

**With this in mind, I am writing to you all to express my opposition to rezoning this land from RESIDENTIAL to COMMERCIAL which would allow for a commercial shopping center.**

I think Sky Crossing residents would be more supportive of a project if it answered the questions above, and somehow solved the traffic mayhem. Perhaps Vestar could have proposed to help the school and the community by building Pinnacle High School a parking garage? **Traffic literally comes to a standstill in the morning hours** and prevents area residents from accessing the Black Canyon Road heading south in order to get on the HWY 51 on-ramp. Apparently because there is not enough parking for students, so parents have to drop their kids off every morning. Which is ridiculous. **If you live in this area, you know about the problem. The high school and the Phoenix Police are well aware of the problem.** This strip center will only add to the traffic issue.

I am but one of the many voices who oppose the rezoning of this land and the potential traffic issues it will cause. **I am asking the members of the Desert View Village Planning Committee to please vote NO when voting for the rezoning of this parcel of land. There are too many unanswered questions.**

Thank you for your time and for reading this. Much appreciation.

Regards,
**Lesley Anderson**
**22413 N. 30th Street, Phoenix**

Sky Crossing resident

**Realtor®** with **HomeSmart**



Email: AZAndersonRealEstate@gmail.com
**Direct: 480-390-6297**

**From:** Jamie Bauschka
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 12:36:27 PM

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Dear Mr. Grande-

This message is in regards to GPA-DSTV-2-23-2
GPA-DSTV-3-23-3
Z-39-23-2

I live in the neighborhood in Fireside that is directly across Black Mtn from this currently vacant land. While we understood this to be slated as residential, it seems now someone is trying to change that.

While we are not in favor of this changing to commercial, there is a much more pressing issue for this area that should be addressed prior to any development on that land. The drop off/pick up/ and parking for students at PVHS. The current situation there is unsafe and terribly inconvenient. The fact that there is not a sufficient amount of parking for students attending the school has got to be expanded prior to anything else being developed there. The kids crossing this major intersection (Black Mtn & Mayo) to get to their awaiting rides, is a tragedy waiting to happen.

Please consider working with the school district & community before it's too late to address these issues.

And, no thank you to changing the zoning from residential to commercial.

Thank you for your time & consideration!

Jamie Bauschka

Sent from my iPhone

**From:** Yatharth Chowdhary
**To:** Anthony M Grande
**Subject:** Opposing Black Mountain Village
**Date:** Friday, September 8, 2023 10:29:24 PM

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Hi Anthony,

I am current resident of desert ridge area and regarding GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 i don't want Black Mountain Village.

Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

I would like to oppose the rezoning of this area.

Thanks
Yatharth

**From:** Diana Dichter
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 9:56:56 AM

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Please consider my vote AGAINST the Black Mountain Village Commercial development sought after by Vestar. My family, including two children, live in Fireside Desert Ridge and plan to stay here for the next 10-20 years, at least.

We would like to keep Fireside and the overall Desert Ridge community, as originally planned - residential.
The lot across from the Pinnacle High School could be made into a community park, perhaps with some additional parking to relieve the already horrific traffic conditions for the schools in the area. We do not need more traffic in the neighborhood or even worse - though it.

Hope our voices carry some value in these determinations.

Thank you,

Diana Dichter
310-912-2790

**From:** SCOTT ELLEFSON
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 8:34:28 AM

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Anthony,

Please note, I am Opposed to the Black Mountain Village Plan.

Case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Sincerely,
Scott Ellefson
Fireside at Desert Ridge

**From:** Joe Haglund
**To:** Anthony M Grande
**Cc:** Joe Haglund
**Subject:** Black Mountain Village Proposed Development
**Date:** Friday, September 8, 2023 11:06:40 AM

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Hello Anthony,

I am resident in Aviano in Desert Ridge in Phoenix and I wanted to reach out to you about the proposed Black Mountain Village Development that is up for rezoning. Unfortunately I will not be able to be present at the meeting on October 3rd and wanted to reach out on this.

I have lived in Desert Ridge since 2012 and there have been several great changes over the past 10+years including access to the 51 and widening Black Mountain. I strongly feel that the rezoning of this area would be a major mistake for several reasons.

1.) Currently Pinnacle High School has a large amount of traffic that creates a backup onto Black Mountain and sometimes Deer Valley as well which makes this area extremely difficult to get through during the week from 7-8:30am, between 3-5, and also when there are sporting and other events held at the school. Adding this development will bring increased traffic and and chaos for many new drivers that attend the high school and residents and guests of the area.

2.) Parking is a major issue at Pinnacle and students will end up parking in this new development which will create issues with the property manager/owner and tenants as well

3.) As a resident I am all about convenience and the thought of a grocery store and other stores close by my home sounds great initially, but I think there are a lot more negatives than positives for this one and the most important one is the safety of the kids and residents of the area.

Thank you for your help with this and please feel free to contact me with any questions

Joe Haglund
22116 N 36th Way
Phoenix, AZ 85050
480-650-1873-cell
joehaglund1@gmail.com

--
Joe Haglund
480-650-1873-cell
NMLS ID: 24351

**From:** April Justman
**To:** Anthony M Grande; Rob A. Justman
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 4:38:15 PM

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Hello Anthony,

We are residents of Fireside and parents of Pinnacle High School children. We are strongly opposed to th Black Mountain Village.

When we purchased our home, Fireside was advertised as a clean, quiet, and safe neighborhood oriented towards families with children. It is our understanding that commercial activities within the superblocks adjacent to Fireside are to be limited to minor conveniences of three (3) acres or less. Vestar is proposing a twenty (20) acre shopping center directly adjacent to Pinnacle High School; that, as you know, includes drive thrus (which are also prohibited commercial activities in the superblocks adjacent to Fireside).

Not only is our family concerned about what may become a falsity of how Fireside was advertised when we purchased our home seven (7) years ago, should Vestar succeed with this initiative, we are also concerned about the associated crime, noise, pollution, and traffic that will no doubt plague our residential community. We already have an issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Street, as commuters travel to Interstate 51. Vestar's initiative will only heighten this problem, and create a more dangerous situation for our children including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration.

Thank you for your time.
April and Rob Justman
3713 E. Huett Lane
Phoenix, AZ 85050
480-904-1560

**From:** rmarranca ourfiresidedesertridge.net
**To:** Anthony M Grande
**Subject:** Case #GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 11:07:18 AM

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Good Morning,
We have bought into our community at Fireside with the zoning of all residential. We are NOT in favor of changing the zoing and the plan to put in a 20 acre shopping center right across from Pinnacle High.
the Black Mountain Village

I hope you can respectfully reconsider this change in which we did NOT buy into
Thank you,

With Warmest Regards,

*Rita Marranca*
*Administrative Assistant*
*and Front Desk Manager*

Fireside at Desert Ridge
480-203-2166

| | |
|---|---|
| **From:** | Chintan Patel |
| **To:** | Anthony M Grande |
| **Subject:** | CASE # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Friday, September 8, 2023 8:49:37 PM |

Good evening Mr. Grande:
My name is Dr Chintan Patel and I am a cardiologist at our local, Thompson Peak hospital and resident within the Copper view community in Fireside here at Desert Ridge. I am writing to you in reference to case number GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, also known as Black mountain village.

I know that you may be receiving numerous letters and petitions against this commercial community. I would like to take the opportunity to waste my concerns and join amongst the ranks of those against this proposed commercial shopping area.

The appeal of Desert Ridge and what makes it a unique location is the sense of community that we all feel and try to bring to the various neighborhoods within the Desert Ridge communities. While we may live a different neighborhoods, much of what unites us is the sense of community and safety that we sought when we first moved here. The glue that tends to bind us all here, like most neighborhoods, is our children. Personally I have two young daughters who attend Fireside elementary who are currently six and five. We moved to this community after talking with neighbors and seeing how happy they were raising their kids from elementary to high school in an area that they felt safe enough to have their kids be independent.

I do understand the financial benefits of a commercial property, but the location that is proposed is already in a high traffic area with his own intrinsic problems because of high school traffic and the on/off ramp to route 51. If the point of the shopping plaza is to serve the needs of the community, and the community has spoken that the current Desert Ridge is sufficient then the only thing this could bring are consequences. People moved to this community the way it was designed with the promise of trying to keep it from being a commercial hotspot. Bringing more homes and more families to create more neighbors only makes us stronger, but bringing in businesses that invite more outside traffic, their own self interests, and the potential negative influences only brings down the reputation of Desert Ridge and instills of distrust in the city of Phoenix and it's social responsibility to it's citizens.

I thank the city of Phoenix and representatives like you for making communities like Desert Ridge available to us and keeping it in its current splendor. All we ask is a mutual sense of trust in us to help continue to grow the community while maintaining its integrity and safety.

I appreciate your time and willingness to hear our voices.

Thank you so much,
Chintan Patel.

**From:** Susan Sheroff
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Friday, September 8, 2023 7:04:25 PM

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Dear Mr Grande:

I reside in Desert Ridge at 21214 N 36th Pl

The applications submitted to enable the Black Mountain Village must be denied. I am aware of the comments submitted by other homeowners including Mr. Tuffin, Mr. Richards and Mr Roodenburg. I will not repeat the many reasons why this project is a terrible idea. This attempted betrayal of innocent homeowners who purchased under the existing Specific Plan cannot be justified; the justifications put forward by Vestar are essentially specious and insufficient to destroy the reasonable expectations of innocent home buyers.

Thank you for your attention

Susan Sheroff

Sent from my iPhone

**From:** Taylor Ungerer
**To:** Anthony M Grande
**Subject:** No to Black Mountain Village
**Date:** Friday, September 8, 2023 9:11:33 PM

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Case number-
GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Hello Anthony,
Myself as well as most of the community at black mountain rd. absolutely disagree with Black Mountain Village being rezoned from residential to commercial. If you could please let me know an update after the planning committee meeting with the decision on October 3rd, 2023.

Thank you for your time,
Taylor

**From:** Jeannette
**To:** Anthony M Grande
**Subject:** Case no Z29-23
**Date:** Friday, September 8, 2023 9:05:10 PM

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I am writing to you regarding the request to rezone in our area 85050 Black Mountain Project.

As a resident and homeowner 17 years in this area - Desert Ridge, I have seen a lot of growth in our area. I want to make sure we DO NOT REZONE THIS AREA TO COMMERCIAL. We are currently inundated with traffic from the 51 and all the traffic from the area who avoid the 51. You should be focusing on community not convenience. Save this are for Pinnacle High School. Every morning my kids walk to school and the amount of traffic is massive and congested. The 51 Black Mountain ramp has also increased the congestion and safety of residents and children who live in this area. DO NOT BE MOTIVATED OR SEDUCED BY THE ARROGANCE OF COMMERCIAL BUSINESS In our community!!!!!

Vote NO!!!!
Jeannette Vespalec

| | |
|---|---|
| **From:** | Dan Welker |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mtn Village |
| **Date:** | Friday, September 8, 2023 11:22:38 AM |

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Mr Grande -

I live across the street from the proposed Back Mountain Village Commercial development in the Desert Ridge area. This is a major issue for my family. Traffic is already crazy. The noise from Deer Valley and Black Mtn is already bad (why isn't there a noise ordinance for Harley Davidsons and tuner automobiles, by the way) and it would just get worse. The high school students next door at Pinnacle don't need this. Go to the Walgreens next to PV High School after classes get out if you want a sample of what goes on. I have two kids there right now and my third will be going there in 3 years. This is supposed to be a residential area and is currently zoned that way. The bait and switch that is going on is unacceptable. I will oppose this every way possible. Please stand up and represent your citizens and keep the peace in a neighborhood that is supposed to remain quiet.

Thanks for your help.

Dan Welker
602-821-0262

**From:** Debbie Bolde
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 SW Black Mountain & Deer Valley
**Date:** Saturday, September 9, 2023 4:59:53 PM

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Dear Mr Grande.

We are residents of Sky Crossing and we received notification of the proposed re-zoning at the SW Corner of Black Mountain & Deer Valley roads because we live in close proximity of it. We are opposed to the development and rezoning of this parcel for the following reasons:

1. This project does not fit the neighborhood and it is contradictory to Desert Ridge's original plan for this area to be a low noise, light traffic community. We purchased our home in 2020 with the understanding this parcel would be a residential parcel only. We moved here to get away from the city traffic and noise.
2. The suggested development is not needed in this area because all of these services are available 2 miles in each direction on Tatum blvd and Cave Creek road. Furthermore a gas station and drive thru coffee shop/fast food restaraunt will increase pollution into neighboring communities.
3. Currently PHS turns their lights off at 9pm because of the residential zoning. This provides a quiet serine and tranquil neighborhood for all homeowners. This development would change the entire feel of the neighborhoods which is not at all fair to any homeowner that purchased as described above.
4. With the increasing concerns of rising temperatures, water shortage, high traffic and other issues within the city of Phoenix, it would seem prudent for the city council to preserve open land to insure a better quality of life for it's residents. Our temperature in the area is typically 3-7 degrees lower here than it is at Sky harbor airport where the land has been overdeveloped. We need more trees, bushes and open land and less concrete, blacktop, buildings and traffic. A better use of this land would be a park with walking paths, covered picnic area's and additional parking that could be used for PHS during the week. This would meet the needs of all of these neighborhoods and would alleviate the current problem with people using the private parks in Sky crossing, it would be a win win for everyone.

Thank you for your consideration of these issues above. We hope the city council will find another alternative for this parcel that will be better suited to the neighboring communities than a commercial development.

Mike & Debbie Bolde
3436 E Louise Drive
Phoenix Az 85050
480.419.9385.

**From:** Susan Marshall
**To:** Anthony M Grande
**Subject:** case numbers GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/2-39-23-3
**Date:** Saturday, September 9, 2023 11:14:34 AM

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To All Involved,

I don't want Black Mountain Village at
Deer Valley-Sky Crossing-Black Mountain.
This land is zoned for residential and should remain so. I see no reason to add more commercial businesses to a zoned residential area. It will only bring more, crime, noise, litter, pollution, and traffic nightmares to quiet residential area. This is where very young children through high school ages are in large number playing outdoors in sports and in neighborhoods. This will be monstrosity of various issues. Especially with the exit to Black Mountain-51-101 and intersection of Black Mountain Blvd and Deer Valley. This is easy to predict. Look at the issues of traffic already. Our neighborhoods were built and purchased with this in mind of being residential. We would not have purchased otherwise. It's a promise you are conducting rescinding. To have it be a bait and switch now will only cause more ill will in our communities and with government. Please consider everyone's concerns.

Cordially,
Susan Marshall

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|---|---|
| **From:** | Marty Minzer |
| **To:** | Anthony M Grande |
| **Subject:** | This better never take place. You will have a war on you hands! |
| **Date:** | Saturday, September 9, 2023 1:26:50 PM |

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Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.
The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to rake in even more money by changing the zoning, and the plan, to put in a 20 acre shopping center right across from Pinnacle High School. They say it will contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and heaven knows what else.
Many of us are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity. And we are taking action.

Sincerely,

Marty Minzer

**From:** Alan Walstad
**To:** Anthony M Grande
**Subject:** Black Mountain Village proposal
**Date:** Saturday, September 9, 2023 12:36:21 PM

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Anthony Grande
Planner II* Village Planner
City of Phoenix
200 W Washington St
3rd Floor
Phoenix, AZ 85003

Greetings Anthony, I appreciate you taking the time to read my note regarding case number GPA-DSTV-2-23-2 and/or GPA-DSTV-3-23-2 and/or Z-39-23.

My family and I are current residents in the Sky Crossing community, living just northwest of the intersection of Black Mountain Boulevard and Deer Valley Road. We have some concerns about the proposed zoning changes for the parcel at the southwest corner of that intersection.

- We moved to our home in part due to the quiet community surroundings, including the residential neighborhoods of Aviano and Desert Ridge to the east, and Fireside to the southeast. Also, Sky Crossing is bounded by vegetation and city property to the west, the National Memorial Cemetary of Arizona to the north, and the Joni Fitts School of Horsemanship to the northeast.
- The Desert Ridge Specific Plan (in which the parcel in question lies) limits commercial activity in the residential superblocks to no more than 3 acres.
- Pinnacle High School is directly to the south of the proposed zoning change/development.

Our decision to move to this area was predicated on the quiet, residential feel of our neighborhood and surrounding areas. I know that many neighbors in Sky Crossing as well as friends and neighbors in Aviano and Fireside feel the same, and this proposed change to existing zoning conflicts with one of the primary reasons that many families may have selected these neighborhoods.

We find that existing stores and shops (essential and non-essential) as well as medical facilities and outdoor activities are all plentiful within a very reasonable distance (most less than 7 miles) from our existing home. We believe that there are multiple alternative locations in the general vicinity if further development is necessary.

Each morning during the school year, the traffic at the intersection of Deer Valley Road and Black Mountain Boulevard is horrendous. The current combination of Pinnacle High School

traffic coupled with traffic accessing SR-51 southbound from Black Mountain Boulevard creates a backup that can take 15+ minutes to travel less than one mile. This traffic situation will only worsen with any future development north of Pinnacle Peak Road, including the potential extension of Black Mountain Boulevard to connect to I-17/AZ-303 through Sonoran Desert Drive.

Our family is not in support of the proposed zoning changes:

- Adding a retail shopping center will create additional traffic, including commercial trucks and trailers delivering goods at all hours of the day and night.
- Lighting in the parking lots and the stores themselves will shine directly into homes/bedrooms along the north side of Deer Valley Road. The same homes will also have significant noise pollution from the center.
- The addition of a gas station/convenience store will also bring environmental concerns, and even greater light and noise issues.
- Any waivers granted for alcohol purchases in the center would be a significant concern with Pinnacle High School just south of the development.
- Criminal activity, which is currently minimal in our community, will very likely increase with the addition of retail and restaurant businesses directly across the street.
- Traffic at the intersection, already a significant concern each morning during the school year, will be exacerbated with multiple businesses open at that time.

Thank you again Anthony, for reviewing our concerns about the potential zoning changes.

Best regards,
Alan Walstad

| | |
|---|---|
| **From:** | Rajendra |
| **To:** | Anthony M Grande |
| **Subject:** | NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2 |
| **Date:** | Sunday, September 10, 2023 1:13:07 PM |

Hello Anthony,

My name is Rajendra Danda and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Rajendra Danda

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 11:54:31 AM

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Hello Anthony,

I am Rajesh Gadde. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Rajesh

**From:** kay ehrick
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2. ABSOLUTELY NO global international here thanks
**Date:** Sunday, September 10, 2023 7:46:34 AM

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Hi Anthony,

Lived here for 10 years and please tell vestar his partners and the global leaders they hang with to all take their equity BS and play the game in some other county. We have enough crazyness on these roads and riffraff pretty much all around us. We get eniugh traffic from the 51 enough from all the highschool and elementary. So forgive me when I say we don't need anymore traffic around these parts. Not to bright of an idea at all. Maybe the partners can build near their homes or kids schools. Or find another globe to pollute. Stop building new and be the globalist equity folks you claim to be.. let me k iw if you need the buildings that need some fixing since global love screams vestar, and investment of international people who should be maybe building in their own countries and stop bringing in shops that cater to worldly people. We are o lay one country and our language is English. Foreign builders should do the climate a favor and fix the the homes already up. We sure as hell don't need another drive through, hell no to a gas station and really another grocery store? No thanks if we were looking for so much crap around us we all would have moved elsewhere! Sick of these investors coming in and messing with something good. Here's a suggestion vestar can take all their ideas and I don't know maybe FIX ALL THE BUILDINGS CLOSED due some bioweapon plandamic! We don't need anymore corners with the crap we see that has all the crap they bring in! Vestar needs to leave it the way it was zoned for! Absolutely no businesses! Save the planet by using all the empty buildings do to all this equity BS! Hell no to the idea! I wasn't born yesterday and please tell vestar to take their global equity and shove it where the son don't shine! They should not be so money hungry to into our neighborhood and bring in businesses they know aren't needed! Plenty around us within a 3 mile radius. HELL NO TO VESTAR THEIR PARTNERS AND THEIR GLOBAL EQUITY BS! The word these globalists and their partners don't like is Equality cause equity is racist! Maybe vestar should go and build something in south phoenix for all the homeless and OUR VETS

Hell no to vestar in this area! Equity bs doesn't work here I've already lived that time of my life . It's equality and if vestar is a foreign entity would rather they go globalize some other suckers! I've seen what these globalists and their equity has done to Greece first hand! Hell no! Fix the buildings that are up and need a gut job remodel! Don't want nothing from vestar or their desert ridge ideas!

No more businesses around 3 schools! No riff raff needed anywhere close to any of these kids! Globalists OUT and the word is EQUALITY.

No to this build.

Kay E

**From:** Mahitha
**To:** Anthony M Grande
**Cc:** Mahi
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 12:48:25 PM

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Hello Anthony,

I am Mahitha Valluri. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Mahitha

Sent from my iPhone

**From:** Justin Scott
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 8:53:43 PM

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Hi Anthony,

I am reaching out to you with my concern about the Black Mountain Village proposal at the intersection of Black Mountain Road and Deer Valley. I am a current resident of Desert Ridge in the Fireside community. I kindly request that Case Numbers: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 are denied. I have no interest in this property and there is absolutely no need for it. This will only cause significant issues in our community.

I hope you consider the Phoenix residents that will be very negatively affected by this proposal if passed. Thank you for your attention.

Sincerely,
Justin Scott

Justin Scott
Justinscott634@outlook.com
(480) 865-4700
21264 N. 36h Place, Phoenix AZ 85050

**From:** ramya silpa
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:19:47 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** lakshmi alapati
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:24:31 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** Bob Donnelli
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Monday, September 11, 2023 3:05:16 PM

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Hello Anthony,

A topic was brought to my attention re: Black Mountain Village development on the corner of Deer Valley road and Black Mountain freeway. In the communication, it stated a plan to develop the area commercially.

As a resident homeowner in the Desert Ridge Aviano community, I would be opposed to such development. The expression ‘convenience has its costs’ is not a mantra that would garner local resident support.

As you are aware, with the implementation of such comes an impact on the local community. These external, non-controllable influences would add additional burden to the traffic flow, already very challenged with the high school across the street; an esthetic decline of the local neighborhood housing; an invitation to non-resident commuters; and the potential for a parabolic change of public safety in the local community.

I understand business well. The location would embrace a single family residential development, a logical option for the land. This area is a much sought after residential community and the ability to pre-sell any number of residences would be accomplished with little effort.

Albeit one email, this topic was brought to my attention by a host of local homeowners. I look forward to your consideration.

Sincerely,

Robert Donnelli
602.708.1250

Sent from my iPhone

| | |
|---|---|
| **From:** | Praveen Mahadevaiah |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village (case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2) |
| **Date:** | Monday, September 11, 2023 9:13:42 AM |

Dear Sir,

This is Praveen Mahadevaiah a resident of Fireside in Desert Ridge, Phoenix. I am writing this email to express our opposition to the proposed Black mountain village with case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2.

Our homes were built under the Desert ridge specific plan. The plan promised us a clean, quiet and safe neighbourhood because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited. The land at deer valley and black mountain is designated residential under the plan, Vestar, the developer of the Desert ridge marketplace, now wants to rake in more money by changing the zoning and the plan, to put in a 20 acre shopping center right across from Pinnacle high school. They say it will contain a drive through fast food, drive through coffee, a gas station and grocery of unknown name and type.

Many of us were baffled by this rezone proposal and worried about the noise, crime, litter and pollution and traffic nightmares. As state route 51 route ends at the Black mountain blvd, there is already a lot of traffic and congestion in this intersection of Deer valley and black mountain, especially during peak hours. With the proposed rezone for a commercial property, this will make matters even worse.

Our house backs up to the black mountain blvd and we are really worried about the rezone proposal and the effect it will have on our beautiful community.

We request you to consider our opposition to this proposed rezone of the residential block and we don't want the black mountain village.

Regards
Praveen

**From:** Yasmin Rivera-Klein
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2
**Date:** Monday, September 11, 2023 8:46:51 PM

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Dear Anthony,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Yasmin Rivera

| | |
|---|---|
| **From:** | Susan Ze |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Black Mountain village - Superblock 12 Oppostion |
| **Date:** | Monday, September 11, 2023 3:24:52 PM |

Mr. Grande and Councilman Waring. Greetings.

As residents of Copperview Neighborhood in Fireside - Desert Ridge, my husband and I are adamantly opposed to the proposed rezoning of the property known as a portion of Parcel 12.L within Superblock 12 of the Desert Ridge Specific Plan. We realize you have probably received many letters expressing such opposition, so I will briefly list our concerns. We moved from northern California about seven years ago to be closer to two of our daughters and their families and have found a pleasant home in Copperview but already see some negative activity and really fear how the proposed Black Mountain Village Project will escalate those negative incidents. Many of the younger families in the neighborhood may have already expressed their opinions, but I feel that we older folk should also have a voice.

We live on E Abraham Lane, just off of Mayo and very close to the Black Mountain/Mayo corner where large numbers of high school students congregate at the lights waiting to cross and cars wait in long lines to either turn left to access AZ 51 or drop off their children in the right lane. We also have long lines of cars on Abraham Lane itself as well as N 36th Street during drop off and pick up times and many cars exceeding the speed limit and/or making U turns. A commercial property on Black Mountain Blvd across from the high school will add more traffic problems to all parts of the Fireside neighborhood, not just Copperview. In addition, the safety of our students going to Pinnacle High School will be adversely affected.

We have watched over the past few years as vandalism and criminal incidents have increased at Desert Ridge Shopping Center. Putting a commercial center right next to a high school is only inviting more of such behavior.

The noise and light pollution will certainly increase and woe to those neighbors whose houses back up to Black Mountain Blvd directly across from the proposed commercial project. In addition, the amount of litter produced will surely spread over into the adjoining neighborhoods.

Of course, there is a master plan for Desert Ridge, and a commercial center next to the high school was not included, for very good reasons. We realize that the land is owned by the Arizona State Land Department and proceeds from the sale of such lands is to benefit the schools, but what better way to benefit Pinnacle High School (as well as the surrounding neighborhoods, including Fireside, Aviano, and Sky Crossing) than to provide additional student parking and/or a well designed drop off/ pick up area which would alleviate and not add to current traffic problems.

If you truly feel in your heart the need to vote for rezoning, despite the very logical and well researched objections, my husband and I hope that you will fight to incorporate absolute requirements, such as including community resources (a library and funding for it would be a fantastic addition!), covered parking with solar panels to reduce electricity needs, location requirements that reduce traffic problems and light pollution, prohibiting any gas station or any all night business, to mention just a few ideas.

I hope that you will truly take the concern of your fellow citizens to heart and not just rubber stamp the rezoning request in order to replenish the city or the school districts coffers. While we may be only a small neighborhood compared to the number of people living in Phoenix, we should be respected for our opinions and needs. Please realize the adding a commercial center right next to the school and directly across from a residential area does not meet OUR needs and certainly does not show any respect for us.

Sincerely,

Susan Ze

**From:** barbara bass
**To:** Anthony M Grande
**Subject:** Rezoning for commercial shopping center
**Date:** Tuesday, September 12, 2023 2:49:39 PM

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No NO I know Money Talks But so does the residents of out neighboring communities! We DONT WANT THIS ! (Protecting the safety of our children with a high school right next door! For the safety of all the homes, for the additional traffic, NO NO)We have a beautiful shopping center with All the amenities we need and Crimes have increased WE DONT NEED THIS IN OUR BACK YARDS! I'm not sure this can be stopped because it's all about $$$ But we can try!!!!

Sent from my iPhone

| | |
|---|---|
| **From:** | Eliza Bozzelli |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Michael Bozzelli |
| **Subject:** | STRONGLY OPPOSED to Black Mountain Village |
| **Date:** | Tuesday, September 12, 2023 10:03:11 AM |

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To Whom it May Concern,

We are new residents are Fireside with 3 small children, two of which attend Fireside Elementary School. We bought our home under the pretenses that we were raising our family in a safe, quiet neighborhood and that the land around us had VERY MINIMAL commercial zoning.

This suggested rezoning is going to have such a great impact on our community, our safety, and our already overwhelmed streets. Especially Mayo, which we walk along every day to bring our kids to school. Mayo is a complete nightmare during school dropoff and pickup hours already.

Furthermore, the threat of a gas station, or drive through will bring fumes, loitering and crime to our community.

I am STRONGLY OPPOSED to this rezoning and I feel that I was sold a lie when I bought my house. Our children and our community deserve better than this.

Eliza Bozzelli

**From:** Jen
**To:** Anthony M Grande
**Subject:** Opposed to Re zoning
**Date:** Tuesday, September 12, 2023 7:11:39 PM

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I read that Bestar is looking to redone near Deer Valley and Blk Mtn Rd.

I want to state that I am opposed to this Re-zoning.

Let me know if I need to sign anything .

Thank you-

Jen Cakebread
Long Realty Unlimited

**From:** Jason Epstein
**To:** Anthony M Grande
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.
**Date:** Tuesday, September 12, 2023 11:58:46 AM

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Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | J |
| **To:** | Anthony M Grande |
| **Cc:** | PDD Desert View VPC |
| **Subject:** | Black Mountain Village / Superblock 12 Proposal |
| **Date:** | Tuesday, September 12, 2023 9:47:22 PM |

In reference to Cases:
GPA-DSTV-2-23-2
GPA-DSTV-3-23-2
Z-39-23

Hi Anthony,

I just ended a community meeting with the representatives from Vestar (Gammage & Burnham) and my local community where the conceptual plan for black mountain village was discussed. I have to say I am deeply disappointed with this proposal, that includes a request for amending the districting of the land from residential to commercial and the build out of a 20 acre shopping center. From the call itself, many other community members were equally disappointed and voiced their concerns.

I've read through the plan and the commentary as provided by the representatives of this build out, that includes notes such as that this is to the benefit of the community in limiting drive time and is intended to cater to the local area residents. I am a local resident and my current shopping drive time is 5 minutes to the desert ridge shopping center. I do not agree that bringing traffic, crime, pollution, litter, noise, and light are worth the benefit of saving me 5 minutes of drive time to do my regular shopping.

I originally purchased my home in the sky crossing community as a part of the desert ridge specific plan, with the understanding that commercial placements would stay near the commercial core of the desert ridge area. Should the concept be built, it is difficult to say that the city did not intend to lure high income residents such as myself into the community with intention to later change the zoning to benefit builders and local revenues over the safety and peace of mind of it's residents. The city planners believed that this location would best serve the community as residential zoning as per the Desert Ridge Specific Plan 6-44 under section 'Superblock 12'.

It is inarguable that commercial districts bring new types of crime to residential communities. It is inarguable that commercial districts bring more traffic to local communities. The benefit of building this shopping center, right next to current homes and a large high-school, must outweigh the traffic, safety concerns, pollution, and noise that such a district would bring. Since as written by representatives of the build that this shopping center would be to our benefit, I fail to see what benefit that is that outweighs the safety of our local students and peace of mind of residents of the local communities. When asked during tonight's phone call about prioritizing pedestrian bridges for students and locals, the answers were that the associated costs were prohibitive, likely indicating that the priority is not on benefit of residents, but on revenue. Perhaps you can share the value-add that outweighs the risks of commercial traffic near a school zone?

Should this build go through, my wife and I will likely leave the community. I've personally experienced commercial districts being built next to otherwise quiet, residential locales, and have heard the song and dance of attorneys who have promised minimal impacts and benefits

to the community. This was intended to be our forever home, and should we have to contend with the risk of a large shopping center such as this one and the risks that shopping centers bring, we will find ourselves residents of a new community and will encourage the multitude of other community members who are equally disappointed to leave as well.

I ask that commercial districting stay within the current confines of existing commercial districts, that we refrain from re-zoning residential districts to commercial districts found in the desert ridge specific plan, and that the land we use keeps as planned by the original authors of the desert ridge specific plan, unless and as agreed to, by residents of the community, not builders seeking profit.

Thank you for your time and your consideration,
Josh

**From:** Barb Melsek
**To:** Anthony M Grande
**Subject:** Rezoning on Black Mountain
**Date:** Tuesday, September 12, 2023 8:58:15 PM

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I am opposed to the rezoning from residential to commercial on Black Mountain Blvd and Deer Valley. This will not be safe for the 100's of children and staff that go to Pinnacle High School

Thanks,
Barb Melsek

Sent from my iPhone

**From:** Kenneth Miller
**To:** Anthony M Grande
**Subject:** Opposition to rezone
**Date:** Tuesday, September 12, 2023 2:56:45 PM

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Hi Anthony,
As a 17 year resident of Aviano and living near deer valley I vehemently oppose the rezoning of The parcel of land near pinnacle high school. I have had 3 kids go thru that school. The traffic is horrendous, the lure of a gas station to buy tobacco and alcohol and generally hang out will be a detrimental to the kids and our nice quite pocket away from all shopping and industry will be depleted. I feel, as a real estate agent that this will lower property values and become a beacon for crime near our homes. Please reconsider. We will all be there at the October meeting. Thank you
Debbie Miller
22008 north 36th way

Sent from my iPhone

**From:** C. Taylor Morgan
**To:** Anthony M Grande
**Subject:** Opposition to Black Mountain Village
**Date:** Tuesday, September 12, 2023 9:27:15 AM

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Hello Mr. Grande,

My name is Christine Taylor Morgan and I am a resident of Scarlet Ridge in the Fireside subdivision in Desert Ridge.

Over recent months I have become aware of the recent efforts by Vestar to rezone land nearby my home to create a large shopping complex. I just want to add my deep concern and opposition to such a development. I bought my house in 2011 and was comforted by the lack of commercial development nearby. Desert Ridge shopping center is close enough (only a few blocks away!) for all my shopping needs and Costco gas station is not far either and much cheaper alternative to Jacksons. I worry about the increased traffic off the 51 and on Mayo (interfering with my exiting my neighborhood), the danger to schoolchildren walking back and forth from school, the crime and loitering that will inevitably follow, the negative impact this will have on the health and safety of Pinnacle High School students, the increased light pollution and car exhaust pollution, and yes, sadly, the increase in homeless near my home. My house backs up to a wash near Black Mountain Blvd and I can foresee a future where homeless could possibly make an encampment behind my house. It makes me feel like I may need to move for my own peace of mind and safety. Honestly, I was hoping that a portion of the empty land in front of Pinnacle High School would have been turned into a parking lot for the students or parents for pick-up and drop-off. It is absolutely chaotic around the area for drop-offs and pick-ups. But of course, there is no profit in that.

I feel this development is completely unnecessary and would like to add my name to those who are vehemently opposed to it. Thank you for your consideration and involvement in this matter.

Regards,

C. Taylor Morgan

**From:** julie richards
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, September 12, 2023 11:54:23 AM

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My family has lived in Aviano for the past 17 years. We have loved our quiet community and do not need or want a shopping center close by. We strongly oppose Black Mountain Village.

Case number: GPA-DSTV 2-23-2 GPA-DSTV-3-23-2/z-39-23-2

Sent from my iPhone

**From:** Jodie Abrams
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 13, 2023 9:27:02 AM

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Re: cases GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

To whom It May Concern:
I want to register my strong opposition to the proposed Black Mountain Village at Deer Valley and Black Mountain. As residents we chose to live in Fireside at Desert Ridge for a clean, quiet and safe neighborhood which was built under the Desert Ridge Specific Plan. To rezone for Vestar's commercial purposes is a complete betrayal to this community. Furthermore, this would drastically increase the traffic around the high school area and potentially put the kids at risk for traffic accidents and crime. Please DO NOT allow the zoning to be changed.

Jodie Abrams
3872 E. Melinda Dr.
Phoenix, AZ 85050

**From:** JAYNE BAHOURA
**To:** Anthony M Grande
**Subject:** No to vestar on deer valley and black mountain blvd.
**Date:** Wednesday, September 13, 2023 7:24:07 AM

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Hello
You may not live in the area, but this is a super bad idea. The location is in the middle of neighborhoods. Nobody wants the traffic or the noise this would create. We have desert ridge around the corner and cave creek rd. Both of have plenty of gas stations and food options. Please do not consider this ludicrous idea. Its not an added value location, it would be a community disrupter.
Thank you
Jayne Bahoura

Sent from Jayne

**From:** Cindy Bennette
**To:** Anthony M Grande
**Subject:** Vestar Rezoning
**Date:** Wednesday, September 13, 2023 1:20:27 PM

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I am writing to inform you that I am extremely opposed to the Vestar plan to change the zoning from residential to commercial at Deer Valley and Black Mountain Boulevard. There is already a major traffic issue on that corner, children walk through that area and I am concerned that this will become an extreme hazard for them. Additionally, it does not fit within the desert ridge master plan, and will create chaos for homeowners across the street. We specifically moved to this area to avoid heavy commercial areas.

Thank you for your consideration, Cynthia Bennette

Sent from my iPhone

**From:** lburdett
**To:** Anthony M Grande; lburdett@q.com
**Subject:** Apposed to Rezoning Black Mountain Pkwy
**Date:** Wednesday, September 13, 2023 5:58:46 PM

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Hi Anthony

I am writing to you to let you know I absolutely oppose the rezoning of Black Mountain Parkway Blvd and Deer Valley Rd where they want to put in commercial zoning. Please don't do this. Phoenix is developing every inch of land Arizona has!

Thank you
Laura Burdett

Sent from my Verizon, Samsung Galaxy smartphone

**From:** Diane Cash
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Wednesday, September 13, 2023 10:34:10 PM

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Anthony
I received the email talking about the rezoning of the area off of Deer Valley/Black Mountain putting in grocery store, gas station, coffee shop etc.
I am opposed to this . Traffic in that area is always congested and busy with the high school.
We have plenty of stores and gas station at Desert Ridge
Is there a petition that I need to fill out?
Thank you
Diane

Sent from my iPhone

**From:** Bryant De Piazza
**To:** Anthony M Grande
**Subject:** I oppose Black Mountain Blvd reasoning proposal for Vestar
**Date:** Wednesday, September 13, 2023 2:31:23 PM
**Attachments:** image001.png

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Please do not approve the Vestar requested rezoning for Deer Valley and Black Mountain rd. We already have too many cars and population clogging Tatum and Cave Creek roads and now they want to do that next to the high school. This will also cause more danger for our young youth around the high school and clog up that area. Please oppose.

Thank you




Bryant De Piazza | CEO
E: bryant.depiazza@dpgemelli.com
www.gemellihome.com [gemellihome.com]

**From:** Shelley Flecky
**To:** PDD Long Range Planning
**Subject:** Fwd: Resident of Fireside - against rezone Black Mountain Village
**Date:** Thursday, September 14, 2023 6:53:13 AM

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Begin forwarded message:

> **From:** Shelley Flecky <shelleyflecky@gmail.com>
> **Date:** September 13, 2023 at 9:44:03 PM MST
> **To:** anthony.grande@phoenix.gov, council.district.2@phoenix.gov
> **Subject: Resident of Fireside - against rezone Black Mountain Village**
>
> Hello,
>
> I have been a resident of Fireside Desert Ridge since 2011. I now have a son at Pinnacle High School. I am strongly against re-zoning the area by his school to commercial. This was not the original plan and definitely after all the growth in this area should not be the new plan. Traffic on Black Mountain Blvd is horrendous and downright dangerous during school hours. I don't think it is a safe place to add more congestion. Please do not re-zone! The community does not want this.
>
> Thank you,
> Shelley Flecky
> Referencing case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

**From:** Dana Hurwitz
**To:** Anthony M Grande
**Subject:** Oppose Rezoning Black Mtn Blvd and Deer Valley/Mayo
**Date:** Wednesday, September 13, 2023 6:59:25 PM

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Hi Anthony

I am OPPOSED TO REZONING the residential area off Mayo and Black Mountain Blvd.

I have living in AZ my entire life. Up the street in Aviano community from Pinnacle High School now for about 12 years. We opposed the freeway outlet onto BLack Mountian Blvd when it is being proposed due to the high school and the ineffective bridge that was built over Black Mountain Boulevard. Every day I watch highschoolers cut across the lanes near the roundabout versus using the pedestrian bridge. That bridge was a huge waste of money as the kids who live across the street do not use it. Duh teenagers many will find path of learnt resistance/ effort. so this was a huge waste of our tax dollars and money and makes it very dangerous for the kids. So not good planning there. Another negative is the traffic at PHS during rush hour traffic. Great planning to clog up the very narrow street and bring 2k+ kids to school during rush hour and adjacent to the freeway entrance. An entrance could have been built near a less busy entrance or on the west side of the school or off 40th street where there is no school.

I guess what I am saying is there seems to be little thought on what happens after things are built out and how it actually impacts the folks who use it everyday. Safety in this first example was and IS huge concern.

The principal at PHS opposes the rezoning. Many residents in nearby neighborhood and families that attend PHS oppose the rezoning. The high school has very limited parking and should be expanded to allow for the increase volume of students that attend the school. The school grows more every year. I guess if this becomes commercial where do you think all the sophomores will be parking or the kids who cannot get permits to park on campus?

I feel like Arizona for so long been inept at planning what is proper for communities, families etc. I am good with not needing a grocery store two blocks from my home. There is a ton of WOS off 40th street for development and seems more appropriate. Rezoning to commercial will be an absolute headache for the school, parking, anyone trying to use business in the proposed area. If you have not please drive though the area on a busy school morning and tell me how you feel. Or maybe attend an event at the high school. The parents who attend the school for event have to park in the fields off Mayo as there is just not enough space. I think if any change is to come it should be parking.

I am opposed to the businesses to be clear. Fast food etc is the wrong thing to put in. This will make community unhealthy, have too many More kids crossing BMB and very busy Deer Valley from neighborhoods across the way. No control of pedestrian traffic, even if you try to they are kids and may not abide. The heavily populated (family friendly)neighborhoods do not need these businesses in their vicinity as there are plenty around and better if you have to seek it out to ruin your health. Any entrance for business would be dangerous off Mayo or BMB… Further down deer valley would be better, but not at or near the corner or DV and BMB or mayo and BMB. There is just so many kids out walking and I don't think adding any congestion or entrance for business make sense.

I think desert, some parking for that area make the most sense for the community. Please help our community this time to make the right decision and hold safety, what is logical for the community, growth of the highschool at the forefront vs profits.

Thank you for your time and attention. I am OPPOSED TO REZONING TO COMMERCIAL.

Dana Hurwitz

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:18:37 PM

**Name**

John N

**Email**

Jcsiiajdis@proton.me

**Support Comments**

I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Southwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale,

the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Southwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

**From:** ELONIA LASKU
**To:** Anthony M Grande
**Subject:** Oppose rezoning
**Date:** Wednesday, September 13, 2023 3:49:09 PM

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To whom it may concern!

My family absolutely opposes the rezoning on Black Mountain Blvd.

Thank you!
Elonia Lasku DDS
Aviano resident

Sent from my iPhone

**From:** Heather Magill
**To:** Anthony M Grande
**Subject:** rezoning on Black Mountain Blvd and Mayo Blvd
**Date:** Wednesday, September 13, 2023 2:36:11 PM

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Mr. Grande,

My daughter attended Fireside, currently attends Mountain Trail Middle School and will most likely go to Pinnacle HS next year. I am extremely opposed to rezoning the SW Corner of Black Mountain Blvd and Mayo Blvd into a commercial area.

This was intended to be a residential area not a commercial area.

People purchased their homes with the understanding they were in a residential neighborhood. Allowing a developer to come in a rezone for the developers financial benefit is a slap the neighbors face.

Neither Black Mountain Blvd nor Mayo were intended to be major commercial thorough fairs and there are plenty of businesses within 1 to 3 miles that provide these proposed services. Those areas are in commercially zoned areas and are major roads.

There are 5000+ students at this school. The area is congested enough during school drop off and pick up hours and adding more congestion to the area will create an even bigger risk of accidents especially with student pedestrians and new drivers. We currently have a jaywalking problem at that very intersection twice a day. Along with many cars parking along the road for student pickup.

Rezoning the area to commercial appears to be a ploy for businesses to target students who are still learning to manage impulse control and money management. In addition, it increases the opportunities for student truancy, loitering, littering, purchasing questionable products such as vapes/alcohol they can easily hide and take directly into school.

Because the businesses will be overwhelmed with students and students will try to park their to attend school rather than the school parking lot, I suspect many signs will be posted ... "customer parking only", no loitering, only "3 students the store at a time", "cars will be towed after two hours", "no student drop off/pickup". They might even have to higher a security service to prevent these activities creating a negative environment at the business center and the neighborhood.

Based on on those items I believe commercial area will not benefit the neighborhood but make it more stressful and unhappy to access.

Please ask yourself, would you want stores and a gas station to be built right next to your home or to your child's school? Its one thing to choose a place where that already exists, its quite another for someone to change the rules after you have already purchased your home and established your family.

Thank you for your attention in this matter.
Heather Magill

**From:** Heather McDonough
**To:** Anthony M Grande
**Subject:** Concerns for proposed land development
**Date:** Wednesday, September 13, 2023 2:39:23 PM

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Hi Anthony,
I'd like to voice my concerns about having such a large commercial development so close to the high school. I know that this area is underserved with things like grocery stores, but I have some safety concerns. I'm concerned for a few of these reasons:

1. It will bring a bus stop to the area right outside the high school. Possibly opening it up to panhandlers and homeless individuals that we have seen on the rise in Desert Ridge. Posing safety risks to those who walk to and from school.

2. The traffic is already very bad in that area, and will likely cause more congestion and traffic.

3. Loitering after school by the high school kids, causing safety concerns, also kids from the high school parking in the shopping parking lots.

4. Noise and light pollution for those homes surrounding this area that has been proposed.

Thank you for your time and consideration in this matter.
Heather McDonough

| | |
|---|---|
| **From:** | Eugene |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Applications to Amend the General Plan and Zoning Ordinance for Desert Ridge |
| **Date:** | Wednesday, September 13, 2023 9:45:37 AM |

As you are aware, there are pending City of Phoenix Planning and Development Department applications (GPA-DSTV-3-23-2 and Z-39-23), to amend the Desert Ridge Master Plan and zoning ordinance to allow building a commercial shopping center in the middle of our residential community! This level of over-development needs to stop NOW, and I request your support to deny this change. Vestar is not interested in the quality of life in our community. This commercial center would transform the neighborhood to absorb increased traffic, noise, lighting, pollution, and even crime. What possible benefit can another neighborhood retail grocery store, gas station or restaurant add to the abundance of retail shopping and dining at the Desert Ridge Mall and surrounding areas?

Instead, I would ask that you consider developing this 20.5 acre site owned by the people of Arizona (through the Arizona State Land Department) by planting trees and green landscaping for the use and pleasure of your District 2 voters and their children rather than the profits for the Vestar investors!

Sincerely,

Eugene F. Montgomery, PE

Sent from Mail [go.microsoft.com] for Windows

**From:** Camille Nassif
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2
**Date:** Wednesday, September 13, 2023 1:33:44 PM

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Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2
Project located at the corner of Deer Valley Road and Black Mountain

Please do not move forward with this re-zoning. We want to keep this area commercial free as was originally planned and sold to us. There are commercial areas only a few blocks west on Tatum Blvd and a few blocks east on Cave Creek - we do not need additional commercially designated zones with ones already so close.
There is already too much congestion at that same corner during the mornings and afternoons due to the adjacent school and this will not only make it worse but also more dangerous for these students and for the neighboring residents.

Thank you for your time and attention, Camille Nassif

**From:** Peggy Polito
**To:** Anthony M Grande
**Subject:** Oppose!!!!
**Date:** Wednesday, September 13, 2023 9:02:48 AM

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Anthony Grande,

I'm letting you know, I  absolutely oppose the rezoning on Black Mountain Blvd. When is enough….enough!

Peggy Polito

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Stop the Rezoning change on Parcel 212-38-023B (Black Mountain Village) |
| **Date:** | Wednesday, September 13, 2023 2:16:00 PM |
| **Attachments:** | image001.png<br>image002.png |

Hello Mr. Grande and councilman Waring,

I wanted to bring this to your attention that people in the Desert Ridge area have paid ads popping up on their Facebook page requesting people to sign their petition in support of the Vestar's Black Mountain Village Devlopement. If this advertisement is sponsored by Gammage and Burnham, is this even legal? This advertisement is very misleading, in a matter that could sway the outcome of the legal representation that they're providing to Vestar.

A major concern residents that live around this development have is that there is no way of knowing what is being considered as part of this development. Once this is approved to be rezoned, Vestar can do whatever they want with this land. The survey at the bottom of this page asks people to take a survey of which grocery store people would like to see in this development. Below are the options that people can choose from:

- Trader Joe's = Between 10,000 and 15,000 square feet
- Sprouts = 28,500 square feet
- Whole Foods = Between 21,000 - 38,000 square feet
- Safeway = 46,000 square feet
- Fry's = Between 80,000-105,000 square feet

I would say there's a massive difference between the stores they are discussing in that online survey. We need to know if they are discussing something smaller like a Trader Joe's or something massive like a Fry's. There is a huge difference between these. There is no sense of connection or community if you're planning on adding a Fry's to this development. This is also not catering to just the Desert Ridge community. Take a couple minutes to jump on the Nextdoor website/app and you'll see an incredible amount of people who live south of the 101 excited to see this development. This would allow them to stay off the 101 and just exit directly off the 51, onto Black Mountain Boulevard. This is not at all what Vestar is trying to promote with this project! They're promoting a sense of community and providing convenience for grocery stores and gas stations to Desert Ridge residents.

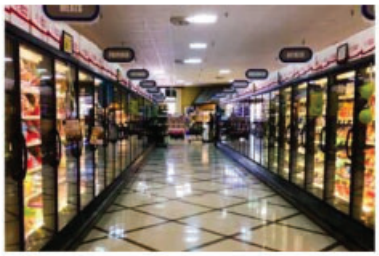
If you open up google and type in GAS STATION you will find that there are **11 gas stations within 3 miles of this intersection**. Additionally, within **3 miles of this intersection you have a Costco, Fry's, Albertsons, and Target**. I can't easily count the number of restaurants in that 3 mile range, but you have over a 20 alone near Desert Ridge and including High Street. There is absolutely no reason Vestar should be even considering a gas station at this location. The families that built either directly across the street, or very close to this development, are being punished for no reason. We were told that this is a residential superblock. The families that built in this area did so knowing that they would have a safe, quiet, area for their children to grow up around. This is not what I want directly across the street from my young family. Fireside residents, Sky Crossing resident, as well as the Estate at Ridgeview are uniting and we need to know we are being heard. This development can not just be a formality, because of the auction price is too lucrative.

I sincerely hope you take my concerns into consideration when deciding the fate of this rezoning vote. I look forward to speaking with both or you, in person, at the remaining council meetings.

Thanks,
Dan Richards
21618 N 36th Street

# BRING A NEW GROCER TO DESERT RIDGE

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would **provide us with convenient access to fresh and affordable food options**. As we continue to grow and evolve as a community, having a neighborhood shopping center will not only contribute to our convenience but also provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.


**IF YOU AGREE, PLEASE SIGN OUR PETITION »**

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center that will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

Additionally, a shopping center of this nature can serve as a hub for social interaction, creating a sense of place and fostering a stronger sense of community. It can become a gathering spot for neighbors to meet, interact, and support local businesses. **This sense of connection and interaction can contribute to a more vibrant and tightly knit neighborhood.**




A well-planned and community-oriented development of this kind can add significant value to our neighborhood without compromising its unique character.

**Please consider supporting the development of a neighborhood grocery-anchored shopping center.**

**PLEASE SIGN OUR PETITION HERE »**

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If you have any questions, please email us at NewGrocer2023@gmail.com

For questions or to provide comments regarding this project that will be made part of the public record, please contact:

Michelle Santoro
Senior Land Use Planner
Gammage & Burnham, PLC
msantoro@gblaw.com
(602) 256-4486

The City of Phoenix project contact is Anthony Grande, Desert View Village Planner. Mr. Grande may be reached at anthony.grande@phoenix.gov.

**From:** Dorie Sanders
**To:** Anthony M Grande
**Subject:** Rezoning proposal
**Date:** Wednesday, September 13, 2023 7:09:51 PM

---

Please DO NOT permit changed zoning on Deer Valley Rd and Black Mountain. You are ruining our desert. We don't want it or need it for all the reasons you've already heard. The traffic density is already saturated and our community will suffer the consequences. We don't want or need additional commercial development.

Sent from my iPhone

**From:** Tonia Schwartz
**To:** Anthony M Grande
**Subject:** Rezoning at Deer Valley & Black Mountain
**Date:** Wednesday, September 13, 2023 8:44:22 PM

---

Please do not rezone commercial! Maintain the family neighborhood and protect the area from congestion and increased traffic.

Tonia Schwartz

Sent from Mail [go.microsoft.com] for Windows

**From:** Joanna Stockford
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Oppose rezoning on Black Mountain
**Date:** Wednesday, September 13, 2023 8:01:34 AM

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To whom it may concern:
I strongly opposed the development of property at Deer Valley and Black Mountain. The traffic in this area is already unmanageable and adding commercial property is only going to exacerbate this issue. It already takes an extraordinary amount of time to get children to and from Pinnacle High School. And yes, we live in district for that school. It will also create a safety hazard for students walking to and from school from the surrounding neighborhoods. There is already a shortage of parking at the school- this parcel is used for special event parking when the lot is full (football, etc.). This could lead to overflow parking now occurring in the nearby neighborhoods.

Desert Ridge Marketplace is 3 miles from this location and has everything anyone could need so the development of this small parcel in the middle of a neighborhood right next to a school (also increasing the risk of crime) is completely unnecessary. It should remained zoned for residential.

Thank you,
Joanna Stockford

Sent from my iPhone

**From:** Carol Ticgelaor
**To:** Anthony M Grande
**Subject:** Zoning on Black Mountain Parkway/ Deer Valley Road
**Date:** Wednesday, September 13, 2023 4:33:16 PM

---

Dear Sir,

I am writing to express my opposition to the proposed re-zoning effort by Vestar. There are two schools very nearby, and I am concerned about the increased level of traffic in that area with a commercial project.

My daughter and her young family live in the subdivision directly across from this proposed area. I believe it is currently zoned for residential construction, which I believe to be the best use.

I appreciate your taking the time to consider my viewpoint.

Most respectfully,

Carol Fortune Ticgelaor

Sent from Mail [go.microsoft.com] for Windows

**From:** Marci Gluck-Stewart
**To:** Anthony M Grande
**Subject:** No rezoning!
**Date:** Thursday, September 14, 2023 7:54:00 AM

---

I oppose the rezoning on black mountain Blvd near pinnacle high school. Please don't allow this!!

Marci Gluck
Resident

Sent from my iPhone

**From:** Matt Gunty
**To:** Anthony M Grande
**Subject:** Oppose reZoning by Vestar
**Date:** Thursday, September 14, 2023 7:10:34 AM

---

As a long time resident of this area I oppose the reZoning petition by Vestar to move the Deer Valley/Black Canyon freeway at Pinnacle peak from residential to commercial- this area has been over saturated with expansion and the particular location will encroach in an area near a high school that already sees and influx of young drivers, pedestrian and vehicular traffic.
Please support the constituency and not big business. Put your efforts towards getting bonds approved to construct a much needed new high school in the Norterra area for an already over burdened system.
Sincerely,
Matthew Gunty
1005 w Remuda Dr
Phoenix AZ 85085

Sent from my iPhone

**From:** Dana Huether
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Thursday, September 14, 2023 7:27:32 AM

---

I am very much opposed to rezoning of the corner of Deer Valley Road and Black Mt. Blvd.

My grandchildren are high school age (Pinnacle High).

Velstar Development's plan is not conducive to a family neighborhood It will bring excessive traffic, noise and late night business into an area intended for family life.

Dana Huether
Phoenix AZ

**From:** Sharon Lee-Peters
**To:** Anthony M Grande
**Subject:** OPPOSE VESTAR REZONING
**Date:** Thursday, September 14, 2023 5:35:41 AM

---

We absolutely oppose the rezoning on Black Mountain Blvd for a grocery store, a gas station, either/and/or a chic fil a, chipotle, dutch bros, etc. on that little corner of space next to Pinnacle High School.

PLEASE DON'T ALLOW THIS TO HAPPEN! A gas station would be a disaster!

Thank you,
Sharon

*Sharon Lee-Peters*
*Interior Designer*

*Anthony Peters*
*Contractor*
https://www.facebook.com/sharon.lee.peters/ [facebook.com]

*Style By Design LLC*
*21001 N Tatum Blvd*
*Suite 1630-160*
*Phoenix AZ 85050*
*602-788-1216*

*"I'm going to make everything around me beautiful—that will be my life." - Elsie De Wolfe*

**From:** Carefree Builders
**To:** Anthony M Grande
**Subject:** Stop the redone
**Date:** Thursday, September 14, 2023 11:18:33 PM

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Hi Anthony ,

I live is SkyCrossing .
I would like to voice my opinion in this redone at black Mnt and deer Valley.

This does not seem like a good fit right next to a high school.
And it very close to the residential areas.
We all wish this would stay Residential land.
I do think this could devalue our home.
Thank you for your time .

# Best Regards,

Mike Paluscio,

602.499.5955
Carefree Builders LLC
100 Easy St. #5607
Carefree, AZ 85377
ROC: 342992

**From:** Dee Willis
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain Blvd
**Date:** Thursday, September 14, 2023 4:56:38 PM

---

I object to the rezoning of Black Mountain near Mayo.

Sent from my iPhone

**From:** Michael Bozzelli
**To:** PDD Long Range Planning
**Subject:** Fwd: Strong opposition to the proposed rezoning in Desert Ridge
**Date:** Friday, September 15, 2023 12:05:50 PM

---

---------- Forwarded message ---------
From: **Michael Bozzelli** <mikeboz175@gmail.com>
Date: Fri, Sep 15, 2023 at 12:04 PM
Subject: Strong opposition to the proposed rezoning in Desert Ridge
To: <council.district.2@phoenix.gov>, <Anthony.Grande@phoenix.gov>

Mr. Grande and Mr. Waring,

I am a resident of Desert Ridge and a father of three young children. Our family moved here this year for the distinct purpose of enjoying a quiet, safe neighborhood for our kids to grow up in. I am very upset to learn that the land on Black Mountain is being considered for rezoning as we already have so much traffic on our overwhelmed streets. Furthermore, we have two schools filled with children within a block of each other that is very burdensome to Black Mountain and Mayo.

Bringing in commercial development will further burden our streets, increase noise and pollution, lower property values, raise safety issues, and put more of our neighborhood at further risk of to commercial rezoning. I am strongly against this proposal, we moved here specifically to escape this type of living.

Respectfully,
Mike Bozzelli

In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

| | |
|---|---|
| **From:** | ME Dahl |
| **To:** | Anthony M Grande |
| **Subject:** | Proposed rezoning on Black Mountain Blvd & Deer Valley Road |
| **Date:** | Friday, September 15, 2023 2:27:19 PM |

Good afternoon Mr. Grande,

As a long time Phoenix resident and taxpayer, it has come to my attention that there is a proposal to rezone the area of southwest Black Mountain Blvd and Deer Valley Road on the plot of land that is shared with Pinnacle High School.

Even with the widening of Deer Valley Road, the traffic in this area has grown exponentially over the last four years with the addition of a thousand new homes. The traffic at Pinnacle High School any given time of day, but especially during the morning drop off and afternoon pick up, creates gridlock. The Friday night football games, with the shortage of parking spaces, creates a foot and vehicle traffic nightmare with attendees parking wherever there is a spot on and off campus, and having to walk in the dark to and from their cars presents a danger.

Considering a rezone on this corner to add a commercial element that serves food and/or gas, whose only purpose is to serve the developers, would not only be careless and irresponsible from a safety standpoint, but inherently negligent at any number of possible detriments to our neighbors.

Your taxpayers in this area are vehemently opposed to this idea. I hope that you and your fellow city planners as well as the city council make the right decision.

Thank you for your consideration.

M.E. Dahl

Sent from Mail [go.microsoft.com] for Windows

Virus-free.www.avg.com [avg.com]
[avg.com]

**From:** Jia Zeng
**To:** Anthony M Grande
**Subject:** Keep Our Kids Safe - Oppose Rezoning at Black Mountain Blvd/Deer Valley
**Date:** Saturday, September 16, 2023 2:58:53 PM

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Dear Mr. Grande,

I am reaching out as a worried resident at Fireside Desert Ridge, deeply concerned about the safety of the students and the families of those who are attending Fireside Elementary and Pinnacle High School. The rezoning proposed in cases GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 will severely increase traffic in our quiet community.

Every day, we see numerous students walking and bicycling to school, a sight that warms our hearts and speaks of a safe, close-knit community. Introducing a commercial hub will put these innocent lives at risk, disrupting the safety and tranquility that currently envelopes our neighborhood.

I urge you to consider the peace of mind of countless parents and guardians, and reject this rezoning proposal. Let's keep our neighborhood safe and conducive for our children's growth.

Thank you for your consideration.

Regards,
Jia Zeng

**From:** Nikki Branstiter
**To:** Anthony M Grande
**Subject:** Oppose Commercial build near Pinnacle High School
**Date:** Sunday, September 17, 2023 7:45:06 PM

---

Hi Anthony,
I oppose building anything commercial near Pinnacle High School. It would bring so much more traffic to an already congested area and more crime. Not a good place to put it. Highly oppose the idea.

Nikki Branstiter

**From:** Maripat"s
**To:** Anthony M Grande
**Subject:** Fireside zoning
**Date:** Sunday, September 17, 2023 8:30:00 PM

---

Dear Mr Grande,
I am a resident of the Fireside Community and I am concerned about the potential action to change the zoning at Black Mountain and Deer Valley from residential to commercial. Most importantly is the proximity to Pinnacle High School. Looking at high schools in both Paradise Valley & Scottsdale school districts most of them, if not all, are set within the community, surrounded by homes, parks, churches and other schools. This provides easy, safer accessibility and safety for students and families within the community, and it is how the community was designed. Changing to a commercial development at that particular location is not a wise functional or safety decision for our community. I hope we can have your support to maintain the residential zoning as designed.
Respectfully,
Mary Burrell
Fireside resident Zachary Dr

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 9:07:20 PM

---

| **Name** |
| --- |
| Christine Cowley |
| **Email** |
| christine.cowley@abbvie.com |
| **Support Comments** |
| I ABSOlUTELY do NOT support this project! Do not put a commercial property across from pinnacle HS- what a traffic and safety NIGHTMARE! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:26 PM

---

| **Name** |
| --- |
| Patrick Gaylor |
| **Email** |
| patrick_gaylor@yahoo.com |
| **Support Comments** |
| I live in one of these neighborhoods. This area is littered with kids riding bikes and people walking their pets. The area does not have the roads/streets to support this growth. |

**From:** Nancy Jones
**To:** Anthony M Grande
**Subject:** Oppose Vestar Desert Ridge Request
**Date:** Sunday, September 17, 2023 9:52:40 PM

---

I am writing to register my opposition to the request to develop the parcel at Black Mountain Parkway and Deer Valley:

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

This is an incompatible use and will create more congestion in an already high traffic area. We already have plenty of shopping in Desert Ridge Marketplace.

Thank you.
Nancy Jones
4029 E Via Montoya Dr
Phoenix AZ 85050

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:44:15 PM

---

| **Name** |
| --- |
| Dawn Martinez |
| **Email** |
| dawnalexm@yahoo.com |
| **Support Comments** |
| I do not, I repeat, I do not support this development. This will cause the traffic to be even worse than it is, especially by the high school. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:01:27 PM

---

| **Name** |
| --- |
| Jody Wilmes |
| **Email** |
| jody.wilmes@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing. |
| **Support Comments** |
| I DO NOT SUPPORT FOR MANY REASONS. |

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar"s Proposal for Superblock 12 |
| **Date:** | Monday, September 18, 2023 12:27:22 PM |

To All Concerned With This Issue:

Unless you have personally been involved with transporting students to and from Pinnacle High School, as I have for the last three years, you cannot appreciate the traffic challenges that occur on a daily basis. Much like a horse race, vehicles jockey for the best position to beat the clock. We have vehicles traveling east and west on Mayo Blvd. We have vehicles traveling north and south on Black Mountain Blvd. We have vehicles traveling north and south on 34th Street. We even have vehicles from both directions turning onto Black Mountain Blvd from Deer Valley. All converge at the major intersection of Black Mountain Blvd and Mayo Blvd directly in front of the high school. Then, as each vehicle maneuvers into the correct lane for left turns, right turns, U-turns, and even the occasional illegal turn, the students gather en masse in the middle of the intersection, awaiting the signal to cross. The old adage that there is safety in numbers definitely applies here. But even under the best of conditions, some students can be seen darting across traffic, crossing against the light, and jaywalking. Add to that a plethora of parents anxious to get their students to school on time, inexperienced student drivers, and the crush of daily traffic --- and you have nothing less than a recipe for disaster.

With the high school located at the intersection of Black Mountain and Mayo Boulevards and with the never-ending vehicular traffic at that intersection, we will always have traffic congestion at this location. However, we can definitely avoid compounding these already existing traffic issues by prohibiting commercial developments in this area. Vestar's proposal promises round-the-clock businesses with round-the-clock traffic. If Vestar’s proposal were to be approved, the result would be nothing less than a first-class disaster.

Please DO NOT approve Vestar's proposal.

Carolyn Dunn
3752 E Covey Ln
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | Anthony M Grande |
| **Subject:** | Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Monday, September 18, 2023 9:35:30 PM |

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing,

most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003




**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Bob Giammarco |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Do not let Vestar re-zone in Desert Ridge |
| **Date:** | Monday, September 18, 2023 7:14:34 AM |
| **Importance:** | High |

Mr. Grande, Councilmen Warring,

Please note my strong objection to the rezoning of Superblock 12 in Desert Ridge, the property at the corner of Black Mountain Blvd. and Deer Valley Road.

This project is ill-conceived and unnecessary. The safety and traffic concerns are enormous next door to a high school and across the street from an elementary school. There's no need for another grocery store in the area, and there are a number of other commercially zoned parcels in the area if a developer wants to risk their capital. There's no reason to re-zone this parcel beyond Vestar's desire to make more money and Gamage and Burnham to generate more fees.

I urge you to reject this re-zoning and any future attempts to do so.

Sincerely,

Bob Giammarco (480) 540-0644
https://linktr.ee/bobgiammarco [linktr.ee]

**From:** Michael Coppola
**To:** PDD Long Range Planning
**Subject:** GPA-DSTV-2-23-2
**Date:** Tuesday, September 19, 2023 6:43:33 AM
**Attachments:** IMG-3094.PNG
IMG-3095.PNG
IMG-3098.PNG
IMG-3097.PNG
IMG-3096.PNG
IMG-3099.PNG
IMG-3100.PNG

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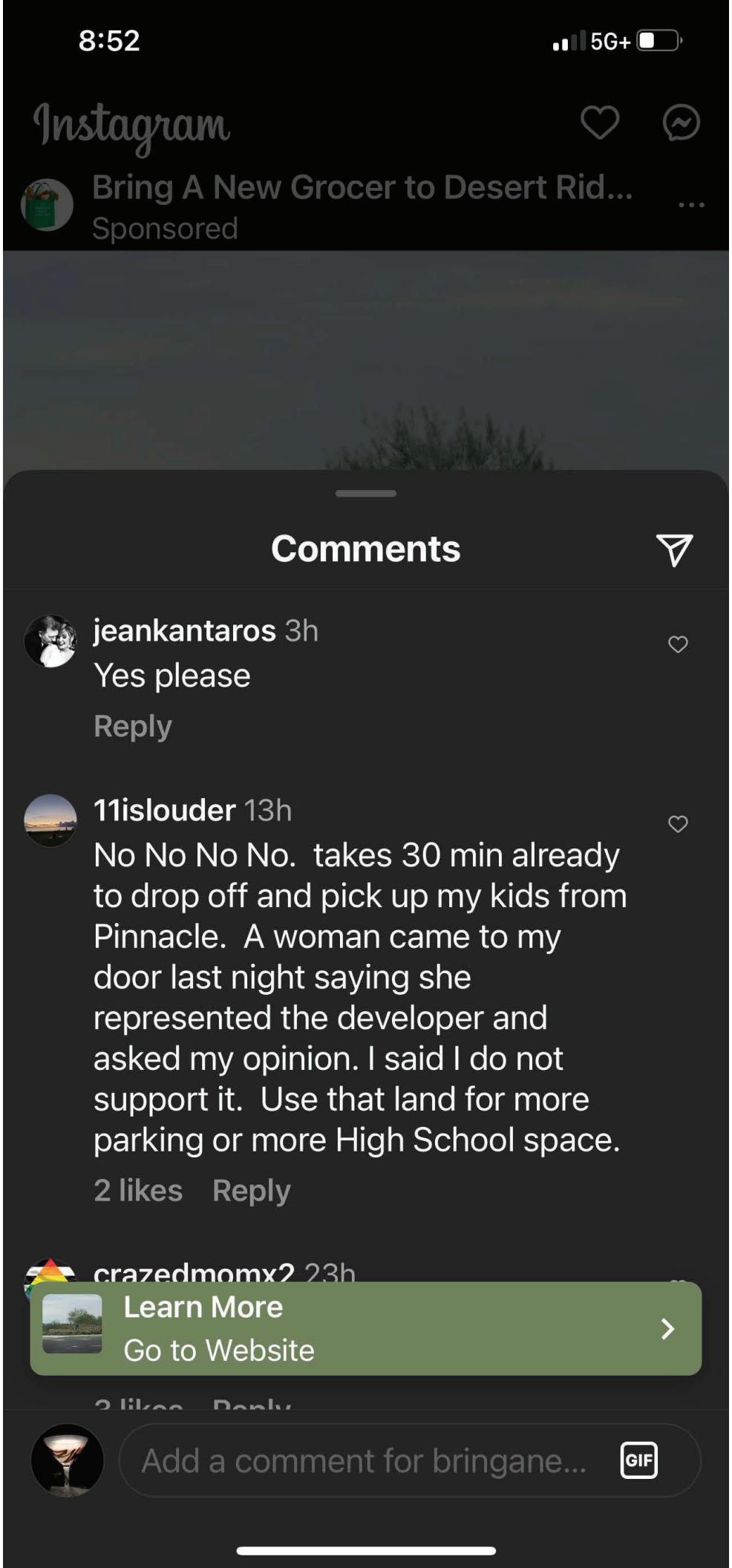
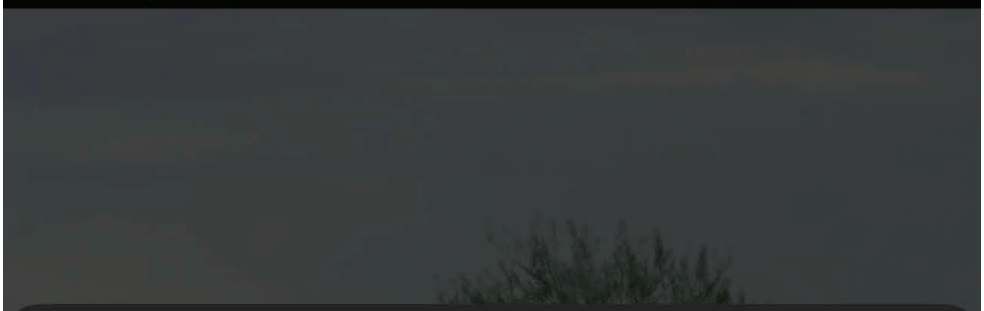
Residents are opposed to this development to rezone this parcel to commercial. The developer's lawyer was less than truthful when presenting to the Sky Crossing residents and failed to show what was available South of the 101 in his 5-mile radius from the site. Nobody wants increased traffic, light, noise and air pollution.


8:52
5G+
Instagram
Bring A New Grocer to Desert Rid...
Sponsored
Comments
jeankantaros 3h
Yes please
Reply
11islouder 13h
No No No No. takes 30 min already to drop off and pick up my kids from Pinnacle. A woman came to my door last night saying she represented the developer and asked my opinion. I said I do not support it. Use that land for more parking or more High School space.
2 likes Reply
crazedmomx2 23h
Learn More
Go to Website
Add a comment for bringane...
GIF

8:52 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored



Comments

2 likes Reply

crazedmomx2 23h
Nope. This is absolutely ridiculous. We don't need this.
3 likes Reply

praveen.mahadevaiah 1d
Stop this
2 likes Reply

fitpapa66 1d
There is a petition to stop this or you can email Anthony.grande@phoenix.gov this law firm has taken to social media for Vestar the developer makes me

Learn More
Go to Website

commercial get the word out to stop

Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

**cpcorso** 1d
Hard pass at this intersection.
2 likes Reply

**adampolson18** 1d
Yes please.
Reply

**adamtark** 1d
Pass....no thank you
2 likes Reply

**iroll.81** 1d
Ridiculous scam. We don't need more traffic, and we absolutely do

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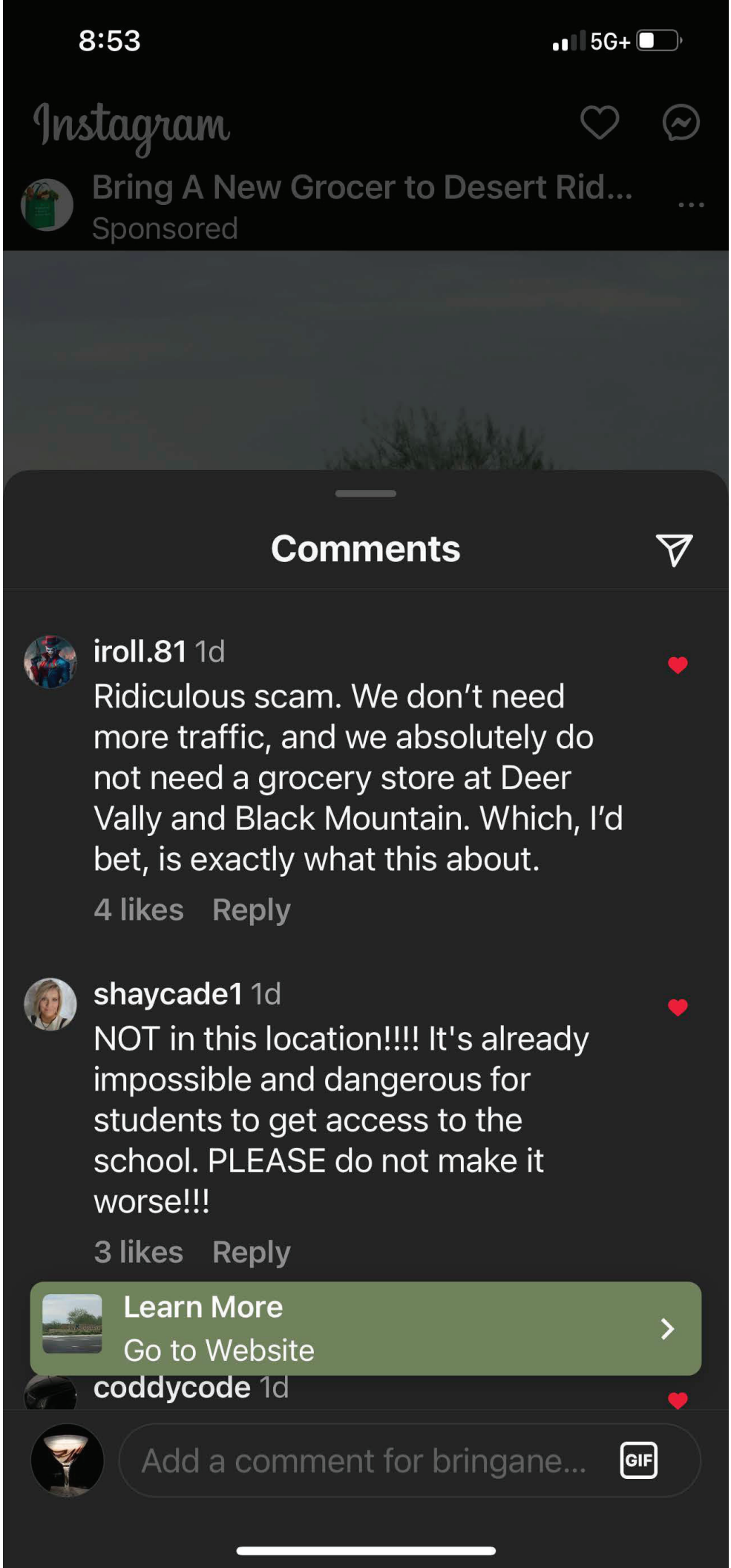
bet, is exactly what this about.

Add a comment for bringane... GIF


8:53
5G+
Instagram
Bring A New Grocer to Desert Rid...
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Comments
iroll.81 1d
Ridiculous scam. We don't need more traffic, and we absolutely do not need a grocery store at Deer Vally and Black Mountain. Which, I'd bet, is exactly what this about.
4 likes Reply
shaycade1 1d
NOT in this location!!!! It's already impossible and dangerous for students to get access to the school. PLEASE do not make it worse!!!
3 likes Reply
Learn More
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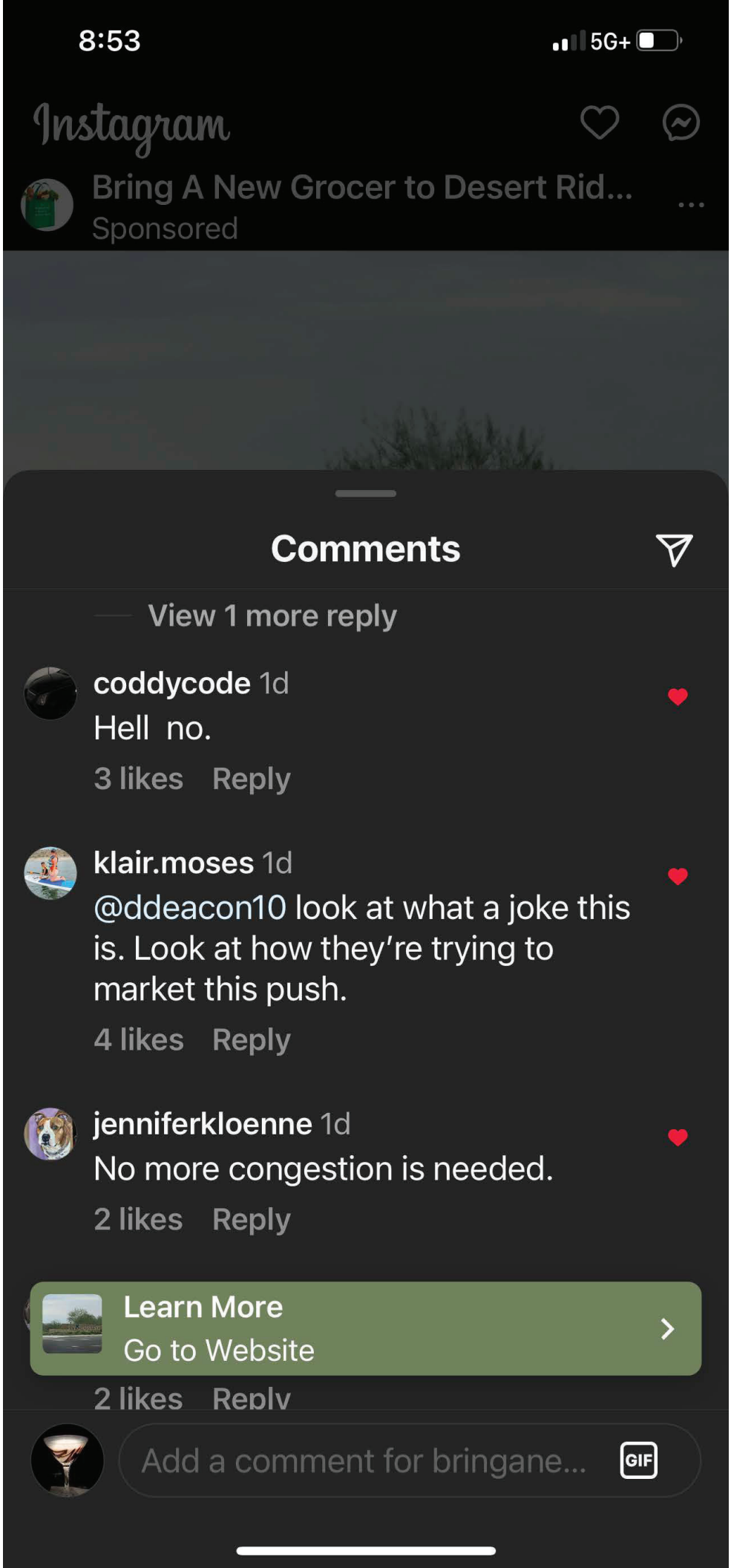
coddycode 1d
Add a comment for bringane...
GIF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Bring A New Grocer to Desert Rid...
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Comments
View 1 more reply
coddycode 1d
Hell no.
3 likes Reply
klair.moses 1d
@ddeacon10 look at what a joke this is. Look at how they're trying to market this push.
4 likes Reply
jenniferkloenne 1d
No more congestion is needed.
2 likes Reply
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2 likes Reply
Add a comment for bringane...
GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

Plenty of options already exist. No need for more.
2 likes Reply

**murpheycliff** 1d
No thanks
2 likes Reply

**kristi.moore.phx** 1d
That is a terrible location for it.
5 likes Reply

**nerheimsusan** 1d
@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and


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Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

Comments

traffic during school start and end times!!

2 likes Reply

nerheimsusan 1d

@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and end times!!

1 like Reply

Hide replies

wendy_pier1 1d

Terrible idea!!!!!

2 likes Reply

Learn More
Go to Website

Add a comment for bringane... GIF

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Tuesday, September 19, 2023 8:40:07 AM |

Hello,
I received an out-of-office message from Anthony suggesting I contact this email address instead. I want to make sure my comments on this rezoning proposal are considered as part of the final decision.
I strongly oppose the proposal to rezone this parcel to be commercial. My reasons are in my two emails below.
Thank you for your consideration.

Jason

----- Forwarded Message -----
**From:** Jason Epstein <jepstein88@yahoo.com>
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, September 18, 2023 at 09:35:22 PM MST
**Subject:** Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-

night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing, most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003




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**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to

achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Michael O"Neil |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Black Mountain Village / Superblock 12 - Opposition |
| **Date:** | Tuesday, September 19, 2023 1:21:17 PM |

Good afternoon Anthony Grande and Jim Waring,

As a current resident of the Sky Crossing Community, I strongly ***oppose*** the rezoning of the parcel of land at the southwest corner of  Deer Valley Drive and Black Mountain Parkway.

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23-2

Thank you,

--
Michael O'Neil
508.769.5886

**From:** allie swanson
**To:** Anthony M Grande
**Subject:** Zoning for area of Black Mountain Rd and Deer Valley Road
**Date:** Tuesday, September 19, 2023 3:19:35 PM

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Dear Mr. Grande,

We bought our home in Sky Crossing the Fall of 2019. We were told that the vacant land at Black Mountain Rd and Deer Valley Rd was zoned for residential only! Since we have been in our home, we constantly hear of violence, abductions, and drugs at Desert Ridge shopping area (just a couple miles East of our community). The last thing we want is to bring to our area are those type of issues along with more traffic. Also, this vacant land sits right in conjunction with Pinnacle HS. The traffic is already bad and we don't want drugs or violence around our kids.

Please help us ensure this are will remain zoned Residential!!

Sincerely,

Allyson Swanson
Sky Crossing Resident/32nd St

**From:** James Tuffin
**To:** Anthony M Grande; PDD Long Range Planning
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Tuesday, September 19, 2023 11:26:01 AM
**Attachments:** opposition.pdf

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Dear Mr. Grande:

This email is to supplement my letter of August 23, 2023, a copy of which is attached for ease of reference. The proposed change is not justified and is highly inequitable. The justifications offered for the change are specious. The obvious goal is not to benefit nearby homeowners, but to draw traffic from SR 51 now that the terminal exit is connected to Black Mountain Boulevard.

On or about August 30, 2023, Vestar amended its request for a major amendment to the Desert Ridge Specific Plan ("DRSP"), amending Chapter 6 to state, in part, that:

> "Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL Development parcels may vary in size by 30 percent 25 percent for R1-6 and more dense zoning categories without a minor plan amendment)." [Exhibit A to GPA-DSTV-3-23-2, accessed 08/19/23 at Microsoft Word - GPA-DSTV-3-23-2 Exhibit A-Proposed Language Revised 2023-08-30.docx (gblaw.com) [gblaw.com]]

The proposed change, and the rationale offered for it, flatly contradict a fundamental principle of the DRSP. The DRSP does not accept distance from the commercial core as justification for building a 20-acre shopping center. To the contrary, it specifies that distance from the commercial core should correlate with less intensive land use:

> " . . . Desert Ridge is based on the urban village concept in that **all community and regional commercial uses are located in the Desert Ridge Village Center.** Very small neighborhood convenience commercial uses are appropriately placed internally within neighborhood units. The Desert Ridge Village Center is appropriately the "urban" core of Area C. **Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries.** "[DRSP 3.B. (Goal 1) @ p. 3-1, accessed 09/19/23 at Table of Contents (phoenix.gov) (emphasis supplied)] .

The DRSP acknowledges that residential neighborhoods should be protected from the adverse environmental impacts from commercial development:

> A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. **This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.** [DRSP 5. C.1, @p. 5-5] (emphasis supplied).

The clear intent of the DRSP was to concentrate all significant commercial development in the core. At a community meeting, Vestar's counsel argued that because only one of the allowed commercial conveniences was ever built, a sprawling 20-acre shopping center is now justified. This turns the logic of the DRSP on its' head. The criteria were meant to protect homeowners from the evils of urban sprawl shopping centers, not to promote commercial development outside the core.

Vestar was the original developer of the Desert Ridge Marketplace ("DRM"), and presumably it had a seat at the table in determining the contents of the DRSP before ground was broken. Vestar was no doubt happy to accept the centrality of the core for retail development in Desert Ridge for many years. According to news reports, Vestar extinguished its 99 year lease and took full ownership of DRM as the sole bidder in an auction staged in December of 2022. Its claim that the proposed

change will "not interfere with the development of the Desert Ridge Core" is nothing more than a statement that Vestar does not think it will hurt itself. This cruel irony does not address any of the numerous concerns raised by the community.

I am aware of a social media campaign attempting to induce people to endorse a petition in favor of a "New Grocer" at the location. While I continue to believe that the contents of these posts are misleading, a fundamental point is that the DRSP clearly notified homebuyers that they were not to expect another shopping center in Desert Ridge. There have been no reports of malnutrition or scurvy related to a lack of grocery stores in Desert Ridge. There are grocery stores and plenty of shopping centers of the type proposed by Vestar nearby on Bell Road and other locations. The abstract desire of some residents for a Trader Joe's or AJ's (even though Vestar says it cannot identify any prospective tenant) cannot justify the concrete harm that will be done to the reasonable expectations of nearby homeowners.

The lack of one of these smaller boutique specialty grocers within the existing commercial core must be in large part the result of business decisions made by Vestar. It is widely believed in the community that Albertson's was granted extensive guarantees against competition; if that is true Vestar was surely involved in that decision.

Vestar claims, among other things, that the shopping center will provide a safe place for high schoolers to eat lunch. I have been informed that Pinnacle High School is a closed campus and that only seniors are allowed to exit the school grounds during the school day.

The DRSP acknowledges commercial development imposes adverse consequences on nearby residences. Vestar reaped enormous benefits and was perfectly satisfied to build the marketplace under the plan. Residents were clearly told not to expect a shopping center at Black Mountain and Deer Valley. That Vestar sees opportunity for profit after completion of the SR 51 terminal exit is not reason to make a major amendment to the DRSP and subject innocent homeowners to the inevitable degradation of the neighborhood.

The requested amendments should be denied.

Thank you for your consideration.

James W. Tuffin

James.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

21214 N 36th Pl

Phoenix, AZ 85050

JAMES W. TUFFIN
21214 N. 36th Pl
Phoenix, Arizona 85050
(516) 359-6420
james.tuffin@tuffinlaw.com
(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
Property Fax: 480.551.6000
terrance.smith@fsresidential.com
**desertridgelifestyles.com**

**24/7 Customer Care Center: 855.333.5149**
Facebook | LinkedIn | YouTube

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

| | |
|---|---|
| **From:** | wkelly2000@outlook.com |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Rezoning of land black mtn and deer valley |
| **Date:** | Tuesday, September 19, 2023 11:03:01 AM |

I am not generally opposed to development but putting a shopping center at that location does not make sense.

The issue is every single exit from that planned shopping center will funnel all traffic to the deer valley and black mountain light. Unless the city puts in new lights all those exiting on the north side must turn right and anyone exiting on the east side wanting to go north or west will do a u turn at Mayo or go to the roundabout by the ramp to 51 and u turn there. All traffic heading to the one intersection ( deer valley and black mtn).

This location will drive traffic into the fireside desert ridge and into SkyCrossing Communities to avoid the black mtn and deer valley intersection.

So this is why I am opposed to rezoning this property.

I live in SkyCrossing.

Sent from my iPhone

**From:** Ben W
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 20, 2023 6:30:19 PM

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Hi,

I am a resident in Fireside at Desert Ridge, and I do not want any gas stations or grocery stores built on the lot(s) in question (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

Please acknowledge receipt of this email at your earliest convenience.

Thank you,

Ben

| | |
|---|---|
| **From:** | Bottesch, Karen |
| **To:** | PDD Long Range Planning |
| **Cc:** | Anthony M Grande |
| **Subject:** | Desert Ridge \| Case Numbers GPA - DSTV - 2 - 23 - 2 \| GPA - DSTV - 3 - 23 - 2 \| Z - 39 - 23 - 2 |
| **Date:** | Wednesday, September 20, 2023 6:58:12 AM |
| **Attachments:** | image001.png |

Forwarding due to out of office message.

**From:** Bottesch, Karen
**Sent:** Wednesday, September 20, 2023 6:55 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Desert Ridge | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

Dear Anthony –

RE: Black Mountain Village | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

I am writing about the proposed project called Black Mountain Village at Deer Valley Rd and Black Mountain Rd.

I am 100% AGAINST this project.

I have lived in Fireside at Desert Ridge since 2009 and served on our board for several years.

- I have witnessed the increase in traffic during the school year at Pinnacle, this project only serves to make that a BIGGER mess
- A gas station, conv store, fast food, and whatever else is NOT the project for this site next to a high school, junking up OUR neighborhood, AND making traffic a bigger mess
- We live here for the openness of the area – so far all is in good taste
- The Desert Ridge Specific Plan's intent was to keep commercial activity aligned to a commercial core; commercial activity in the residential superblocks is strictly limited to minor conveniences of no more than 3 acres and drive through operations are prohibited
- We live in an attractive community, not only will a gas station and the other suggested businesses junk it up but the traffic will worsen, there are plenty of other gas stations VERY close by, we do not NEED this project
- The land at Deer Valley and Black Mountain is designated RESIDENTIAL under the plan – I vote NO to change that designation
- We do NOT want or need a 20 acre shopping center next to residential and next to a High School
- Crime, litter, noise, pollution and traffic nightmare is what this project equals

Please listen to the community, we LIVE here. Developers build and move on in continuing to live in 'their' protected neighborhoods. Please stop this corporate action and change, it is NOT wanted.

Thank you,
Karen

Karen M. Bottesch
Senior Vice President | Senior Relationship Manager
Business Banking
Bank of America
AZ3-566-02-50 | 14636 N Scottsdale Rd Ste 250 | Scottsdale AZ 85254
Phone 480.624.0569 Fax 804.264.2040 Cell 602.315.4204
Karen.bottesch@bofa.com

View my professional web page here. [rm.bofaml.com]




*Support Associate:*
**Patty Ruiz**
Phone: 480.624.0648  Fax 804.266.8154
14636 N Scottsdale Rd. Ste 250 | Scottsdale AZ 85254 | AZ3-566-02-50

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This message, and any attachments, is for the intended recipient(s) only, may contain information that is privileged, confidential and/or proprietary and subject to important terms and conditions available at http://www.bankofamerica.com/emaildisclaimer [bankofamerica.com]. If you are not the intended recipient, please delete this message. For more information about how Bank of America protects your privacy, including specific rights that may apply, please visit https://bankofamerica.com/privacynotice [bankofamerica.com].

This email may contain a promotion of products or services. If you would like to unsubscribe from receiving emails like this, please update your Email Preferences here: https://preferences.em.bankofamerica.com/Prefs/emailoptout [preferences.em.bankofamerica.com]. Unsubscribing will not affect delivery of important service messages that we may need to send you or preferences you may have previously set for other email services. Bank of America, 100 North Tryon St., Charlotte, NC 28255.

**From:** Eileen K
**To:** Anthony M Grande
**Cc:** Bill Kelly; Jill Gargano
**Subject:** Desert Ridge Zoning Ammendments
**Date:** Wednesday, September 20, 2023 6:52:16 PM

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Regarding

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

Mr Grande

I oppose the zoning change proposed by Vestar Development and I encourage the board to decline the amendments. I am a homeowner and have lived in Fireside at Desert Ridge since 2013. While many of us who live in Desert Ridge would like to see more grocery options in our neighborhood, the location proposed by Vestar is not appropriate for such a commercial development.

The location is surrounded on 3 sides by single family homes, next to a high school and just blocks from an elementary school. Most of us who bought into this community were very attracted by the Desert Ridge Plan, which limited the location of commercial development. This is a neighborhood with 3 very active HOAs, excellent schools, walkers and runners of every age and kids playing safely in front of their homes while neighbors chat.

A commercial shopping center at the corner of Black Mountain Road and Deer Valley Drive will fundamentally change traffic, lighting, noise, air quality, safety, crime, physical aesthetic and economic value of our beautiful neighborhood.

The corner is not appropriate for a large grocery store, gas station, drive-through, restaurants, and other high traffic commercial activity. Vestar does a fine job managing Desert Ridge mall and should look for a location better suited to the type of development they propose.

Mary Eileen Kelly
3861 E Melinda Drive
Phoenix, AZ 85050

**From:** Mike Kip
**To:** Anthony M Grande
**Subject:** case# GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 20, 2023 5:54:13 PM

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My name is Michael KIperman. I'm a resident of Fireside at Desert Ridge community. I strongly oppose Black Mountain Village project. Due to the fact that such projects attract unwelcomed characters into immediate residential area. Can't help but stress the fact that there are 2 schools in the neighborhood, especially elementary school. We want our kids to be as safe as possible. We don't need additional traffic. It is a nightmare twice a day as it is.

Thank you for understanding. Hopefully this project can be moved elsewhere.

**From:** Stanislava Kuka
**To:** PDD Long Range Planning
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley
**Date:** Wednesday, September 20, 2023 9:56:03 PM

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Good morning,

As a Phoenix resident and tax payer I want to express my disapproval of the proposal of rezoning the area southwest Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

SAFETY
Being next to the high school and walkable distance to 2 elementary school we risk bringing strangers to our community where so many children walk alone to school.

Possible bus station- more strangers coming to our community. Phoenix, as I believe you are well aware has a growing homeless population. Did you drive by Desert Ridge recently? At every stop light you can see panhandlers. Homeless people sleeping on bus stations. Did you know about the psychiatric, and drug abuse problems among the homeless population? I bet you did.

Possible gas station- alcohol, criminal. Enough said. Just driving to Desert Ridge there is one, and even 2 down the road on Cave Creek.

Possible drive through restaurant- if not living in the area you are probably not aware of the ongoing evening trouble In'n'Out has, for example. Not mentioning providing even more unhealthy options to our growing students.

Traffic- I could say well congested area. Traffic has grown over the last few years. I can not get out of my neighborhood due to overwhelming school traffic. But I agreed to that, and wanted to be the closest possible to schools. Adding more traffic to our community is not something we were looking for.

I hope you and your fellow city planners have in mind the wellbeing of our community residents not only the investors that only care about their profit.

Thank you,
Stanislava Kuka
3636 E Covey Ln, Phoenix AZ 85050

Sent from my iPad

Sent from my iPad

> On Sep 20, 2023, at 5:23 PM, PDD Long Range Planning <pdd.longrange@phoenix.gov> wrote:

Hi Stanislava,

Can you please forward your comment? I don't see a message from you, just Anthony's out of office.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov

<image001.jpg>

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**From:** Stanislava Kuka <stanislava.kuka@gmail.com>
**Sent:** Sunday, September 17, 2023 9:22 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>; PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley

Sent from my iPhone

> On Sep 17, 2023, at 3:15 PM, Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> Hello. I am currently out of office and will be returning Monday, September 25, 2023. If you need immediate assistance, please contact pdd.longrange@phoenix.gov.

| | |
|---|---|
| **From:** | Natalie Leitner |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Rezoning Superblock 12 |
| **Date:** | Wednesday, September 20, 2023 8:25:28 PM |

Good Evening,

I would like to express my opposition of the rezoning of Black Mountain Village/Superblock 12 from residential to commercial/retail space. There are several reasons, first and foremost there is an ongoing homelessness issue throughout the perimeter of Desert Ridge. Leaving Mountianside Fitness yesterday at 6:30PM , there was a man laying across the sidewalk sleeping with his shopping cart and garbage laid around him on the corner of Rose Garden and Tatum. I went to pick up my daughter from soccer practice at 8:45PM and he was still there. Not to mention when I go to the gym at 5:00AM and the bus stops are a campground for the homeless. I absolutely do not want this type of activity closer to our neighborhoods and schools and that is exactly what would happen if something like this was to go in this area. You would encourage the homeless to set up encampments around high school to have easy access. Go check out the south/east corner of Tatum along the freeway, there are encampments. Once they're cleared, they just move to another area. Not to mention the trash that is left on the corners from panhandlers. It's ridiculous that it has gotten this bad, but that is another email and I refuse to let this happen closer to my home.

Secondly, if approved, you basically would be providing a parking lot for high schoolers that don't have a parking spot (every junior class
man with a car and license, there is only enough spots for seniors) ask the businesses around Chaparral High School how they feel about that? The traffic is already horrendous on school mornings at all the schools, but with this, you would be adding more traffic and delivery trucks along Deer Valley at all hours of the day and when kids are crossing to go to school.

We have been residents of Fireside for over 10 years and we have raised our 4 kids here. We moved over here for the great schools and great neighborhoods. We have 2 kids at Pinnacle, 1 at Explorer and 1 at Fireside Elementary. We bought in this neighborhood knowing that would be zoned for residential and it should stay the way!

Please take into consideration my opposition for this rezoning plan. We love our neighborhood and schools and want to keep the safe for everyone that lives here!

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Natalie Leitner
21515 N 39th Terrace
562.706.4702

**From:** Andrea Remke
**To:** msantoro@gblaw.com; Anthony M Grande
**Subject:** Zoning issue near Pinnacle HS
**Date:** Wednesday, September 20, 2023 7:02:59 PM

My previous emailed letter (on 8/27/23) to you did not have these case numbers attached, please note my below correspondence in regards to this zoning decision. It is permissible to read aloud or note in any public record as anyone sees fit. Updated case numbers attached.

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,
I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/ jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

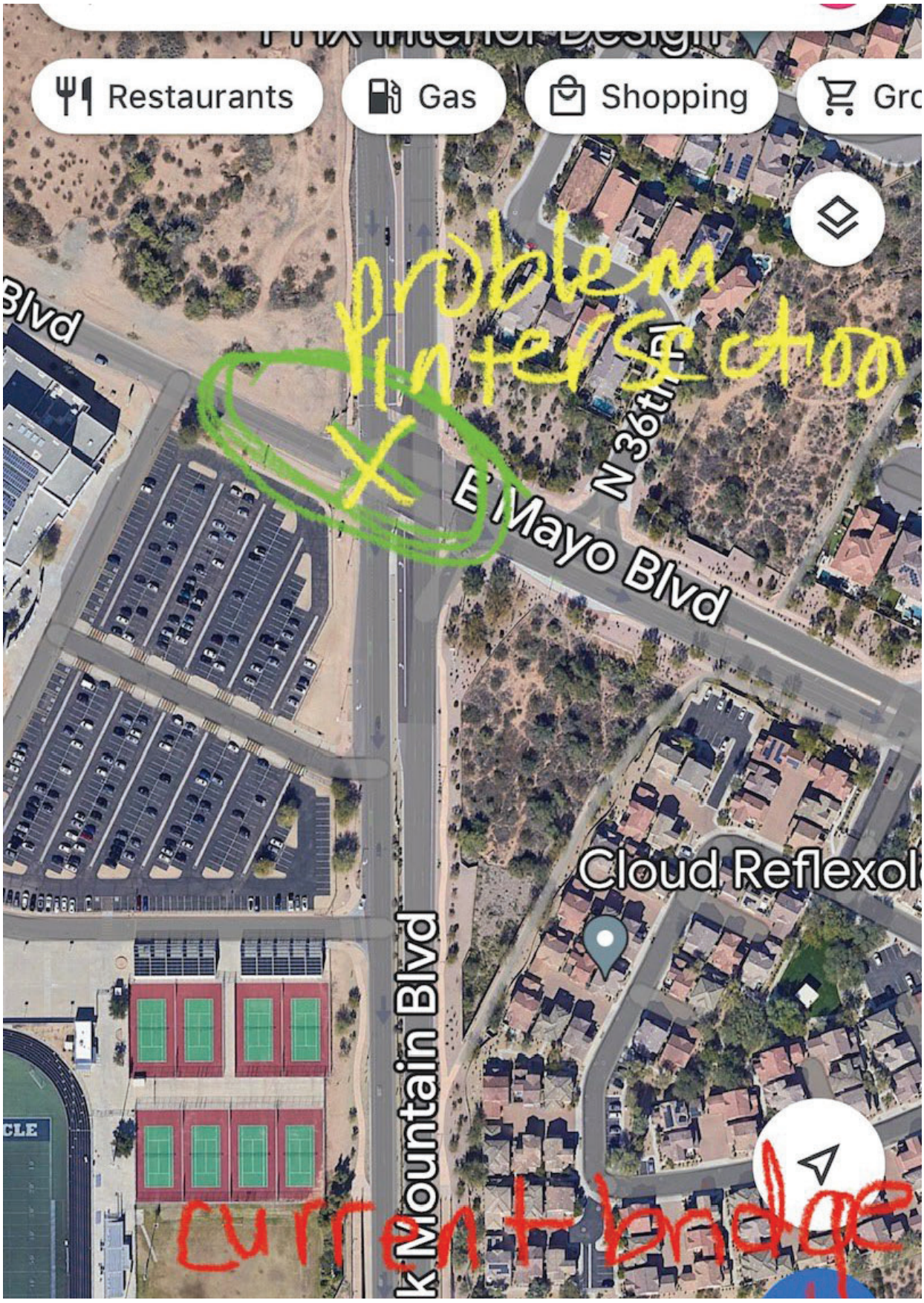
These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge (see attached picture) that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,

Andrea Remke,
Phoenix resident of Fireside at Desert Ridge




Google
200 ft
50 m

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | PDD Long Range Planning; Anthony M Grande; Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village |
| **Date:** | Wednesday, September 20, 2023 9:35:48 AM |
| **Attachments:** | image001.png<br>Grocery Store options.docx |

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

STRAND ASSOCIATES®
[strand.com]

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

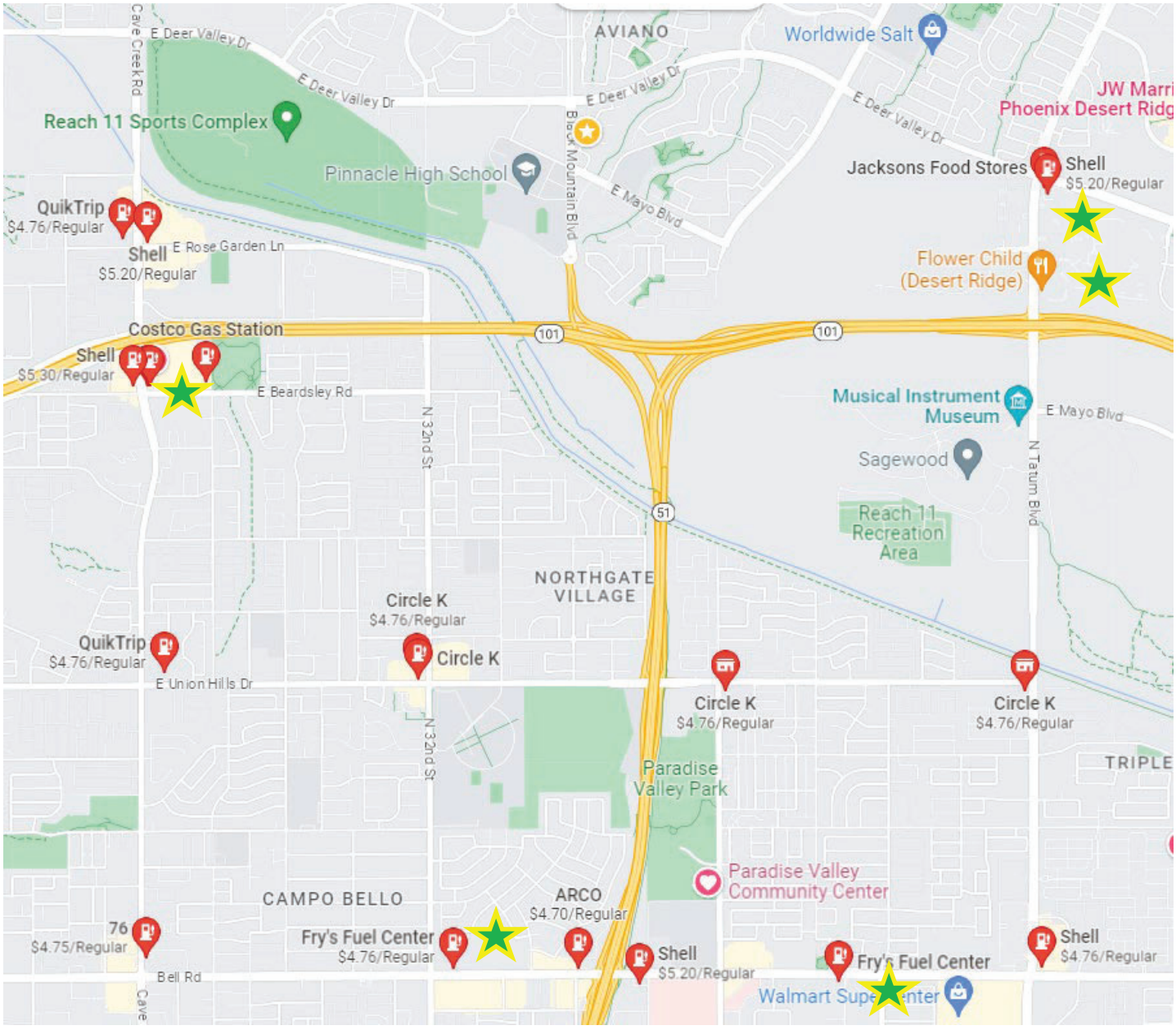
*Excellence in Engineering*SM

Desert Ridge is not lacking grocery and gas station options

**12 gas station within a 3-mile radius** of Deer Valley and Black Mountain Blvd Intersection
**18 gas stations shown within a 4-mile radius** of Deer Valley and Black Mountain Blvd Intersection

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City



**From:** eva rohr
**To:** Anthony M Grande
**Subject:** STOP REZONIBG BLACK MOUNTAIN - PERIOD!!
**Date:** Wednesday, September 20, 2023 9:36:26 PM

---

eva rohr
4726 e casey ln
cave creek az 85331

480 363 7967

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:28:45 PM

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| **Name** |
| --- |
| Jessica Sconyers |
| **Email** |
| jessicasconyers@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| I work at pinnacle high school. Traffic there is a nightmare and will only get worse with the addition of a shopping center. |

**From:** Ralph Valenzi
**To:** Anthony M Grande
**Subject:** Super Block D Ridge
**Date:** Wednesday, September 20, 2023 10:33:37 PM

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I am very much opposed to rezoning this property to commercial
I am a resident of Fireside and with the school traffic, adding a commercial development would make that worse
In addition, we don't need more development in our area. We already have the Marketplace and that is sufficient for our community

Ralph Valenzi
3629 E Zachary Drive
Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC; ppd.longrange@phoenix.gov |
| **Subject:** | Vestar"s Development Amendment and Zoning Requests for Superblock 12 |
| **Date:** | Thursday, September 21, 2023 10:13:35 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

| | |
|---|---|
| **From:** | Greg Nelson |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 |
| **Date:** | Thursday, September 21, 2023 2:41:45 PM |

RE:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

| | |
|---|---|
| **From:** | Deanna Guttilla |
| **To:** | Anthony M Grande |
| **Subject:** | Regarding rezoning the block at Deer Valley Rd and Black Mountain next to Pinnacle High School. |
| **Date:** | Thursday, September 21, 2023 5:59:51 PM |

Hello Mr Grande,
My name is Deanna Guttilla. I have been a homeowner and resident in Fireside and have happily raised three children here since 2011.
I'm writing in regard to case number GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2.
The block of land at Deer Valley Rd and Black Mountain Rd is up for possible rezoning to commercial land use.

As much as I feel we could use a small grocery such as Trader Joe's, and would love a little upscale outdoor mall area, I'm opposed to rezoning to commercial land. It could have several negative and dangerous consequences for the kids and the traffic flow.

Since the freeway exit was built, the community has seen more accidents on Black Mountain in front of the high school and a daily back up of traffic. People drive very fast. It is already dangerous for the kids crossing the road, at the intersection, to get to school every morning and afternoon.

The proposed plan for rezoning would bring even more traffic to the road in front of the high school. Especially if a grocery with a gas station is built.

In addition, a building complex with a fast food drive thru and gas station could likely bring an increase in crime, such as drug sales, right into an area where there are over a thousand kids every day.

Because of the increased danger to the kids in the neighborhood, and at the high school, I am opposed to rezoning the land to commercial use. It needs to stay residential.

Thank you for your time,
Deanna Guttilla
Resident of Fireside

Sent from my iPhone

**From:** Tracy Kaczmarek
**To:** Anthony M Grande
**Subject:** Re zoning
**Date:** Thursday, September 21, 2023 8:31:40 PM

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Hello,

I would just like to make my opposition to proposed re-zoning of land at Deer Valley/Black Mountain and planned development.

I live in Fireside, and my backyard faces Black Mountain. When building our house, we were told this land was NOT zoned for commercial development. As it stands now, traffic is a huge issue. The area is already extremely busy, with Pinnacle HS traffic and regular flow. Essentially, there is no "flow". I encourage you to observe what the traffic pattern is daily. It is near impossible to get out of my neighborhood some mornings, due to chaotic traffic.

My backyard and even my bedroom face Black Mtn Blvd. We are directly behind the view fence. I cannot imagine the noise, lights, and traffic this would bring to an already congested area!! I am also greatly concerned with safety, as we have both a high school and elementary school nearby. I could go on, listing all the reasons this is a horrible idea….but I am sure you have been informed by other residents. Please— this was NOT the premise and agreement of said parcel, prior to building my house. This is a RESIDENTIAL area!! I will be attending the October 3rd meeting.

Thank you for your time.

Tracy Kaczmarek
Sent from my iPhone

**From:** Amy Kenney
**To:** PDD Long Range Planning; Anthony M Grande
**Subject:** Proposed Desert Ridge Rezoning - OPPOSED
**Date:** Thursday, September 21, 2023 8:31:53 AM

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Anthony,

I am writing to send in my “vote" as I am VEHEMENTLY OPPOSED to the rezoning for a variety of reasons. Please refer to the following:

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

We do NOT need commercial development in our quiet and already “convenient” homes and neighborhood.

There is ample access 1 mile away (or less!) to gas stations, conveniences galore, grocery stores, etc and RETAIL galore.

Traffic, crime, noise, all would increase…..this is not something that is welcome….

Thank you for your consideration.

Amy Kenney
Ringtail Way
Fireside, Desert Ridge
Phoenix, AZ 85050
602-696-2639

**From:** Dessert
**To:** Anthony M Grande; Council District 2 PCC; pad.longrange@phoenix.gov
**Subject:** Black Mountain Village
**Date:** Thursday, September 21, 2023 5:55:52 PM

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Re: GPA-DSTV-
2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

NO! NO! NO!
TO BLACK MOUNTAIN VILLAGE!!!

I bought my house in Scarlet Ridge 13 years ago knowing I would be living in a safe residential area. Trying to put a business right next to my house is wrong in so many ways. And to do a bait and switch with me and all the homeowners is appalling!

We have enough traffic and unfortunately have had accidents with children being injured on the street at at the high school as it is. And there's already been issues with homeless people sleeping under the bridge. Bringing in retail would only add to this on all accounts. And we certainly don't need more of either to ruin our neighborhood and injure our children!

I am hoping you have enough respect your homeowners to put this terrible idea to rest and find another location more suitable for this type of retail. We want to continue to keep our neighborhood safe! Thank you.

Sincerely,
Blythe Lipman

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:52:51 PM

| **Name** |
| --- |
| Suzanne Moon |
| **Email** |
| suzannemoonbear@gmail.com |
| **Address / Neighborhood (Optional)** |
| Paradise Peak West on Pinnacle Peak Rd. 85050 |
| **Support Comments** |
| No! Not necessary. The neighborhood is Residential and we'd like it to stay that way. |

**From:** Andrea Nelson
**To:** PDD Long Range Planning
**Subject:** Proposed Desert Ridge Rezoning
**Date:** Thursday, September 21, 2023 7:12:22 AM

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Dear long range planning committee-

I am writing as a homeowner and resident of the Fireside Community in Desert Ridge. I am opposed and concerned that the proposed Vestar development North of Pinnacle High School would impact the safety of the neighborhood, both in the businesses which are proposed, and in the traffic patterns. Additionally, proposing a gas station so close to several residential neighborhood community homes has its own additional safety and health concerns.

These proposed safety hazards could destroy property values for the homes, and seems redundant based on the other options so close by in Desert Ridge Marketplace- which I understand is already owned by Vestar.

The safety of our families and the neighborhood children is at risk. Please help our community to vote against this project.

Thank you.

Andrea Nelson, SPHR
480-495-5411

**From:** Lisa Newman
**To:** Anthony M Grande
**Subject:** Rezoning Opposition to Superblock 12
**Date:** Thursday, September 21, 2023 8:30:07 AM

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Hi Anthony,

I am a resident of Fireside and am emailing about the proposition to rezone a section of Superblock 12 from residential to commercial property. I would like to voice my opposition to the following amendment requests case numbers:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

I vote to keep this residential.

Thank you,

Lisa Newman

**From:** Rebecca Oakes
**To:** Anthony M Grande
**Subject:** RE: Case No. SPA-DS1 V-2-23-2; Case No. CPA-DSTV-3-23-2; Case No. 1-39-23
**Date:** Thursday, September 21, 2023 6:10:06 PM

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Case No. SPA-DS1 V-2-23-2
Case No. CPA-DSTV-3-23-2
Case No. 1-39-23

I am writing to you to register my strong disapproval of proposed amendments (case numbers listed above) to modify existing zoning from residential to commercial.

Our homes in Fireside at Desert Ridge were built under the Desert Ridge Specific Plan. The plan promised clean, quiet, and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to change this for their own financial gain; if the Desert View Planning Committee and city of Phoenix vote for the change of zoning, and approve the plan to put in a 20-acre shopping center (reported to contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and who knows what else), this will cause great harm to my family and neighbors.

You see, my family lives in the closest section of Fireside to Pinnacle HS, and the proposed shopping center. We already suffer through the pedestrian and vehicle traffic that invades the streets of our neighborhood when school is in session and for other events held at the HS. Students and parents drive at unsafe speeds down 36th Street and Abraham Dr. Additionally, at drop off and pick up times, cars are lined up and/or idling as drivers wait to drop off or pick up their students, blocking our way in and out, causing us to "play chicken" to maneuver down the narrowed streets. Some of these students walk through our desert wash as a short cut to those cars dropping off/waiting to pick up.

This is a neighborhood where many children walk to Fireside Elementary School, located a short distance away. So not only is driving in, through and out of our neighborhood difficult and would most likely become dangerous as traffic increases in an area not planned for such commercial development, it is not safe for small children to safely walk to school.

In addition to the dangerous situations we face within our neighborhood, it can be all but impossible to safely leave our neighborhood at these times - the southern exit, on to Mayo Blvd. is right turn only and is very close to the Mayo/Black Mountain Blvd intersection. The northern exit on to Deer Valley Rd. is hard to turn left onto during high traffic times.

To put it more clearly - leaving our neighborhood becomes even more difficult and dangerous with increased vehicle traffic that comes with commercial development - especially trying to go south onto Black Mountain Blvd AND west onto Deer Valley. We only have two VERY flawed entrances/exits that in the best of times is tricky and not very convenient OR safe. We esentially have to chose to limit leaving our neighborhood or taking the increased risk of attempting to go south or west in less than safe traffic conditions. How does this benefit our residential community?!? I predict that vehicle (and pedestrian) accidents will dramatically

increase if this shopping center is approved.

There is nothing that can be commercially built and nothing beneficial from a retail standpoint that makes this development worth if for my family and residential neighborhood. There are plenty of retail options at Desert Ridge and other close shopping centers.

Relatedly, are the members of the Desert View Planning Committee and Phoenix City Council members aware that the parking lot of the proposed shopping center would in fact become an overflow parking lot for Pinnacle HS students who do not have a parking pass to park at the school? I would imagine prospective tenants would not be pleased to have the parking spaces used by people not spending money at their establishments and making it harder for those who want to spend money to find somewhere to park. Also, just ask security and management about the issues surrounding teens hanging around Desert Ridge Marketplace - it will be much easier for some students to hang out in the same manner at this proposed shopping center.

**Has the city of Phoenix specifically done a traffic study of this area, taking this commercial development into account? How would the council plan to ameliorate the above stated traffic issues? What about environmental studies looking at the increase noise, light and exhaust pollution that will directly impact the surrounding residential neighborhoods?**

We are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity.

Sincerely,

Rebecca J. Oakes
3608 E Salter Dr
Phoenix, 85050

Get Outlook for Android [aka.ms]

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | PDD Long Range Planning; Anthony M Grande; Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition |
| **Date:** | Thursday, September 21, 2023 4:53:23 PM |
| **Attachments:** | Fireside Petitions.pdf |

Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of the residents of Fireside Community opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of the residents of Fireside Community, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** The families that built in this area did so knowing that they would have a safe, quiet area for their children to grow up around. In proposing the zoning amendment, the developers would like to change the use from residential (2-5 du per acre) to commercial. We believe this proposed change would result in unacceptable levels of risk to health and safety.

This commercial development proposal suggests parking for 580 cars and contains 3 access/egress points just off Mayo immediately across from Pinnacle High School with no provision for safe crossing or pedestrian/bike safety. Further the traffic in this area is already an issue. In speaking with the Phoenix Police Traffic Bureau, it is clear they have received numerous complaints about existing safety issues experienced at the intersection of Black Mountain and Deer Valley Roads. The proposed rezoning would only exacerbate these issues.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are unproven and unsupported by the conceptual design. While this is being promoted as a much-needed commercial alternative for the residents in Desert Ridge, this will increase the volume of traffic coming from south of the 101, off the 51 exit. This development would **increase transportation burdens and emissions in this area**. Residents who likely would have driven to Desert Ridge are now going to be driving to our neighborhood.

There is no traffic impact or air quality study mentioned. Furthermore, it will increase both light and sound pollution in the area. As such, the Fireside neighbors that have signed the attached petition stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,
Dan Richards

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| April Justman | | 3713 E. Hackett Lane, Phx | (480) 904-1540 |
| JEFF MIKITA | | 21010 N. 37th Way Phx | 847 710-3060 |
| Steve Deacon | | 3630 E Cat Balue Dr | 689-248-1398 |
| Danielle Deacon | | 3625 E Cat Balue Dr | 215-266-7662 |
| Greg Nelson | | 3454 E Cat Balue Dr. | 484-390-1401 |
| Tracy Kaczmarek | | 21724 N. 36 ST. | 480-554-0971 |
| Tara Werken | | 21720 N. 36th St. | 602-710-3281 |
| Erick Lovett | | 21716 N 36th St | 602 826-2929 |
| Dan Richards | | 3618 E Half Hitch Pl | 619 865 4303 |
| Leslie Andrew Mesecke | | 21618 N 36th ST | 608 712-1879 |
| | | 3609 E Cat balue | 707-372-4203 |

| Name | Signature | address | Phone |
|---|---|---|---|
| Kristin Evans | [illegible] | 21209 N 36th St | 602 312 5179 |
| [illegible] Gartman | [illegible] | 3617 E Cat Balue | 602 689 4343 |
| Sreeraj Chinmayanilayam | [illegible] | 3626 E Cat Balue Dr. | 201 406 3310 |
| Rob Schmitz | [illegible] | 3601 E. Half Hitch Pl | 623-418-0949 |
| Jenna Stoneberg | [illegible] | 3601 E. Half Hitch Pl | 480-290-9130 |
| Lou Haavala | [illegible] | 3606 E. Cat Balue Dr | 504. 875. 9668 |
| John Haavala | [illegible] | 3606 E. Cat Balue Dr | 225 937 9134 |
| Dee Willis | [illegible] | 3926 E. Potter Dr. | 502-727-5340 |
| Terri Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Joey Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Scott Elletson | Scott Elletson | 3909 E. Melinda Dr | 480-209.2164 |
| Evan Fogarty | [illegible] | 3645 E Zachary Dr. | 480 226 602 |
| Molly Fine | [illegible] | 21117 N 37th Run | 505-238-7958 |
| Jason Fine | [illegible] | 21117 N 37th Run | 505 264 4034 |
| Mukul Dave | [illegible] | 5164 W. Quail Track Dr. | 339-237-0363 |
| Karen Bottesch | Karen Bottesch | 3902 E Cat Balue Dr | 602.315.0774 |
| Wouter Roodenburg | [illegible] | 21507 N 39th Ter | 480.567.2716. |
| Angela Song | Angela Song | 3775 Long Cactus | 602-300-6547 |
| Kelly Davis | [illegible] | 21653 N 38th Pl. | 808-341-6827 |
| Ashley Voris | Ashley Voris | 21156 N. 36th Pl. Phx. | 602-312-6645 |
| Gail Nelson | Gail Nelson | 21724 N 36th St | 602.451.3032 |
| Lee Campbell | [illegible] | 3920 E Half Hitch R | 480 312 2343 |
| Eric Mulvaney | [illegible] | 3924 E. Cat Balue Dr. | 602.549.2255 |
| Radhika Rawal | [illegible] | 3944 E. Melinda Dr. | (847) 660-4050 |
| Mansi Dave | [illegible] | 3994 E Melinda Dr | 630 433 7110 |
| Nina Sarshlid | [illegible] | 3658 E Covey Ln | 307 287 4923 |
| Yuh-Shang Yu | [illegible] | 3649 E Zachary Dr | 512 645 7155 |
| Hsin-ya Huang | [illegible] | 3649 E Zachary Dr | 480 930 1578. |
| Steven Abrams | [illegible] | 3872 E Melinda | 570-429-2118 |
| Paul Devoe | [illegible] | 21705 N 37th Terrace | 623-853-3604 |
| MARK SNYDERS | [illegible] | 3822 E. CAT BALUE DR | 602-920-7947 |
| John Grimsley | [illegible] | 21622 N. 38th WAY | 602-616-5155 |
| Andrew [illegible] | [illegible] | 3812 E Emberglow Vy | 480-450-1594 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Stefani Kuehl | [illegible] | 3812 E Ember Glow way | 480-220-2659 |
| Erin Maes | [illegible] | 3682 E Cavey Ln | 602-321-1890 |
| Luis Alonso | [illegible] | 3682 E Cavey Ln | 602-214-3053 |
| Coreen Gartner | Coreen Gartner | 3819 E. Ember Glow Way | 602-326-1804 |
| Larry Gartner | [illegible] | 3819 E. Ember Glow way | 480-628-5969 |
| mara michaels | [illegible] | 3730 E Matthew DR | 480 621 1029 |
| Kristy McCool | Kristy McCool | 21210 N 36 Pl | 847-732-7017 |
| Yiu Man Kung | [illegible] | 3638 E Cat Balue Dr | 480-822-8045 |
| Megham Jones | Megham Jones | 3790 E Zachary DR | 602 820 2261 |
| Ben Wright | [illegible] | 3671 E Zachary Dr | 602-299-6588 |
| Melissa Christian | [illegible] | 3615 E. Salter Dr. | 480-338-9272 |
| Bryan Shisler | [illegible] | 3710 E. Zachary Dr | 602 515 3776 |
| Nanyun Tang | [illegible] | 3935 E Waller Ln | 480 399 3793 |
| Michel Barrocas | [illegible] | 3730 E Matthew Dr | 480 349 5129 |
| Fatou Dio | [illegible] | 3777 E Ringhall | 602 394 5139 |
| Nancy Lunyel | [illegible] | 27012 N 14th Ln | 323-229-0734 |
| Rita Barakat | Rita | 21606 N 36th st. | 480 673 5966 |
| SAI SAMUDRALA | [illegible] | 3611 E ABRAHAM LN. | 602-451-1139 |
| Nicole Burnes | Nicole Burnes | 21717 N. 36th St. | 480-861-0552 |
| Breese Pritchard | [illegible] | 3726 E Cat Balue Dr | 760 579 3848 |
| ROBERT PRITCHARD | [illegible] | 3726 E CAT BALUE DR | 480.662.5770 |
| Bryan Neihart | Bryan NN | 3826 E Half Hitch Pl. | 816-719-8619 |
| JAMES TUFFIN | [illegible] | 21214 N 36th Pl | 516-359-6420 |
| Susan Sheroff | Susan Sheroff | 21214 N 36th Pl | 516-398-1394 |
| Pablo de Jesus Jr | [illegible] | 3714 E Huett Ln PHX 85050 | 321-626-2352 |
| Brenda Ernst | [illegible] | 3714 E Huett Ln 85050 | 321-626-2352 |
| Eliza Bozzelli | Eliza Bozzelli | 3715 E. Huett Ln 85050 | 973-723-9196 |
| Michael Bozzelli | [illegible] | 3715 E. Huett Ln 85050 | 973-487-6644 |
| Rob Justman | [illegible] | 3713 E. Huett Lane | 602-350-8180 |
| | | | |
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| | | | |

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

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We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Amy Kenney | Amy Kenney | 3765 E. Ringtail Way | 602-696-2639 |
| Mike Marrone/Anna Locastio | [illegible] | 3716 E. Zachary DR | 440-364-8811 |
| Christian Klein | [illegible] | 3963 E. Mclinda Dr. | 509-296-7005 |
| AMAR SHARM | [illegible] | 3921 E Quail Ave | 480 238-0672 |
| ROHIT AGGARWAL | [illegible] | 3815 E. QUAIL AVE | 480-745-4347 |
| Mario Contreras | [illegible] | 3621 E. ZACHARY DR | 602-320-9672 |
| Praveen Mahadevan | [illegible] | 21602 N 36th ST | 719-964-1975 |
| EMMANUEL ASHIHUNDU | [illegible] | 21611 N 36TH ST | 602-386-8372 |
| Silvio Teixeira | Silvio Teixeira | 3750 E. Ringtail way | 832-361-0114 |
| Meghan Keough | [illegible] | 3612 E Abraham Ln | 480-773-1725 |
| MICHAEL POPNOR | [illegible] | 6145 E 21ST ST 85711 | 5035190335 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Justin Popnoe | [illegible] | 3622 E Half Hitch Pl 85050 | 480 798 0004 |
| Neeraj Chandele | [illegible] | 3617 E Half Hitch Pl 85050 | 623-203-9583 |
| John Mills | [illegible] | 3605 E Cat Balue dr, 85050 | 650-269-2312 |
| Gordon Smith | [illegible] | 3608 E Salter Dr, 85050 | 480-231-5898 |
| Rebecca Dakes | [illegible] | 3608 E Salter Dr 85050 | 623.229.2665 |
| Douglas Godfrey | 3604 E. Abraham Ln | [illegible] | 480-737-3970 |
| Kiss Denil [illegible] | [illegible] | 3607 E [illegible] Ln | 412-401-6743 |
| Dan Puthuff | [illegible] | 3612 E Salter Dr 85050 | 602-796-5830 |
| Natalie Walker | [illegible] | 3633 E Cat Balue Dr | (650) 759 4882 |
| Pei Shan Hsieh | [illegible] | 3613 E Cat Balue Dr | 5203330455 |
| Candy Huether | [illegible] | 21712 N. 36th St. Phx 85050. | 602 617 4836 |
| Todd Huether | [illegible] | 21712 N. 36th St. Phx 85050 | 602 318 8417 |
| [illegible] Bauschke | [illegible] | 3621 E Half Hitch Pl Phx 85050 | (309) 269-4909 |
| Leela Samudrala | [illegible] | 3611 E. Abraham Ln, Phx 85050 | (602) 692-7103 |
| Jayne Mesecher | [illegible] | 3609 E. Cat Balue Dr. | 602-448-3036 |

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Anju Baluja | [signature] | 21818 N. 37th Terrace, Phx 85050 | 773-213-7055 |
| Leela Samudrala | [signature] | 3611 E. Abraham Ln Phx - 85050 | 602-692-7103 |
| [illegible] Bhakta | [signature] | 3619 E Salter Dr Phx | 775-813-1207 |
| Rita Marranca | [signature] | 3920 E Quail Ave Phx 85050 | 480-334-1775 |
| LAURA NIETO | [signature] | 21005 N. 38th. Pl. Phx. 85050 | 602-695-5482 |
| William DePiazza | [signature] | 21609 N 39TH TER Phx, Az 85050 | 818-741-8758 |
| Urszula Kotlow | [signature] | 21713 N 37th TER Phx, Az 85050 | 520-780-1470 |
| Michael Ewing | [signature] | 21713 N. 37th Terrace | 480-825-1032 |

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Susan Ze | Susan E Ze | 3616 E Abraham Ln Phoenix 85050 | 4806656596 |
| Heather McCrea | HA | 3908 E. Melinda Dr Phoenix, 85050 | 6024630198 |
| Linda Rehak | Linda Rehak | 21216 N 38th Pl Phoenix, AZ 85050 | 360-433-5277 |
| Lisa Giunta | Lisa Giunta | 21514 N. 38th Way Phx, 85050 | 602-326-1582 |
| Barbara Bass | | 3934 E Cat Balue Dr Phoenix 85050 | 732-996-8488 |
| Judy A Wensley | Judy A Wensley | 21821 N 39th St Phx. 85050 | 480-686-0410 |
| Sandra J. Jones | Sandra J. Jones | 3753 E Ember Glow Way | 480-688-5243 |
| C. Taylor Morgan | C Morgan | 3621 E Zachary Drive | 602-320-9673 |

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

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We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Madi | [signature] | 3941 east rat balve | 630 200 4505 |
| Rousselle | [signature] | 3963 E Cat Balue Dr | 480 738 9871 |
| Matt | [signature] | 21010 N 38th pl | 425-829-6288 |
| Dorie | [signature] | 21507 N 39th Ter | 602-363-6757 |
| Ellen | [signature] | 21010 N 38th Pl. | 253-569-2775 |
| Aaron | [signature] | 3336 E Gulf Hotel Pl | (913) 667-0916 |
| Chun Pi Chang | [signature] | 3912 E Quail Ave Phoenix, AZ | 480 322 6215 |
| Emma L. | [signature] | 21655 N 37th | 480-277-6895 |
| Cheng Chun Chang | [signature] | 3912 E Quail Ave | 480-322-8144 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Diana Dichter | [signature] | 3792 E Covey Ln Phoenix, AZ 85050 | 310-912-2790 |
| Renée Oppenheim | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 717-6792 |
| DAVID OPPENHEIM | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 381-4646 |
| Megan Janas | [signature] | 21615 N. 39th Way Phoenix, AZ | 602-326-6369 |
| [signature] | [signature] | 21001 N. Tatum Blvd Phx AZ 85050 | 623-266-9129 |
| Dipanwita Dalal | [signature] | 21615 N 36TH ST Phoenix AZ 85050 | 602-481-5968 |
| Daron Hall | [signature] | 3624 E. Zachary Dr. | 480 634-4155 |
| Tara Welker | [signature] | 21716 N 36th St Phx, AZ 85050 | 602 826 2929 |
| Asavari Ganged | [signature] | 3908 E Half Hitch Pl Phx, AZ 85050 | 480-415-5172 |
| Tara Penna | [signature] | 3756 E Matthew Dr. Phoenix AZ 85050 | 602 561-5512 |
| Andrea Remke | [signature] | 3766 E. Ringtail Way | 859-308-8738 |
| RYAN CROTIN | [signature] | 3790 E Matthew Dr. | 716-998-9551 |
| Tom Conley | [signature] | 3879 E Cat Balue Phx 85050 | 480-326-9181 |
| Erin Carroll | [signature] | 3975 E. Melinda Dr. Phx 85050 | 602 568-2793 |
| CAROLYN DUNN | Carolyn Dunn | 3752 E. COVEY PHX 85050 | 928-925-4893 |
| PAUL DUNN | [signature] | " " " " | 928-778-1988 |
| Rudy BAZZANO | [signature] | 21622 39 Ter. | 480-451-6147 |
| Cathy Bazzano | [signature] | 21622 N. 39th Ter | 480-451-6147 |
| LISA RODI | [signature] | 3681 E Zachary | 480.825.6833 |
| Susan Forkos | [signature] | 3973 E. Melinda Dr | 480-650-9352 |
| Steven BAUER | [signature] | 3917 E Melinda Dr | 203 314 4920 |
| Jennifer Burrett | [signature] | 3761 E. Ringtail Way | 602 999 3843 |
| Lou Haarala | [signature] | 3600 E Cat Balue Dr. | 5048759668 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Nadafalah | [illegible] | — | 646-258-1017 |
| Steve Bazzano | [illegible] | 21622 N 39th | 480-313-0867 |
| Jeongim Jin | [illegible] | Same above | 480-828-0602 |
| [illegible] Jindel | [illegible] | 3768 E Covey | 6·260675xx. |
| M Bordenstein | M Bordenstein | | 928·699 8597 |
| Federico Lemmen M | [illegible] | 21655 N 3th ter Phoenix AZ 85050 | 210 863 9985 |
| Gary Cloud | [illegible] | 21218 N 36th pl Phx. Az. 85050 | 480-221-3705 |
| Andrea Shirikian | [illegible] | 21246 N 36th PL | 480-522-7822 |
| Kimberly Otis | [illegible] | 21630 N 38th way | 480-560-3399 |
| Danielle Pekuts | [illegible] | 3687 E Zachary Dr | 224-381-0599 |
| Dr. John Gilderbloom | [illegible] | 21824 N. 39th | 85050 |
| | | | 502-608-7567 |
| Carle Snyder | [illegible] | 21824 N. 39th | 6024000502 |
| Samantha Crotin | [illegible] | 3790 E Matthew Dr. | 480 482 8777 |
| Ryan Crotin | [illegible] | 3790 E Matthew Dr. | 716-998-9551 |
| Danielle Deacon | [illegible] | 3625 E Cat Balcon Dr. | 484-390-1401 |
| ANDREA NELSON | A Nelson | 3660 E ZACHARY | 480-495-5411 |
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**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition
**Date:** Thursday, September 21, 2023 5:01:51 PM
**Attachments:** Pinnacle Petitions.pdf

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Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of concerned parents of Pinnacle High School students opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard. Please add this and the Fireside Community petition to the case file that will be submitted to the Desert View Village Committee. There are a ton of additional parents that would have signed this petition, but we found that this was more difficult one to get in front of the parents. We were not legally allowed to solicit our petition on the school property so we are still trying to figure out the best way to get through to all the parents.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of concerned parents of Pinnacle High School students, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution. We believe this proposed change would result in unacceptable levels of risk to health and safety.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Pinnacle High School, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, who deserve the ability to walk to and from their school safely each day. The proposed rezoning would only exacerbate these issues, increasing traffic volumes both northbound and southbound. There is no traffic impact or air quality study included in this proposal.

The explanation letter for this project suggested "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour." And "School Principal Chad Smith indicated that the proposed development would potentially reduce the number of off-campus trips by car." Pinnacle is a closed campus for all students except Seniors, so this will not benefit students during the lunch hour. I would highly recommend that you independently meet with the Principal of Pinnacle High School who will paint you an entirely different picture of his views for this project. He is strongly opposed to this development and we feel Vestar has misrepresented his concerns to help benefit their proposal.

Please take into consideration the Parents of Pinnacle students who have signed the attached petition. Our children do not need these distractions directly next door from their classrooms. We stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,

Dan Richards

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

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| Printed Name | Signature | Email Address |
|---|---|---|
| DAN RICHARDS | [signature] | dan.richards@strand.com |
| Marisa O'Connor | [signature] | mtrubitz1@yahoo.com |
| Kris Lupino | [signature] | klupino@gmail.com |
| Amy MERRILL | [signature] | amycorbinmerrill@gmail.com |
| Cara Franz | [signature] | carabfranz@yahoo.com |
| Najwa Ghattas | [signature] | najwa1020@hotmail.com |
| Laura Lynn Smith | [signature] | LOLLY1031@sbcglobal.net |
| Beth Babcock | [signature] | Bethb3393@outlook.com |
| Audra Ryan | [signature] | audraryan7@gmail.com |
| Brandy Jo Guzman | [signature] | Guzmans2007@gmail.com |
| Nisha Shah | [signature] | nishamit@gmail.com |
| Nina Zisko | [signature] | ninchi09@gmail.com |
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| GREG NELSON | [signature] | GLNELSON@GMAIL.COM |
| LAURA NIETO | [signature] | lauranieto05@yahoo.com.mx |
| LISH RODI | [signature] | LISAMARIERODI@gmail.com |
| Susan Forkos | [signature] | sforkos@gmail.com |
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| Gary Cloud | [signature] | gary.w.cloud@gmail.com |
| Andrea Shiriklan | [signature] | andreashiriklan@yahoo.com |
| Danielle Petrutis | [signature] | pllotodiva8@gmail.com |
| Samantha Crotin | [signature] | sambam4414@gmail.com |
| Ryan Crotin | [signature] | RICROTIN@gmail.com |
| JULIA Levene | [signature] | jlevene@associationplannerpartners.com |
| | | |

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| Printed Name | Signature | Email Address |
|---|---|---|
| Shauna Winburn | Shauna Winburn | swinburn805@gmail.com |
| Reanna Reich | | rredhed28@aol.com |
| Sara Millett | Sara Millett | strubitz@hotmail.com |
| MICHAEL MILLETT | | mike@millt.com |
| Brooke McNett | Brooke McNett | bbmcnett@gmail.com |
| Chris McNett | | chrismcnett@gmail.com |

| | |
|---|---|
| **From:** | Jennifer Larson Popnoe |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 6:29:05 PM |

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**From:** Jennifer Larson Popnoe <rxlarson@hotmail.com>
**Sent:** Thursday, September 21, 2023 5:36 PM
**To:** anthony.grande@phoenix.gov <anthony.grande@phoenix.gov>
**Subject:** Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Dear Mr. Anthony Grande,

Ten years ago, I welcomed a beautiful baby boy. At the time we were living in an older community in North Scottsdale. We knew it was time to move and find that perfect place to raise a family. A place he could walk to school, ride his bike, trick or treat in a safe family-oriented neighborhood. Luckily, we found the perfect place, Fireside at Desert Ridge. It has been the perfect fit for our family. We have made many friends that are like family. My son feels safe to walk to school, ride his bike to the park and play outside. He was crushed when we told him of the situation that is happening in our neighborhood. He knew he would no longer be able to due to the increase in traffic, construction, panhandlers etc. this will bring to our community.

The community we loved and were told that the space was zoned for residential construction for the possibility of new friends instead of commercial that will only attract who knows what off the freeway into our backyard. This once quiet safe community is going to be thrust into the middle of a shopping center that will only risk our kids safety, decrease our property values, increase criminal activity and ruin our close-knit happy community. **I ask you to imagine yourself in this situation. Wouldn't you do anything you could to protect your children and the future of your community?**

Please don't let another big corporation ruin what little is left of our small town community. We are fortunate to have Desert Ridge Marketplace, Costco, and many other options just down the street that offer everything we need and more. I ask you to please consider the needs of your fellow community members; we chose this beautiful neighborhood to avoid the dense, congested, commercial areas and enjoy our small piece of Phoenix. Please support us in continuing to raise our families in this beautiful please we call home. No Black Mountain Village!

Sincerely,
Jennifer Larson Popnoe
3622 E Half Hitch Pl

Phoenix, AZ 85050

**From:** J Popnoe
**To:** PDD Long Range Planning
**Subject:** Re: Opposition to commercial rezoning request in Desert Ridge
**Date:** Thursday, September 21, 2023 5:18:49 PM
**Importance:** High

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Received an out of office message from Mr. Grande, but want to be certain my communication is included on the record in this matter. Thank you.

Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

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**From:** J Popnoe
**Sent:** Thursday, September 21, 2023 5:17 PM
**To:** Anthony.Grande@phoenix.gov <Anthony.Grande@phoenix.gov>
**Subject:** Opposition to commercial rezoning request in Desert Ridge

Mr. Grande ---

I write you in hopes of garnering your support for residents (and our children) in Desert Ridge.

I was frustrated to learn of Vestar's rezoning request (GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2) geared towards generating massive profits despite the risks and negative impacts created for residents. I live a short distance from the parcel, and am already a firsthand witness to the daily debacle of traffic & pedestrian issues near the high school & in my neighborhood (Copper View). Radically changing the existing plan (that we as homeowners considered a promise to properly manage our community) to introduce a massive grocer, gas station, fast food, etc. will only create more risks, especially for our neighborhood children.

I'm incensed with the thought that there would be support despite the many issues (noise, pollution, crime) that this commercial entity will drop into the heart of our community. My son is currently a fifth grader at Fireside Elementary, which is also a short distance from the parcel. The most extreme risks are created for high schoolers --- easy access to alcohol/nicotine, no oversight, traffic --- but nearby, our most vulnerable will now also pay the price if Vestar's greed is satisfied by lining up behind the ask to mangle our closeknit community.

**I plead with you to support homeowners and residents by opposing this rezoning request**. This parcel should stay zoned for residential use to allow more families to join our thriving community. Vestar can achieve their profit targets using one of the multiple, available parcels in the area already zoned for commercial use. Please help protect our community and families.

Respectfully,
Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

| | |
|---|---|
| **From:** | Laura Richards |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Subject:** | Subject: Black Mountain Village (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2) |
| **Date:** | Thursday, September 21, 2023 7:33:56 PM |

Dear Mr. Grande and Councilman Waring,

I built my home in Fireside over 10 years ago, with my backyard facing Black Mountain Boulevard. I have a view fence, paid a premium for my lot and was promised the land behind my home across Black Mountain Blvd was zoned as single-family residential. My husband and I have 3 sons who were toddlers at the time. Now, they are teenagers attending Explorer Middle School and Pinnacle High. We did much research to find the perfect neighborhood/lot to build our house and raise our family. I am opposed to the Black Mountain Village Commercial Development. My reasons for opposing the project include:

- Horrific traffic when one considers the daily chaos that exists at the adjoining high school and nearby elementary school.
- Threats to the safety of students at the high school and nearby elementary school.
- Introduction of twenty-four-hour noise, light, and air pollution into a residential environment, specifically concerning since our bedroom windows will look out over this development.
- Establishing a 24-hour hang-out for unsupervised adolescents from the adjoining high school.
- Litter, crime, vandalism and transient individuals.
- Pollution from cars lined up at drive-through operations.
- Lack of any reasonable justification for a major amendment to the Desert Ridge Specific Plan to the detriment of innocent homebuyers who relied on the plan.
- Decrease in property values for residents of Fireside and Sky Crossing.
- Diversion of traffic from SR 51 that would otherwise head west on SR 101.

We love our Fireside and Desert Ridge Community. Please take these points into consideration and help us to preserve the sanctity of this beautiful area of Phoenix, that we feel good to call our home. Thank you for your attention to this matter.

Sincerely,

Laura Richards

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC |
| **Subject:** | Letter of Explanation by Resident regarding zoning GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 4:12:13 PM |
| **Attachments:** | Letter of Explanation Resident Final.docx |

Dear Council members,
A rezoning request was submitted by the attorneys of Gammage & Burnham on behalf of Vestar to convert a Residentially zoned 20 acres into a Commercial zone (C2).
It seems like this council asked 10 very pertinent questions to further explain how this proposal would impact the neighborhood and they submitted their answers in a Letter of Explanation (dated July 16st)
I assume the explanation was accepted and the case was subsequently filed. GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Although the Letter of Explanation by this law firm indicated that support for this proposal was abundant. I'm writing to you to let you know that nothing is further from the truth. This proposal should be denied.
In fact, this proposal has triggered a lot of opposition from the residents in Desert Ridge, because it is proposed adjacent to our High School and Elementary School and contrary to what the attorneys stated, **WILL** damage our community. There are many more reasons for opposing this case which are explained in my version of the attached "Letter of Explanation Resident"

I hope that the detail and the amount of work I put into writing this gives you a good summary of what is at stake and that the current version of our Master Community specific plan is what residents are expecting.
This does not entail allowing 20 acres of big box commercial businesses, who will be creating a lot of issues for all residents and schools to deal with in the coming year.
**I urge you to deny this proposal in all its forms.**

Rather than outlining the issues we anticipate, I have included alternatives for you to consider and suggested items that are within our plan and would benefit our community and make it an even better place to live.
If the developer's goal is to add a new brand of grocery store to the area, please note that there are plenty of commercial zones available to build on immediately, which is also highlighted in the appendices.

In my previous contact with the City, I have raised awareness regarding the traffic situation around our schools and I also rallied our community to participate in the survey for Vision Zero.
I was pleased to see that within the budget approved by this council, you have allocated money for schools to improve a "Safe Route To School".
This proposal would endanger our kids walking to school with the increase of local traffic and non-resident traffic and ruin our community with big box retailers, alcohol and cigarette sales near schools, fast food restaurants and gas stations.

Please deny this proposal completely.
Thank you for your consideration.

Regards
Wouter Roodenburg.

Wouter Roodenburg

Resident Fireside Desert Ridge

21507 N 39th Terrace

Phoenix, AZ 85050

City of Phoenix

Planning and Development Department & City Council

200 W. Washington Street, 2nd floor

Phoenix, AZ 85003

RE: SWC of Deer Valley Drive and Black Mountain Parkway; Minor General Plan and Major Specific Plan amendment request.

To whom it may concern:

I'm writing to you as a concerned resident impacted by the rezoning requests GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Upon reading the Letter of Explanation provide to you by the attorneys of Gammage & Burnham (GBlaw), dated July 16th, 2023 (rev July 10th, 2023), I feel that you should also have the other perspective to the great questions you submitted regarding this proposal.

First and foremost, GBlaw informs you at the end of their letter that "*Vestar has received positive feedback from the **Desert Ridge Community Association**. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated. "*

This statement was completely misleading and unfounded. When we confronted the Desert Ridge Community Association about this statement during their monthly meeting, they claimed that they are "just concerned with applying the CC&R's of the community and cannot be supporting either side of this proposal". Who did GBlaw quote here and in what capacity? It cannot be further from the truth.

Why did the DRCA not run this by the communities it represents? Was this the basis for your committee to decided to move forward? Did the committee assumed that the support was already there based on that statement?

A lot of people do NOT agree with this proposal, it was started under wrong pretenses and now the community has to spend our time fighting this proposal. This should have been stopped at the start

based on the guidelines – which I will highlight later on – of the specific plan and the conflict the site has near 2 schools, affecting the safety of kids going to school. It is NOT in line with the Phoenix General plan to create more residents walking somewhere, NOR do any of the fast food restaurants add to residents getting together, other than queuing up behind each other at all the drive throughs. It will ruin our community and if this passes then developers will continue to expand and try the same thing on other locations. Please stop this now, stick to the plan.

Please bear in mind that there has been zero efforts from any organization to ask our communities what we would like or need. Before this proposal, every resident was under the impression that we have a very detailed specific plan for Desert Ridge which currently perfectly describes what the community will look like once it's finished. That is what people bought into and paid a premium to live in this area.

What you will notice in subsequent events is the fact that GBlaw has started campaigning for support **AFTER** the first public meeting. Our community was getting ads (appendix 2) that created an impression of an innocent small neighborhood grocery store for people to quickly click on, not being informed of the consequences or full plans. Why did GBlaw give you the impression during the letter of explanation that community support already existed?

Giving the push back that you have seen, how much value can be placed on any other answer provided in that letter, other then GBlaw hiding the real intentions of this developer. This developer wants to make it 20 acres and put on a 50,000-100,000 sqft grocery store, fast food restaurants, gas stations, more traffic in our area. It shows complete disregard for our great community and it also conflicts with a lot of the design principles of our specific plan on many levels. Equally deceptive was the highlighting of existing traffic issues at the Desert Ridge Marketplace. Their solution: move all the traffic issues closer to 2 schools full of kids walking to school? Unacceptable.

**What are the alternatives?**

There are no compromises to the current proposal. We (those who voted NO on our petition) do not want 20 acres of commercial on that land. As a planning committee and city council, you should stick to the existing great and specific plan for Desert Ridge. This plan shows these superblock being Low Density Residential.

Perhaps you consider new stipulations in the plan for the next residential builder to take on the unintended traffic issues that have been created over time and possibly create a new drop off route for the highschool using 32nd street and increase the schools parking lots.(Appendix 8).

Or using the Vision Zero plan, approved by the council to use "Safe Route to School" grants to make our drop off areas safer.

Another consideration, which is already mentioned In our community plan, would be building a Library and/or Park and Ride parking lots. That would be a huge benefit to this community, especially considering the fact that is right next to 2 schools. These things make sense.

Ultimately, if people want more choice in grocery stores, then there are pre-approved zones available very closeby. City North also has room for an additional grocery store and currently hosts (a real!) neighborhood Sprouts convenience store. There is is land available on 56th and the freeway also. Plenty of alternatives and good enough to host their proposal, without ruining our neighborhood.

**Further details in response to original the Letter of Explanation.**

I want to continue with my response to address the way these attorneys chose to answer your questions, downplaying the impact it would have and leaving out important details that you should consider and be aware of. They are experts to provide you only with details that they've learned helps getting approvals from you and put the wheels in motion.

They described it as "low impact" commercial development. How do they determine this? They claim there is no final plan. Once approved they can do what they want. AND they're proposing this to be next to an elementary and high school and in the middle of a quit community, which is unacceptable because of the dangers they're introducing to the school and kids. Half-truths are being told.

I would like to select a few of your questions and provide another perspective and have included appendices to clarify my comments.

**Questions Selected:**

*Q3; How many potential housing units would be created or lost by approving and implementing the proposed amendment?*

GBlaw response states : "The benefit of bringing much needed commercial to this area far outweighs the minimal loss of housing from the proposed amendments"

**My Response**: They fail to mention that there are pre-approved commercial zones are only 1 block north of the proposed site along Pinnacle Peak and leave out the fact that City North still has 50% land available, which is adjacent to Desert Ridge marketplace. Why would they need to amend our residential master plan for 20 acres to insert a commercial development when bigger lots are available?
(See Appendix 1)

*Q4: Is there a need for the proposed use(s) or density(ies) in the requested location?*

GBlaw response states: "unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestions and parking issues."

**My Response**: There was never any research done or input requested from residents regarding the impact of the marketplace, nor were we asked what our needs are. This proposal is purely economical and not driven by an identified need. My response would have been that I can confirm traffic congestion caused by drive through restaurants and those will remain and new ones will be created by their proposal.

Their responses continue to emphasis the current traffic issues but their proposal will bring exponential more traffic to our neighborhood due to new (non resident) people now choosing to come off the 51 at Black Mountain blvd to get their groceries that previously went to the marketplace. Children are walking home from Elementary School and the High School are being put at unnecessary risk.

If I was asked for what this community needs, it would be more recreational parks, a promised library, preserve the land for High School expansion requirements to accommodate more students, parking and

a safer route to school and drop off areas around the school. That is what we need, not light, air, noise pollution and gas station or any other shop next to a high school and elementary school. People are also very concerned about the crimes that go along with such a commercial center.

*Q5: What impact would the proposal amendment have on adjacent or nearby land?*

GBLaw states: "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour. The Applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposal development would potentially reduce the number of off-campus trips by car"

**My Response**: The impact will be bad. More traffic, More pollution, More smells, More homeless people on corners, More cars idling, More noises and light pollution into the night.

PLUS Every parent knows that putting temptation in front of teenagers, they will jump on the occasion to skip school, find a way to buy alcohol and cigarettes and create a hangout for these teenagers that will lead to all sorts of trouble, fights and crimes. The school is a closed campus school, so only seniors that are already driving themselves might be interested, but it also highlights their commercial interests in this area and trying to capture this captive audience and provide bad fast food and other bad choices. Nothing safe about their proposal that will benefit High school students.

Secondly, I would highly recommend that you independently meet with the Principal of Pinnacle High School and Fireside Elementary School and they will paint you an entirely different picture and **strongly oppose this development.** Don't take my word for it. Please have someone verify this statement as this was another technique to give you the impression that they reached out with concerned parties and only shared what they wanted to hear. Not their full version and misrepresentation of their opinion. Parents have brought this up with the Principal during various meetings at the start of the school year.

*Q6: How will the proposed amendment affect traffic generation and the transportation system?*

GBlaw states; "Black mountain blvd and Deer Valley drive are both major arterials adjacent to the property. As such, Black mountain village is proposed at an appropriate location"

**My Response**: Notice how short this answer is compared to all the other answers. They are not even directly addressing the core of your question. Great avoiding technique of the hot potato.

See Appendix 1 – the traffic is terrible at the moment, during drop off and pickup times, during rush hour, as drivers trying to avoid the 101 and 51 take Deer Valley and they use all of our community road to take short cuts and therefor causing people speeding on mayo blvd and 40th street to get to where they need to go. With the attraction of gas stations, fast food and grocery stores, more (non resident) people will start taking this route.

*Q8: Community Benefits; How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment? See pages 18-26 in the Phoenix General Plan*

GBlaw States: One of the visions discussed in the PlanPhx 2015 General Plan, is to make Phoenix a "Connected Oasis." Put another way, residents have expressed a desire for the City to have more places at which citizens can connect with one another. This new shopping center in the Desert Ridge area will provide such a place. Moreover, the addition of a retail shopping center that can more conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike and reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment. A reduction is transportation burdens, increased opportunities for exercise and a cleaner environment lead to an overall increase in health and prosperity.

**My Response**: This is pure nonsense as there has ***NOT*** been any survey done about what we want and need or desire. And if they claim this, it can only been hearsay from a few residents close to this project or overheard in an HOA board meeting. Not even our HOA's have done such a survey to gather input from their residents**. GBLaw only started to gather signatures around September, whilst the letter is dated July 1st.**

However, if you know anything about Aviano, Sky Crossing and my community Fireside, then you know **this community is already very connected to their neighbors**, we have long time residents that have seen their kids grow up and go through each of the 3 schools in the area as well as many community events that are organized by paid community directors every month where we all connect with each other. Firework displays paid for by HOA's. Our Halloween celebrations are known throughout Phoenix and we have to block off our streets to accommodate everyone safely.

The proposal is not promoting any of the things they advertise, nor will any of their proposed commercial properties promote any new healthy activities due to the nature of the Gas station, Fast food restaurants and none of the 100,000 sqft grocery stores. They are expecting increased traffic for their tenants to be successful.

Other examples to promote these great goals outlined in your General Plan, are libraries and park areas for our families that will allow coaches to run their practices and young families to have play areas.

*Q9: How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?*

GBlaw states: "The proposed amendments will advance the land use principles in the Desert View Village Character Plan and the Desert Ridge Specific Plan. The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. The first is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires

impact-mitigating features when new nonresidential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors."

**My Response**: These design principles should simply state –

1) **DO NOT BUILD COMMERCIAL PROPERTIES NEAR HIGH AND ELEMENTARY SCHOOLS DUE TO KNOW RISK AND SAFETY ISSUES THESE TYPES OF PROJECTS BRING**, especially if there are pre-approved commercial zones already available in the same vicinity. The buffering that is mentioned is a small walk for anybody, so claiming the design being "away" from the public school is just putting lipstick on a pig.
2) **DO NOT BUILD COMMERCIAL PROPERTIES IN THE MIDDLE OF 3 RESPECTABLE COMMUNITIES DUE TO THE TRAFFIC AND CRIMES THESE TYPES OF PROJECTS BRING.** The grocery will be giving access to alcohol and tabacco near the schools. The gas stations will bring homeless people
3) **THERE NO IMPACT MITIGATING FEATURES INCLUDED FOR NON RESIDENTIAL USES.** In fact, the viability of this commercial proposal is counting on non residents to start visiting this area.

It will also affect the image of Pinnacle High School, which is putting a lot of effort into increasing their image and provide superior education and is seeing increased enrollment numbers. This include the fact that schools are graded on their students attendance and Tardiness. Having this development next door will most certainly impact their school standings today.

*Q10. Additional comments as appropriate*

GBlaw states: Vestar has received positive feedback from the Desert Ridge Community Association. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated.

**My Response:** These additional comments are possibly based on the opinion of 1 person within the Desert ridge HOA board. There will be no evidence to support these statements. In fact, every HOA meeting GBlaw has attended after the initial public hearing, has been met with more opposition. There is ZERO EAGERNESS by this community, demonstrated by all the emails you have been receiving on this proposal and further strengthened by the votes on our petition and people that have or will be speaking at the public meetings. (Appendix 5)

But first and foremost, the opposition to this proposal underlines that this proposal might be a classic bait-and-switch and they assumed this would slide under radar of this community. They were wrong.

**PETITIONS / Social Media / Advertising:**

In response to various ads and website activity by Vestar and GBlaw, our community has setup our own website ( https://defenddesertridge.godaddysites.com/ ) and our Petition on Change.org and Hand written signature petitions to make sure that we are not undercut by this corporations tactics to show support. Residents cannot match their corporate budget and social media skills, but we hope that you see that efforts were made on our side and that it should be weighed more.

ALL of their activity to back up their statements, are DATED AFTER their "Explanation Letter", thus the statements and references made to our community's eagerness for this, has been vastly overstated.

We have since also seen various ads show up on our Facebook and other social media platforms ( Appendix 2) that paint a “dream” appealing to a random public that this is a neighborhood grocer, when the fact is that it could be 50,000-100,000 sqft grocer. This is never mentioned anywhere. A gas station is never mentioned anywhere. The audience they target could be outside of Desert Ridge.

Other ads lead to a petition on Change.org, which in turn has a link back to the GBlaw website in order to submit support emails. (Appendix 3 & 4)

- There is NO Validation where these emails are coming from.
- There is NO Validation whether any of the submissions are coming from automated software
- There is NO Validation – if they were real people – where they live and even part of desert ridge
- They’re sharing very little information about the full scope of the project.

**IN CONCLUSION**

I’m completely blown away by the amount of effort that these attorneys and developers put behind their proposals in order to ruin neighborhoods, endanger school areas, and negatively impact sought after communities for their profits.

There is no eagerness in this community and online petitions and handwritten signatures underline that this proposal was based on misinformation and not substantiated by any research of community needs.

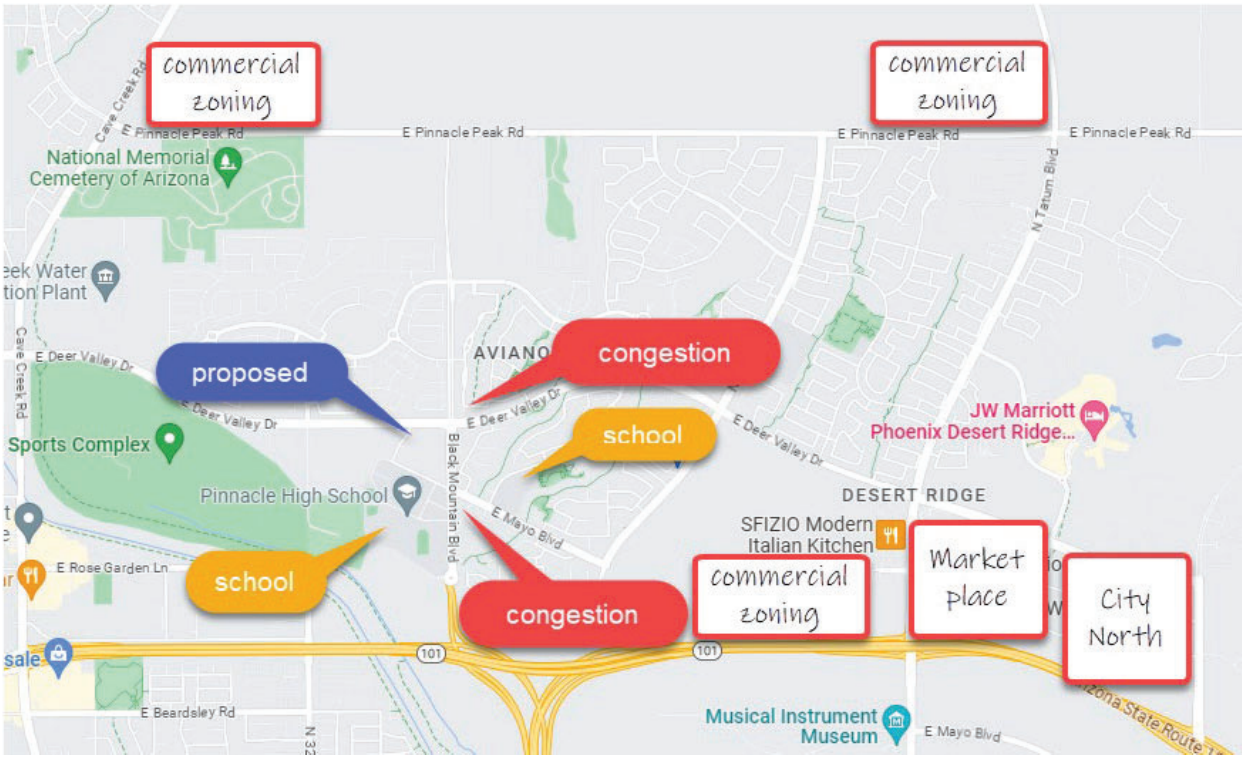
I sincerely hope that the City Planner, City Planning Committee and City Council will see this development for what it is and oppose the zoning change, **without compromise**. There is nothing that will be accepted by this community, other than the current zoning.

Please decline the entire proposal in all its forms and keep the residential zoning as it is, or pro-actively work with our community directly to find a more valuable use for this land around Pinnacle high school and near our 3 communities and stop any incoming future proposals immediately.

Sincerely,

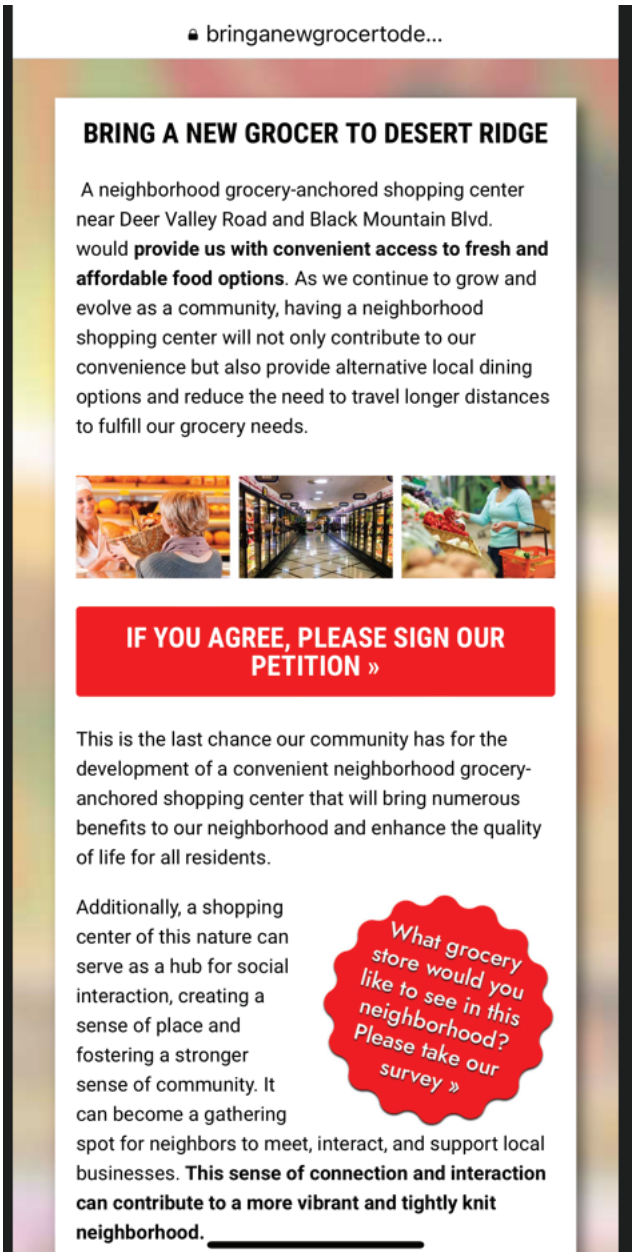
Wouter Roodenburg

APPENDIX 1: TRAFFIC CONGESTION and COMMERCIAL ZONING



APPENDIX 2 – FACEBOOK ADS

They are misrepresenting the full plan of this proposal in order to get people to vote for this.



APPENDIX 3 GBlaw submission form and petition Link

## Why this petition matters

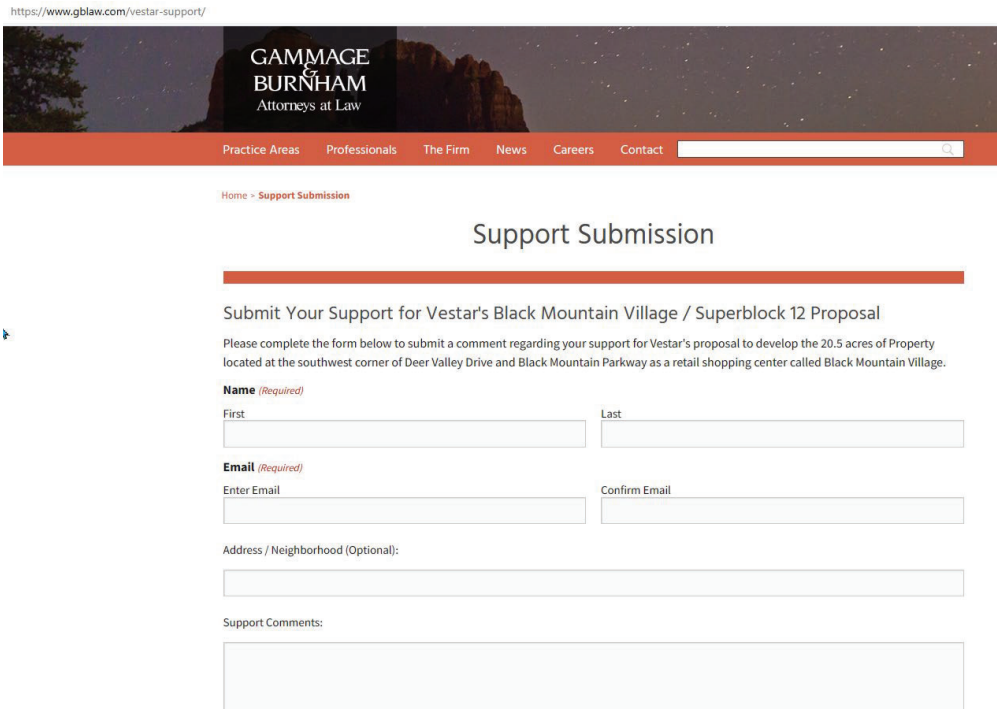
Started by **New Grocer**

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center. We believe that such a development will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

A well-planned and community-oriented development of this kind will also add significant value to our neighborhood without compromising its unique character.

Please **follow this link** to let city leaders know you support more grocery options.



APPENDIX 4 – Gblaw petition: BRING NEW GROCER petition (per 9/19/23)

https://www.change.org/p/help-bring-a-new-grocer-to-desert-ridge-please-sign-our-petition

This was started in September, a full 2 months after the letter of explanation was send.

# Help Bring A New Grocer To Desert Ridge. Please Sign Our Petition.




Started September 1, 2023

## Why this petition matters

Started by New Grocer

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

220 Signatures

500 Next Goal

Support now

## Sign this petition

Defend Desert Ridge United States

I'm signing because... (optional)

Display my name and comment on this petition

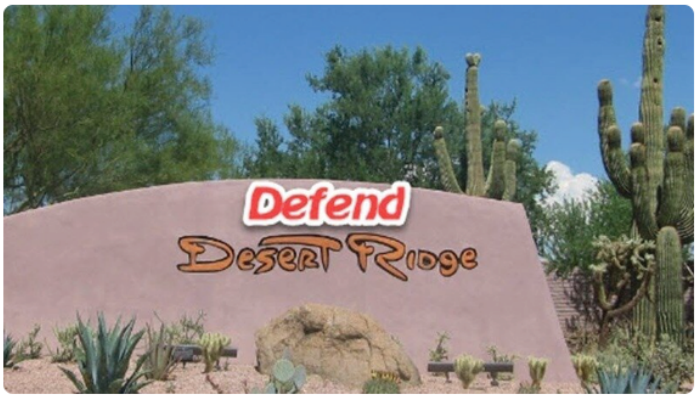
Sign this petition

APPENDIX 5 – RESIDENTS PETITION : Oppose Commercial rezoning in Desert Ridge

https://www.change.org/p/oppose-commercial-rezoning-in-desert-ridge

So far we have TWICE the support to oppose the proposal, excluding written signatures.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

## Why this petition matters

Started by **Defend Desert Ridge**

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

408 Signatures

500 Next Goal

**402 people** signed this week


Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

APPENDIX 6 Desert Ridge Specific Plan – Current Plan around 3 acre neighborhood centers

NOTE: I thought it would be helpful to include these chapters around the original intent of neighborhood convenience commercial.

1) Convenience commercial NOT more then 3 acres max
2) Neighborhood convenience store can be 5000 sqft max (see site design) NOT 100,000
3) Away from Arterial streets
4) No Drive Through
5) Only Beer/Wine allowed

*Neighborhood Unit Concept as the Basis for Community Design*

One of the principal problems of our sprawling western cities is the lack of connection residents feel to each other, and any sense of identification with the population at large. Desert Ridge is structured to build in a strong sense of identification and orientation.

Each neighborhood superblock generally consists of one square mile of residential uses. At the heart of most superblocks is a neighborhood park, an elementary school and no more than 10,000 square feet, excluding child care facilities, of neighborhood convenience commercial uses on a minimum of one acre and maximum of three acres. The convenience commercial uses are intended to be very limited in size, yet provide a range of necessary goods and services. They will be located internal to superblocks, at least 600 feet from arterial streets, so as to be accessible only from the internal collector road system and from a pedestrian path system. This location will present an opportunity to reduce the number of potential automobile trips taken for convenience shopping purposes. Potential neighborhood convenience centers are illustrated on Figures 7 and Figure 8. ***1**

The relationship between the convenience commercial, elementary school and neighborhood park uses will require special attention to inherent conflicts between and among these uses (e.g. school children and park users with vehicular traffic). As a rule, the convenience center will be located a minimum of 300 feet from any school uses. There should be no commercial development located adjacent to elementary schools. Possible relationships between these uses are illustrated on Figures 9 and Figure 10. ***1**

A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development. ***1**

Depending on each residential development, a neighborhood could include a small community center, a swimming pool, tennis courts and other recreational facilities. These recreational facilities may be located in all superblocks. These facilities may be developed in conjunction with local subdivision associations. Child care facilities, however, will be located in all but three of the smallest superblocks. Each neighborhood is designed to be developed independently, encouraging individual character and identify; a range of housing densities is included in each neighborhood, allowing for a healthy economic mix. Provisions should be made for housing for the elderly and retired persons, as well as persons living in assisted care facilities. ***1**

The neighborhoods are bounded and served by major arterial boulevards, with collector streets accessed from the boulevards occurring at no less than one quarter mile intervals. The local streets will loop through residential areas creating a neighborhood character. No shortcuts between arterials through the neighborhoods will be found, discouraging any traffic other than local.

The majority of residences will be within a five to ten minute walk of the local park, elementary school and neighborhood convenience commercial uses in most superblocks. A system of pedestrian/bicycle paths along the wash corridors will meander through most neighborhoods, providing direct linkage to the neighborhood center, encouraging walking and reducing dependence on the automobile for local trips. Children will, in most cases, be able to walk to their elementary school on paths within wash corridors without ever having to cross an arterial street. Each neighborhood will feel pedestrian oriented, encouraging a sense of community among residents. ***1**

## C.3 Convenience Commercial Uses

### C.3.A General

Most residential superblocks have neighborhood convenience commercial centers. These centers are planned to be located in proximity to the elementary school, and neighborhood park within each superblock as presented in Chapter 5. These centers are located internal to superblocks at least 600 feet from an arterial street, so as to be accessible only from the internal collector residential loop road system and from the pedestrian trail system within the wash corridors. This presents an opportunity to create a self-sustaining community within a superblock thereby reducing the number of potential automobile trips taken for convenience shopping purposes.

The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and are not intended to serve a population outside the superblock boundary. The maximum total acreage for neighborhood retail uses, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, shall be three (3) net acres, while the minimum acreage will be one (1) net acre.

**C.3.B.2 Modified City of Phoenix Regulations Imposed by this Specific Plan.**

a. Minimum Lots Size/Maximum Lot Size

The minimum lot size shall be one (1) acre exclusive of street rights-of-way. The maximum lot size shall be three (3) acres exclusive of street rights-of-way.

b. Maximum Building Area

Maximum of 10,000 square feet of gross leasable floor area per superblock, exclusive of floor area required for one child care facility per superblock (in other words, the child care facility may be in addition to the 10,000 square feet of gross leasable area); no more than 7,500 square feet of gross leasable floor area per superblock devoted to convenience market retail uses. The convenience parcel must be landscaped similar to the surrounding area until development of the parcel occurs. ***2**

c. Permitted Uses:

Only the following uses are permitted in this district.

- Child Care Center
- Dry Cleaner/Laundry outlet, not plants **+2**
- Convenience Market (selling and display space for beer and wine shall be limited to a maximum of 15% of total selling space) **+2**
- Delicatessen or other sales of prepared food limited to maximum of 1,000 square feet exclusive of outdoor dining areas ***2**
- Bakery, retail sales **+2**
- Beer and wine sales only; no hard liquor sales
- Beauty/Barber Salon
- Video tape rentals as part of convenience market.
- Florist
- Pharmacy
- Shoe Repair
- Booksellers and Rentals, except adult bookstores **+2**
- Candy Shops/Confectioneries, retail sales **+2**
- Gift Shops/Novelties/Stationers, retail sales **+2**
- Hobby Goods Stores **+2**

- Ice Cream Shops **+2**
- Picture Framing, custom **+2**
- Residential Office **+9**
- Travel Bureau **+2**
- The Boys and Girls Club **+10**

d. Prohibited Uses:

Other than the uses listed above as permitted uses, all uses are expressly prohibited including the following:

- Mechanical or electronic video games or arcade - type devices for amusement purposes.
- Drive-through uses
- Sales of package liquor other than beer or wine.

e. Maximum Building Height: 1 story not to exceed 20 feet

f. Minimum Building, Parking Lot, and Setbacks: 25 feet away from any property line and/or right-of-way line. **-2**

g. Parking requirements: One stall per 300 square feet gross building floor area, or per City Ordinance. **+2**

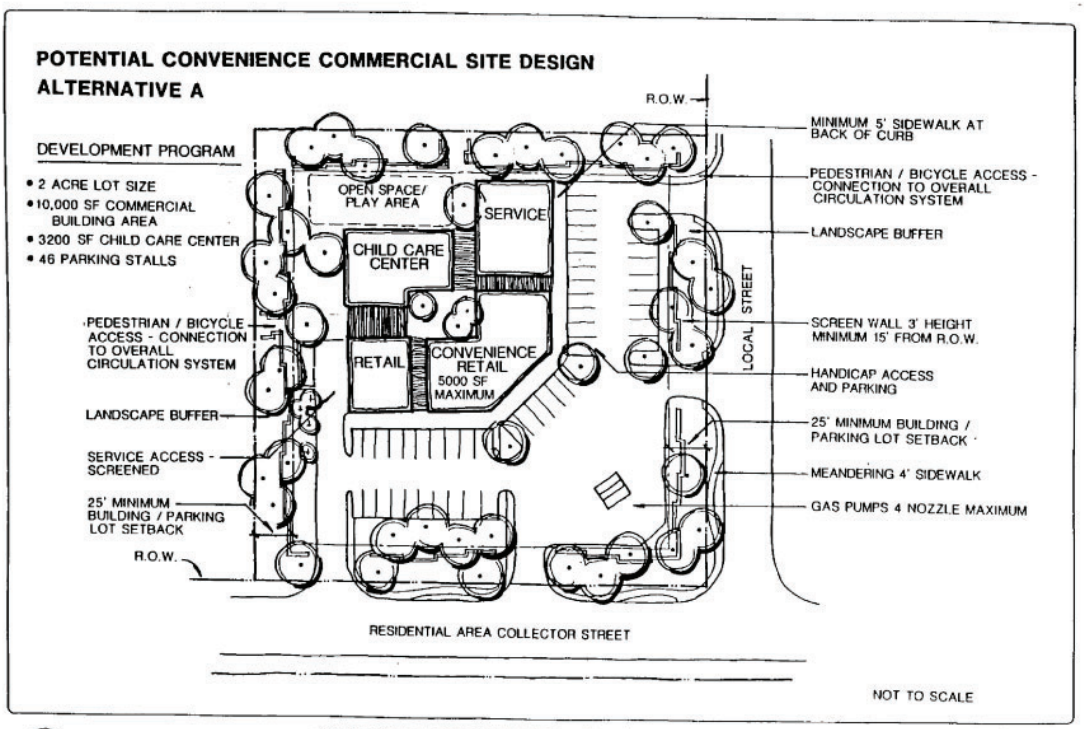
h. Signage

1. Temporary signage

   Signage will be developed during a subsequent planning stage. See Appendices.

2. Permanent Signage

   Signage will be developed during a subsequent planning stage. See Appendices.


POTENTIAL CONVENIENCE COMMERCIAL SITE DESIGN
ALTERNATIVE A
DEVELOPMENT PROGRAM
• 2 ACRE LOT SIZE
• 10,000 SF COMMERCIAL BUILDING AREA
• 3200 SF CHILD CARE CENTER
• 46 PARKING STALLS
OPEN SPACE/ PLAY AREA
SERVICE
CHILD CARE CENTER
RETAIL
CONVENIENCE RETAIL 5000 SF MAXIMUM
R.O.W.
LOCAL STREET
MINIMUM 5' SIDEWALK AT BACK OF CURB
PEDESTRIAN / BICYCLE ACCESS - CONNECTION TO OVERALL CIRCULATION SYSTEM
LANDSCAPE BUFFER
SCREEN WALL 3' HEIGHT MINIMUM 15' FROM R.O.W.
HANDICAP ACCESS AND PARKING
25' MINIMUM BUILDING / PARKING LOT SETBACK
MEANDERING 4' SIDEWALK
GAS PUMPS 4 NOZZLE MAXIMUM
PEDESTRIAN / BICYCLE ACCESS - CONNECTION TO OVERALL CIRCULATION SYSTEM
LANDSCAPE BUFFER
SERVICE ACCESS - SCREENED
25' MINIMUM BUILDING / PARKING LOT SETBACK
R.O.W.
RESIDENTIAL AREA COLLECTOR STREET
NOT TO SCALE
DESERT RIDGE
NORTHEAST PHOENIX PARTNERS
7
BRW

Appendix 7 – Desert Ridge Specific Plan – Public Facility Plan

This chapter describes the provisions for public facilities like Ride-and-Go and Libraries

These are currently in the planning and would increase our sense of community.
What if a Planning Commission would decide to put library next to 2 schools for kids to go to.
What a great concept and it fits right into the goal of bringing a neighborhood together.

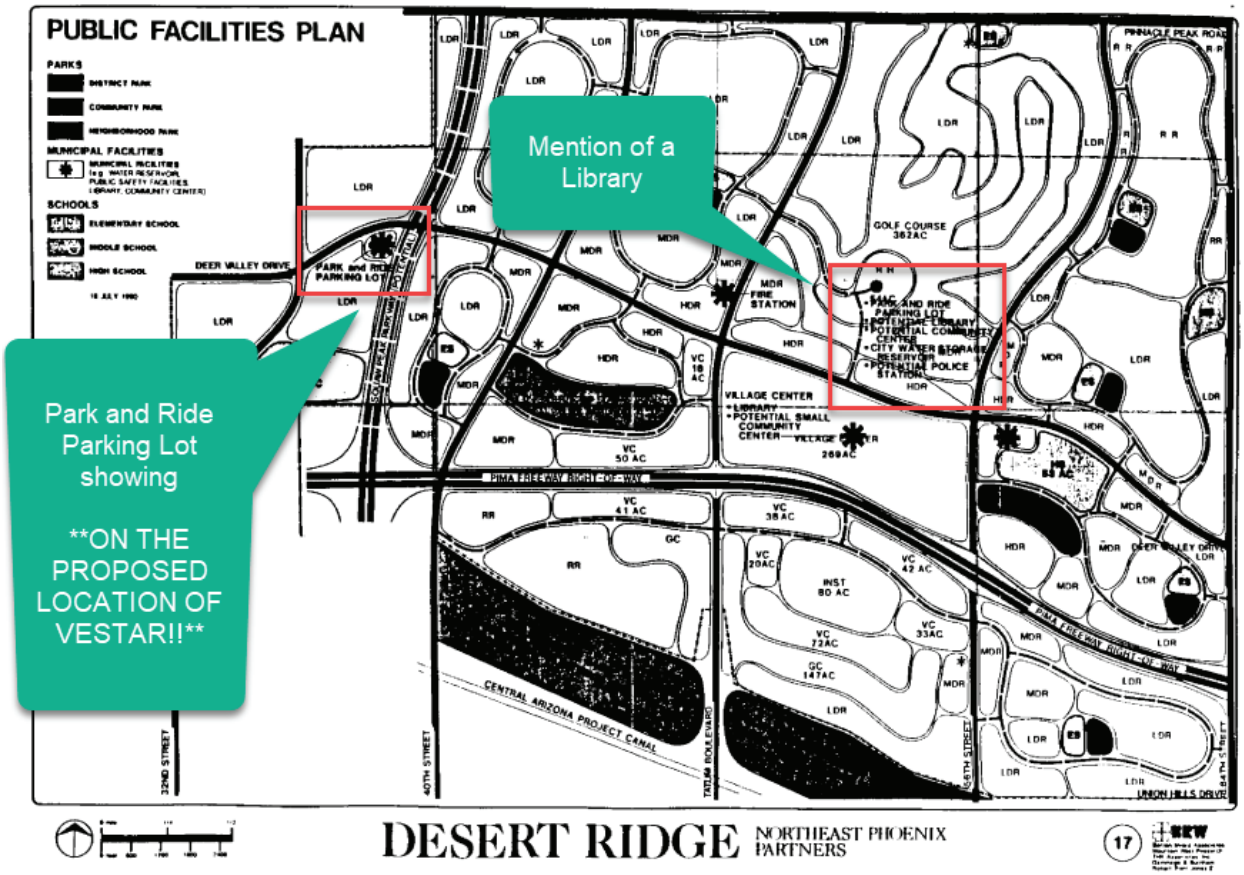
Also – please note that in this version of the plan, a Park and Ride parking lot is showing on the proposed site. Why wouldn't we want to do that and execute the plan.

## F. PUBLIC FACILITIES PLAN

At buildout, Desert Ridge is a planned community for over 59,000 residents and 20,000 employees. Public facilities are an essential element for the planning and development of a large master planned community such as Desert Ridge. The following public facilities have been located within Desert Ridge using the approved planning criteria of each responsible government agency, department and school district.

- Parks
- Library
- Fire Station
- Community Center
- Public Schools

The locations of these facilities is illustrated on Figure 17, *Public Facilities Plan*.



Appendix 8 – New Drop off Route



| | |
|---|---|
| **From:** | js |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Cc:** | Katie Shashaguay |
| **Subject:** | Vestar Rezoning near Sky Crossing- Not your normal opposition email |
| **Date:** | Thursday, September 21, 2023 9:06:42 AM |
| **Attachments:** | image.png |

Hello Anthony,
As a homeowner in the Sky Crossings community I am writing to you today to voice my concerns about the rezoning proposed by Vestar development for the plot of land on the corner of Black Mountain and Deer Valley.

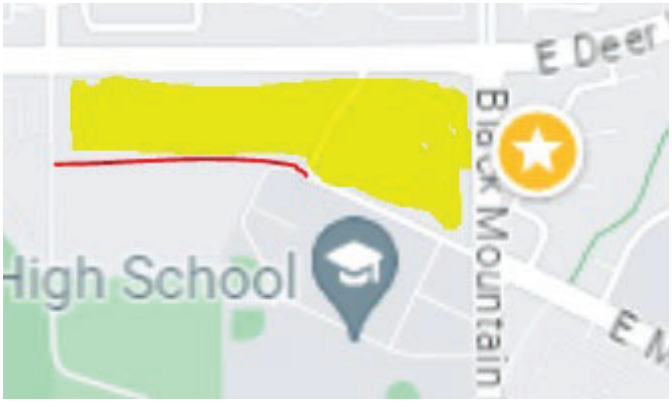
**My intention with this email may be a bit different than some others that are opposing the rezoning as I am only opposed to the change based on the current guidelines. The concerns I have are with the lack of limitations placed on the development proposed and the traffic patterns suggested for nearby residents. Let me explain.**

As I understand it the Max sq footage of the proposed grocery store would be 100,000 sq ft. In my opinion this is far too large for the community. **I would be in favor if the max sq ft was closer to 50,000 as this would attract a smaller more neighborhood friendly store and allow more retail space for local businesses which serve to bring the community together better than a big grocery.**
This would even lend itself to a development plan that could **recreate more of a "main street" feel with business lining a small street**. It would be nice to incorporate a small park for people to gather or even a space for organized neighborhood gatherings and events. It could be a destination, within walking distance, for the community to gather, shop, eat and for kids to play. There is nothing like that nearby currently that brings all of the nearby neighborhoods together.

**My other major concern is the traffic pattern proposed.**
There would be no way for someone leaving that development to get to Sky Crossing without taking a U-turn or cutting across traffic to get to a turn lane. **This could be remedied by extending the proposed Mayo Blvd improvements all the way to 32nd street as then there would be a light allowing people to safely exit the area in either direction.**

In summations, I would love to see that entire space (see pic below) turned into a retail / public use space that would include a small grocery, shopping, a park, a small amphitheater for neighborhood concerts and events. **I'd like to see something that welcomes neighbors in and encourages us to spend time (and $$) as a community, building friendships and memories together as our kids grow up.**

***This is an opportunity to do something different and set a precedent for neighborhood planning and development to come.***




I understand that the highlighted area is larger than what's proposed but wouldn't it be a great place to bring people together?

Thanks for your time .

Jovan Shashaguay
Sky Crossing resident
312-450-5450- feel free to call anytime

**From:** Susan Diamant
**To:** Anthony M Grande
**Subject:** No
**Date:** Thursday, September 21, 2023 9:43:14 PM

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Dear Sir,
I have been a Desert Ridge resident since 2001. During this time i've gotten married, had a child and she has enjoyed the relaxed
family environment that these neighborhoods currently provide and well as safety and bike riding.
Please consider the values that this neighborhood has offered and desired prior to this refining issue. Some thing are best left alone and this neighborhood is one of those places here in the valley.

Sincerely,
Susan

Sent from my iPhone

**From:** Robin Bowie
**To:** Council District 2 PCC
**Cc:** Anthony M Grande
**Subject:** Rezoning of 20.52 acres
**Date:** Friday, September 22, 2023 10:36:26 AM

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Dear Councilman Waring and Mr. Grande:

My name is Robin Bowie and I have been a resident of Desert Ridge since 2004. My husband, Charlie Bowie, was the former President of Toll Brothers Arizona Division and worked closely with the City of Phoenix and the Planning Commission to build one of the best master planned communities in Arizona, Aviano.

I wanted to voice my concerns about the rezoning of approximately 20.52 acres located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive (GPA-DSTV-2-23-2 (Companion Cases GPA-DSTV-3-23-2 and Z-39-23-2).

By rezoning this parcel from Residential 2 to 5 dwelling units per acre to Commercial directly affects the following:

1. The already problematic traffic in the morning and afternoons with the school start and stop times. The newer drivers from Pinnacle High School navigating that area on a daily basis will be at even more at risk with the additional traffic from the shopping center, especially if a coffee shop (as was eluded to by Vestar's attorney at the August 1st Planning Committee meeting) will be put there.

2. The possibility of a gas station being added to the Plan really is the worst of the worst. Now you are talking light pollution, large noisy trucks delivering the fuel and supplies, as well as possible contamination of the soil with any gas or oil leaks. And then there is the vagrancy issue. The homeless and panhandling has already been an issue sprouting up in Desert Ridge and now with the new shopping center they will start migrating there.

3. Crime - inevitable things that happen when there is a shopping center. And add to that the proximity of the on/off ramp of SR51. That exit will then be used by more vehicles who will want to use that shopping center, especially if there is a gas station there. I would also think that having a shopping center right next to the high school would draw those same kids into becoming a nuisance as well. Just ask anyone about the teen problem at the Marketplace and how Target had to hire a Police Officer to guard their store with all of the teens hanging out there. And the same holds true for adding a fast food chain. Look at what happened a few months ago at In and Out Burger with the teens getting into fights and the young man who lost all of his front teeth. Teens are going to be teens but again, why do we want to bring that right into the middle of our neighborhood.

5. By adding a "boutique" or any other grocery store you have the issue of loading docks and large semi-trucks coming in the middle of the night with their loud engines and beeping noises unloading merchandise so close to the houses in that general vicinity.

The project summary on the Gammage & Burnham website claims: "growing demand and need for additional commercial and retail options in the Desert Ridge area." Desert Ridge Marketplace already encompasses a large parcel of land, High Street with its restaurants, shops and a small grocery store and add to that City North which is currently in the developing

stages. "City North will be an "urban core" that upon completion will bring over 3,400 additional apartment units, over 2 million square feet of Class A office development along the Loop 101 freeway, ±1,000 hotel rooms and several new restaurants to the heart of the Desert Ridge, Arizona's largest master planned community." (This paragraph copied from https://www.citynorthdesertridge.com/ [citynorthdesertridge.com]). Desert Ridge has plenty of "additional and retail options" especially given the fact that it is already becoming more and more dense with traffic from the existing Marketplace, the new housing all along 56th Street, as well as Deer Valley Road, City North, and the new apartments slated for the Northeast corner of Tatum/Deer Valley.

I personally have spoken to several homeowners and they are all in agreement that this is not wanted or needed. I have signed the Petition that is currently circling the area. I understand that the Developer is going from door to door looking to convince the neighbors that this is a good idea.

It is my hope that the Planning Committee will take my comments and the comments of the other neighbors who are signing the petition and writing letters into consideration when making their decision on whether or not to rezone this parcel. When I moved to Desert Ridge back in 2004 everything surrounding Aviano was zoned residential. I have watched all of the new developments come to life around me. I'm fine with that and am not a NIMBY. My husband was a builder. The people most directly affected by this, the ones whose properties will look at or back to this new shopping center, do not deserve this. Residents purchased their homes in this community assuming that, according to the Public Report given to every homeowner purchasing a home, that this parcel was zoned residential, not commercial. Pinnacle High School has been and continues to be bursting at the seams. The parking situation is such that there is not enough parking for all of the students, the pickup and drop-off to the school is a nightmare and if there are any school events there is not enough parking for all of the attendees. If any zoning modifications are going to be made to this piece it should be that the State Trust Land Department should either donate a a piece of this land to the school or possibly have the school district buy it.

I had suggested, as did others at the Public Meeting held on August 1, 2023 that Vestar should look into the parcel that is at the southwest corner of Pinnacle Peak Road and Cave Creek Road. There are plenty of houses surrounding that area to support a shopping center there. Vestar is not looking to make the lives of the residents in this neighborhood better by having things more convenient for them, they are looking at how much more money this will make for them. Commercial development belongs on the outside of a neighborhood, not smack dab in the middle. Convenience comes at a price and I for one do not want to pay that price. I'm happy to get in my car and drive 3-5 minutes to get gas, groceries, coffee and fast food.

Thank you for your time and consideration.

Robin Bowie
Hague Partners
602.329.9005 MOBILE

**From:** Jost, Kevin
**To:** Anthony M Grande; Council District 2 PCC; PDD Long Range Planning
**Subject:** Deer Valley/Black Mountain Development Plans?
**Date:** Friday, September 22, 2023 3:56:56 PM
**Importance:** High

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Hello Mr. Grande and City Councilman Waring,

I wanted to write and let you know that hundreds of people are having discussions around the land that is just north of Deer Valley Road and west of Black Mountain Blvd in North Phoenix (Zip 85050).

There is so much discussion and misleading information that is getting shared across social media platforms and even legal firms are sending out notes to try and persuade residents in our communities to be in favor of new land development.

I moved to Arizona 12 years ago and built a home in the Fireside Community, I also have lived in the Aviano community and now live in the Sky Crossing community. **I'm very much opposed to building out a large grocery store & gas station/fast food mall/commercial development on this patch of land.**

If you need any further information from me, please let me know.

Thanks for listening and I look forward to meeting you on October 3rd.

Kevin

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**From:** Melissa Resslar Mitschke
**To:** Anthony M Grande
**Subject:** Proposed Redevelopment at Black Mountain and Deer Valley
**Date:** Friday, September 22, 2023 12:03:27 PM

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Hello Mr. Grande- I am a resident in the Sky Crossing subdivision, which is to the north of the proposed redevelopment of the land that is at the southwest corner of Deer Valley and Black Mountain. I am writing to express my concerns regarding the proposed redevelopment.

1. Traffic Concerns :Traffic during the school year between the hours of 7:10-7:30 am and 2:00-3:00 pm is already very high in the immediate area. It is considerably worse during that afternoon block, as there are a large number of parents in the area to pick their high schoolers up from school. This makes it very difficult to get through the intersection. In addition, high school students are haphazardly crossing major streets during this time. Two students were hit by vehicles last year while trying to cross the street. While I understand that this is somewhat of an issue for PV schools to figure out, it seems as if the developer has not addressed this other than to acknowledge that there will be increased traffic in the area. I would encourage members of the planning committee to drive by that area during those times to get a sense of the congestion. My hope is that if the redevelopment is approved, the developer agrees to fund and construct a walkway over Deer Valley (similar to the one over Black Mountain) so that the high school students walking from Sky Crossing can safely make it to school. Unfortunately, there is no bus service for these students due to the close proximity of the school and the increased traffic is only going to make it more dangerous for them.
2. Liquor Sales: It is my understanding that the developer is asking for a variance from the liquor law rules in order to be able to develop the space to include a gas station, grocery store and restaurants that serve alcohol. I would encourage the committee to consider the fact that there is a high school within the immediate vicinity and a large potential for children to attempt to illegally purchase alcohol.
3. Aesthetic Concerns: Understanding the high likelihood that this land will be re-zoned, my hope is that it can be developed in a thoughtful way that takes into account the aesthetics of the area and the high property values of the nearby homes. This could include a small/higher end grocery store (like an AJs or Whole Foods) with higher end restaurants and shops rather than the developer seeking to maximize their profit on the space by including a gas station, fast-food restaurants, large grocery store (Frys/Safeway), etc. The noise, light and traffic coming from the area will definitely change the aesthetic of the area, so anything that can be done to minimize that would be appreciated.

Thank you for your time,
Melissa Mitschke
22614 N. Cave Butte Street, Phoenix 85050

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Defend Desert Ridge - Oppose Commercial rezoning in Desert Ridge : Petition Results |
| **Date:** | Friday, September 22, 2023 12:17:45 AM |
| **Attachments:** | petition_DefendDesertRidge.pdf<br>petition_signatures_DefendDesertRidge.pdf |

Please find attached the petition results with regards to Black Mountain Village case : GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

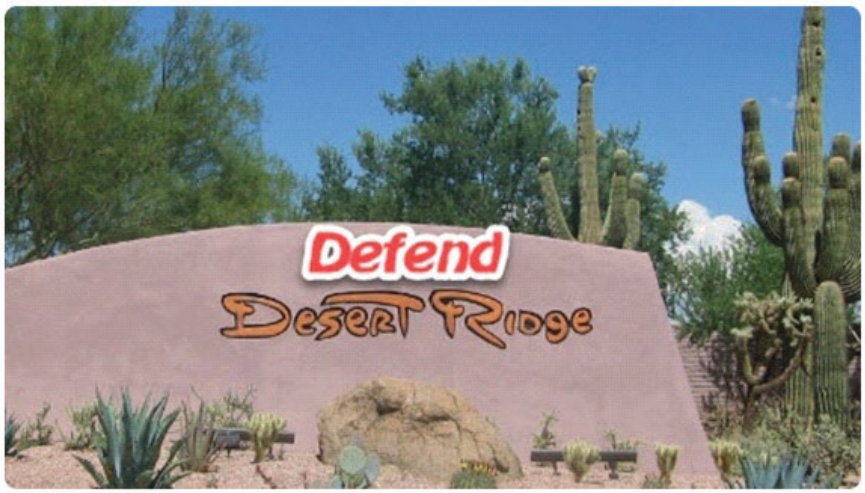
These 473 votes opposing the proposal are not the final results but our residents wanted to make sure it makes it into the case file for the October 3rd meeting.

Petition · Oppose Commercial rezoning in Desert Ridge · Change.org [change.org]

Kind regards,

Wouter.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

## Why this petition matters

Started by **Defend Desert Ridge**

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

473 Signatures

500 Next Goal

**334 people** signed this week


Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

We oppose because it will significantly increase traffic in your neighborhood and impact safety around the schools, it will increase light, air and noise pollution to our quiet neighborhood. It will attract all of the problems and crimes you see already at Desert Ridge Marketplace, Fast Food Restaurants and around Gas Stations today. Furthermore it will negatively impact the behaviors of high school students and endanger kids attending the elementary school. In short, nothing good will come of this.

If you want a new grocer, encourage them in the pre-approved commercial zones around the corner on Cave Creek and Pinnacle Peak that should be used instead of encroaching on our beloved neighborhood.

By signing this petition, you would like to let the Planning Committee and City Council know that you oppose this rezoning request and the land should stay residential.

Goto : **defenddesertridge.godaddysites.com** for more information.

- **Sign BEFORE September 19 for your voice to be heard.**
- **Please ATTEND the review meeting at PV Community center on October 3rd @ 6:30pm to show your support.**

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| Defend Desert Ridge | | | | US | 9/14/2023 |
| Eliza Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Candy Hamer-Huether | Phoenix | AZ | 85004 | US | 9/14/2023 |
| Taylor Morgan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Brielle Cam | Kailua | | 96734 | US | 9/14/2023 |
| Emily Sheets | Columbus | | 43231 | US | 9/14/2023 |
| Wais Zadran | El Dorado Hills | | 95762 | US | 9/14/2023 |
| Robin Harding | Milford | | 1757 | US | 9/14/2023 |
| gwyneth rolins | Kailua Kona | | 96740 | US | 9/14/2023 |
| george vong | Norcross | | 30093 | US | 9/14/2023 |
| Petro Volokh | Silver Spring | | 20904 | US | 9/14/2023 |
| Karen Smith | Indianapolis | | 46201 | US | 9/14/2023 |
| Coreen Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Susan Ze | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Larry Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Robert Schmitz | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gabby Zamora | Whittier | | 90603 | US | 9/14/2023 |
| Rosie Lopez | Las Vegas | | 89142 | US | 9/14/2023 |
| sophilia ashley | Shonto | | 86054 | US | 9/14/2023 |
| Kayla Shuch | Phoenix | | 85029 | US | 9/14/2023 |
| Martina Gorman | Ganado | | 86505 | US | 9/14/2023 |
| Heather McDonough | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Dan Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jovan Shashaguay | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Michael Coppola | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Austin Ward | Corvallis | OR | 97330 | US | 9/14/2023 |
| Praveen Mahadevaiah | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Rajesh Gadde | Phoenix | AZ | 85006 | US | 9/14/2023 |
| Rajendra Danda | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kavita Chandak | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Arvind Sharma | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mahitha Valluri | Desert ridge | AZ | 85050 | US | 9/14/2023 |
| Rohit Aggarwal | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Dattatraya Kale | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mrinalini Kale | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vinesh Soni | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Krishan Kumar | Phoenix | AZ | 85001 | US | 9/14/2023 |
| A Sha | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kristen Combes | Fishers | IN | 46038 | US | 9/14/2023 |
| Rashmi Vaidya | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gomathi Selvam | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Nandita Khera | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vin Kode | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Kalyani Moola | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Pradeep Chandra | Sky Crossing | AZ | 85050 | US | 9/14/2023 |
| Silpa Alapati | Phoenix | AZ | 85050 | US | 9/14/2023 |

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| Prakash Kannan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Dolly Yalamanchi | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Pooja verma Rajput | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Eric Damko | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Hatim Kapadia | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Manika Patel | Phoenix | AZ | 85036 | US | 9/14/2023 |
| Sam M | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Neeraj Chandak | Phienix | AZ | 85050 | US | 9/14/2023 |
| Varun Jindal | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Sra Vana | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Matthew Chitwood | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Raju Omkaram | Highland Park | IL | 60035 | US | 9/14/2023 |
| Amy Mitchell | Gilbert | AZ | 85295 | US | 9/14/2023 |
| Archana Nagarajan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Mabry Biggs | Spring Hill | | 37174 | US | 9/14/2023 |
| Alec Wiley | Albany | | 12208 | US | 9/14/2023 |
| Maria karla Gomez | Hollywood | | 33020 | US | 9/14/2023 |
| Anna Laidler | East Stroudsburg | | 18301 | US | 9/14/2023 |
| Poja Singhvj | Phoenix | AZ | 85001 | US | 9/14/2023 |
| David Tucker | Boone | | 50036 | US | 9/14/2023 |
| Ollie Kettle | Barrington | | 60010 | US | 9/14/2023 |
| Karen Martin | Roanoke | | 24015 | US | 9/14/2023 |
| Connor Macaluso | Marion | | 43302 | US | 9/14/2023 |
| Pee shti | Alhambra | | 91801 | US | 9/14/2023 |
| my nam jef | West Plains | | 65775 | US | 9/14/2023 |
| Alvie Williams | Columbus | | 31907 | US | 9/14/2023 |
| Elizabeth Werkstell | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Alex Bowles | Urbana | | 43078 | US | 9/14/2023 |
| Adam Friedlander | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Shelley Flecky | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Justin Popnoe | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jeffrey Leitner | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Mike Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Michael Bauschka | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Susan Smith | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Amie Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Jeff Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| John Casler | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Laura Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Christi Robinson | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Lokesh Anand | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Prerna Mehla | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kerry Baker | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Archana Gangadhar | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Susan Sheroff | Phoenix | AZ | 85041 | US | 9/14/2023 |
| Natalie Walker | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Mokhtar Boukhari | Phoenix | AZ | 85001 | US | 9/15/2023 |

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| Heidi Van Newkirk | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zubair Shora | Miami | | 33197 | US | 9/15/2023 |
| Lindsey Prock | Myrtle Beach | | 29588 | US | 9/15/2023 |
| Suchithra Kumar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Taiya Wooden | Hollywood | | 33027 | US | 9/15/2023 |
| Joseph Zandlo | Kansas City | | 66104 | US | 9/15/2023 |
| Diego Morales | Los Angeles | | 90028 | US | 9/15/2023 |
| Journey Johnson | Moultrie | | 31768 | US | 9/15/2023 |
| Tom George | Rowlett | | 75089 | US | 9/15/2023 |
| Courtney Osaki | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Livan Peraza | Miami | | 33138 | US | 9/15/2023 |
| Wouter Roodenburg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Manmeet Duggal | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Sarah Jewett | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kamna Gaur | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Neeraj Umarjikar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Wenjie Tang | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Lulu Wang | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yu Chieh Phan | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Peter Khuu | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Katelyn Chen | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Man Feng | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Melissa Ruetten | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Mary Shullaw | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kari Williams | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Biju Mon Payyappilly Paulose | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rashi Agar | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Andrea Keegan | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sara Millett | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Marisa OConnor | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Brad Berg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Rebecca Mauck | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Remie Loudy | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Daniela Betancourt | Holland | | 49423 | US | 9/15/2023 |
| Margaret Allen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Addison Spradlin | Cantonment | | 32533 | US | 9/15/2023 |
| Thomas Tredrea | Batavia | | 60510 | US | 9/15/2023 |
| meghan parker | Hobart | | 46342 | US | 9/15/2023 |
| Gunja Maskay | Phoenix | AZ | 85040 | US | 9/15/2023 |
| Alexis Quijano | Austin | | 78703 | US | 9/15/2023 |
| Melody Mendez | bristol | | 6010 | US | 9/15/2023 |
| Brooke Williams | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Miguel Sierra | Bedford | | 76021 | US | 9/15/2023 |
| Jody Wilmes | Phoenix | AZ | 85041 | US | 9/15/2023 |
| Buthaina Salem | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Girish Mour | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Nicole Koolick | Phoenix | AZ | 85001 | US | 9/15/2023 |

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|---|---|---|---|---|---|
| N K | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Srini Moola | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Saba Joshaghani | Alhambra | | 91803 | US | 9/15/2023 |
| Samson Afeworki | Aurora | | 80010 | US | 9/15/2023 |
| Khairmohammad Akhondzada | West Valley City | | 84128 | US | 9/15/2023 |
| Mamta Jain | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Tiffany Andersen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Alyse Meislik | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Kurt H. Miller | Miami | FL | 33197 | US | 9/15/2023 |
| Shea McCormick | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Elliott Cropp | Phoenix | AZ | 85017 | US | 9/15/2023 |
| Jennifer Reams | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yan Dai | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jane Soukup | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Joshua Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Kathy Nassar | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Melissa Chandlee | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rebecca Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Mallorie LaForest | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Ariana Bowie | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Layla Saikley | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Gina Walstad | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Vikas Upadhyaya | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Meredith Pollov | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Natalee Karre | Fredonia | | 66736 | US | 9/15/2023 |
| Abi P | Houston | | 77099 | US | 9/15/2023 |
| Esther Fatokun | Terre Haute | | 47807 | US | 9/15/2023 |
| Terry Blaze | Secaucus | | 7094 | US | 9/15/2023 |
| Alessandra Villar | Hialeah | | 33012 | US | 9/15/2023 |
| Debbie Miller | Phoenix | AZ | 85002 | US | 9/15/2023 |
| Celeste Cesario | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Ryan Waddington | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jingyi Shi | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Robert Markus | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Bharathi Jayaraman | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Terra Sosa | Mesa | AZ | 85050 | US | 9/15/2023 |
| Darren Powell | Kenai | | 99611 | US | 9/15/2023 |
| Corey Emslie | Mobile | | 36612 | US | 9/15/2023 |
| Laura Drachler | Phoenix | AZ | 85001 | US | 9/15/2023 |
| addison castoe | Diamondhead | | 39525 | US | 9/15/2023 |
| Oluwakemi Adedoyin | Indianapolis | | 46255 | US | 9/15/2023 |
| Stacy Taouil | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Melissa Wozniak | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zak House | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Manasi K | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Maritza Lopez | Houston | | 77052 | US | 9/15/2023 |
| HEY WHY SUNSHINE | Dallas | | 75270 | US | 9/15/2023 |

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| Your Mother | Akron | | | 44307 | US | 9/15/2023 |
| Alan Walstad | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Kristi Huebner | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Brady Pollov | Phoenix | AZ | | 85017 | US | 9/15/2023 |
| Helana Doyle | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Michelle Bach | Phoenix | AZ | | 85066 | US | 9/15/2023 |
| Debbie Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Leslie Ziff | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mike Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paige Casler | Cave Creek | AZ | | 85331 | US | 9/15/2023 |
| Rusty Benton | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Greg Nelson | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Melissa Schwan | Phoenix | AZ | | 85006 | US | 9/15/2023 |
| Robert Abbott | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Manisha Gowlikar | Phoenix | AZ | | 85029 | US | 9/15/2023 |
| Emily Mohr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| KellyAnn Laffey | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| DeAnna Schaefer | Palmer | | | 99645 | US | 9/15/2023 |
| katarina melian | Oakland | | | 94610 | US | 9/15/2023 |
| Carmen Allen | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Joshua Curphey | Peterborough | | PE7 | | US | 9/15/2023 |
| Sabrina Sundquist | Phoenix | AZ | | 85016 | US | 9/15/2023 |
| Celine Beverly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kelci Hunter | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| George Mcnamara | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Qingyang Li | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mayra Boukhari | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Jill Young | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dana Epstein | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| William Kelly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Rahul Menon | Scottsdale | AZ | | 85254 | US | 9/15/2023 |
| Xi Zhu | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Asmita S | Phoenix | AZ | | 85254 | US | 9/15/2023 |
| Michele Riordan | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mark Allen | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Lisa Ormsby | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paul Ormsby Jr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Andy Mesecher | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dean Terzic | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Slaven Gusak | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| Valerie Givens | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kiran Uppal | Phoenix | AZ | | 85054 | US | 9/16/2023 |
| Belinda Curtis | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Taylor Ungerer | Phoenix | AZ | | 85032 | US | 9/16/2023 |
| Carol Ferraco | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Chris O'Connor | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Erica Cooper | Phoenix | AZ | | 85024 | US | 9/16/2023 |

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| Jennifer Budiac | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Gregory Budiac | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linda Montgomery | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lavanya Udupa | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Natalie Leitner | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelsey Mathis | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Jenna Stoneberg | Phoenix | AZ | 85009 | US | 9/16/2023 |
| Lauren Knapp | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Chris Kay | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Chris Knapp | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Curt Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Claudia Pack | Phoenix | AZ | 85008 | US | 9/16/2023 |
| Susan Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Rebecca Eldridge | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelene Otterson | Prescott | AZ | 86302 | US | 9/16/2023 |
| Sudha Ugendran | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jia Zeng | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Nicole Burnes | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Sara Buchanan | Phoenix | AZ | 85024 | US | 9/16/2023 |
| Meghann Jones | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kristy McCool | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Amy House | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Klair Moses | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Kimber Devoe | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Laura Ray | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Tanya Romero | phoenix | AZ | 85027 | US | 9/16/2023 |
| Preeti Menon | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Katherine Hutchins | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sridhar Yadav | Phoenix | AZ | 85016 | US | 9/16/2023 |
| Shannon Adams | Scottsdale | AZ | 85254 | US | 9/16/2023 |
| Vivek Varshney | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Rebecca Tischler | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Amitava Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Brandon Raper | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Tylor Tuttle | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linnaea Godwin | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Postler-Pierce | Phoenix | AZ | 85950 | US | 9/16/2023 |
| Robyne Schultz | Los Angeles | CA | 90011 | US | 9/16/2023 |
| Jayeeta Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Rhonda Waldersen | Scottsdale | AZ | 85262 | US | 9/16/2023 |
| David Stine | Phoenix | AZ | 43054 | US | 9/16/2023 |
| Michelle Stelnik | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Willis-Jost | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Stefani Zucker | Phoenix | AZ | 85017 | US | 9/16/2023 |
| Laura Reynoso | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lorri Bucholz | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Berglind | Phoenix | AZ | 85050 | US | 9/16/2023 |

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|---|---|---|---|---|---|
| Cydney Hubbard | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sharon Knecht | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Catherine Dee | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kyle Reichert | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Rebecca de Jesus | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kim Anderson | Phoenix | AZ | 85068 | US | 9/16/2023 |
| Kevin Jost | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Robin Bowie | Phoenix | AZ | 85004 | US | 9/16/2023 |
| Evelyn Grier | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Paul Bierbusse | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sarah Gavigan | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Shuo Yang | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Krystle Edmonds | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Doolan | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Elizabeth Nelson | Seattle | WA | 98199 | US | 9/16/2023 |
| Linda Houston | Denver | CO | 80206 | US | 9/16/2023 |
| Danielle Deacon | Phoenix | AZ | 85001 | US | 9/16/2023 |
| John Pilzner | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jared Lewis | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Jada Lewis | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Andrea Remke | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Amanda Kaiser | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Wendy Moyer | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Robert Houston | Denver | CO | 80218 | US | 9/17/2023 |
| Briana Brownell | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Shannon Lauer | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Alexandra Daniels | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Jeanne Comstock | Phoenix | AZ | 86314 | US | 9/17/2023 |
| Wendy Coyle | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Lisa McIntyre | Northville | MI | 48168 | US | 9/17/2023 |
| David Francyk | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hillary Grossman | Scottsdale | AZ | 85251 | US | 9/17/2023 |
| Stephanie Mason | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Sandra Itkowitz | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Hargun Kaur | Southington | | 6489 | US | 9/17/2023 |
| Marisela E. | The Bronx | | 10451 | US | 9/17/2023 |
| Yamilko Lugo | Miami | | 33102 | US | 9/17/2023 |
| Rachel Steinberg | Manhattan | | 60442 | US | 9/17/2023 |
| Hicham Mafhoum | Chicago | | 60625 | US | 9/17/2023 |
| Jameson Lutz | Melbourne Beach | | 32951 | US | 9/17/2023 |
| Isaac Sanchez | Fremont | | 43420 | US | 9/17/2023 |
| Jesus Jesus | Lewisburg | | 37091 | US | 9/17/2023 |
| Pamela Stewart | Houston | | 77064 | US | 9/17/2023 |
| cayla garcia | Miami | | 33169 | US | 9/17/2023 |
| Aimee Miranda | Aventura | | 33161 | US | 9/17/2023 |
| Daniel Pope | Provo | | 84604 | US | 9/17/2023 |
| Glen Pinckney | Atlanta | | 30301 | US | 9/17/2023 |

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|---|---|---|---|---|---|
| Jan Cerva | Phoenix | AZ | 85331 | US | 9/17/2023 |
| Brooke Yule | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Brandi Jenkins | Scottsdale | AZ | 85254 | US | 9/17/2023 |
| Jilanne Rose | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Brandina Wade | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Pete Cedor | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Larry Ladd | Chico | | 95928 | US | 9/17/2023 |
| J Brown | San Francisco | | 94109 | US | 9/17/2023 |
| araya habte | Los Angeles | | 90002 | US | 9/17/2023 |
| Miguelina Espiritu | The Bronx | NY | 10452 | US | 9/17/2023 |
| Sheila Bethancourt | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Bob Davis | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Sheila Long | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Ashlee Francisco | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Christine Alexander | Phoenix | AZ | 85006 | US | 9/17/2023 |
| kristi downing | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Britney Jacobs | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hailey Yost | Phoenix | AZ | 85007 | US | 9/17/2023 |
| Shelly Jin | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chelsea Randall-McWherter | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chan Jin | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Maria Toro Toro | Phoenix | AZ | 85080 | US | 9/18/2023 |
| Cindy Ponciano | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Brianna Makos | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Wendy Piermarini | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Dawn Martinez | Phoenix | AZ | 85068 | US | 9/18/2023 |
| Mike Haug | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Ivy Biritz | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Jason Epstein | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Divya Yoder | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jennifer Kindle | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Teresa Swingler | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Kristen Thielen | Phoenix | AZ | 85050 | US | 9/18/2023 |
| cristian achim | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Julie Richards | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Bob Giammarco | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Darlene Saucier | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Laura Pierce | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Christine Cowley | Phoenix | AZ | 85001 | US | 9/18/2023 |
| keith schmolze | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jenny Naber | Phoenix | AZ | 85041 | US | 9/18/2023 |
| Jennifer Jost | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Allison Griswell | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Nidhi Krishna | Phoenix | AZ | 85050 | US | 9/18/2023 |
| KAUSHIK DILIP | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Ella Richards | Tempe | AZ | 85281 | US | 9/18/2023 |
| Audrey Hammond | Tempe | AZ | 85281 | US | 9/18/2023 |

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| Deb Kozak | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Erin Ruebbelke | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Nirmalji Odedra | Phoenix | AZ | 85054 | US | 9/19/2023 |
| Jennifer Larson | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Bethany Lauber | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Justin Lauber | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Kathleen Brink | Bozeman | MT | 59715 | US | 9/19/2023 |
| lisa tims | Missoula | MT | 59801 | US | 9/19/2023 |
| Kayna Popnoe | Fort Worth | TX | 76127 | US | 9/19/2023 |
| Nick Popnoe | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Jim Popnoe | Fort Worth | TX | 76033 | US | 9/19/2023 |
| Audrey Boyd | Fort Collins | CO | 80527 | US | 9/19/2023 |
| Luis Hernandez | Cape Coral | | 33914 | US | 9/19/2023 |
| Elizabeth Ducar | Scottsdale | AZ | 85260 | US | 9/19/2023 |
| Scott Clark | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Nikolay Kapashikov | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Jennifer Francyk | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Sarah Torrilhon | Phoenix | AZ | 85024 | US | 9/19/2023 |
| Rebecca Cornell | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Mara Tucker | Phoenix | AZ | 8505 | US | 9/19/2023 |
| Des D | Phoenix | AZ | 85032 | US | 9/19/2023 |
| Alicia Penner | Johnston | IA | 50131 | US | 9/19/2023 |
| Andrea Anderson | Phoenix | AZ | 85008 | US | 9/19/2023 |
| Aaron Bruhn | Phoenix | AZ | 85029 | US | 9/19/2023 |
| Allison Popnoe | Seattle | WA | 98136 | US | 9/19/2023 |
| Adrian Daniels | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Ricky Barber | Los Angeles | | 90065 | US | 9/19/2023 |
| Rosa Angulo | Tampa | | 33606 | US | 9/19/2023 |
| Nick Sterry | Minneapolis | | 55408 | US | 9/19/2023 |
| Michael O'Neil | Phoenix | AZ | 85034 | US | 9/19/2023 |
| Julia Levene | Phoenix | AZ | 85069 | US | 9/19/2023 |
| Vrinda Arora | Phoenix | AZ | 85036 | US | 9/19/2023 |
| Jessica Quint | Phoenix | AZ | 85024 | US | 9/20/2023 |
| Sheri Bernstein | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Luke Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Noah Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Hank Richards | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Saeda Ward | Phoenix | AZ | 85076 | US | 9/20/2023 |
| Misty Manes | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Hannah Farfour | Phoenix | AZ | 85001 | US | 9/20/2023 |
| David Baron | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Annette Burton | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Alma Armenta | Phoenix | AZ | 85008 | US | 9/20/2023 |
| Kelly Sanders | Phoenix | AZ | 85009 | US | 9/20/2023 |
| Bryant De Piazza | Phoenix | AZ | 85050 | US | 9/20/2023 |
| ANSHUL ARORA | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Michelle Suzuki | Phoenix | AZ | 85001 | US | 9/20/2023 |

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| Rachael Slosky | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Ann Fisher | Phoenix | AZ | 85007 | US | 9/20/2023 |
| Patricia Diamant | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Deanna Dalzell-Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Winston Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Rajesh Vaidya | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Raymond Brooks | Phoenix | AZ | 85024 | US | 9/20/2023 |
| James Taylor | Scottsdale | AZ | 85261 | US | 9/20/2023 |
| Jaydatt Joshi | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Krutarth Joshi | Phoenix | AZ | 85040 | US | 9/20/2023 |
| Kimberly Johnson | Phoenix | AZ | 85003 | US | 9/21/2023 |
| Cole Johnson | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Gage Johnson | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Olga Rempel | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Michael Kiperman | Chandler | AZ | 85224 | US | 9/21/2023 |
| Timari Rusak | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Claire Grant | Storrs | | 6269 | US | 9/21/2023 |
| Wesley Orozco | Lynn | | 1902 | US | 9/21/2023 |
| Isabella Romine | Bradenton | | 34201 | US | 9/21/2023 |
| Amy Najera | Bell | | 90201 | US | 9/21/2023 |
| Danielle Flinn | Phoenix | AZ | 85040 | US | 9/21/2023 |
| Michelle Sounart | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Cynthia Bennette | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Cheree Brown | Cave Creek | AZ | 85331 | US | 9/21/2023 |
| Brenda Schmalz | Scottsdale | AZ | 85261 | US | 9/21/2023 |
| Kaci Oldroyd | Phoenix | AZ | 85008 | US | 9/21/2023 |
| Sandy Campbell | Phoenix | AZ | 85050 | US | 9/21/2023 |
| michael boeder | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Daniel Welker | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Dave Moyer | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Blythe Lipman | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Taylor Moskovich | Phoenix | AZ | 85008 | US | 9/22/2023 |
| Molly Fine | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Aliza Neufeld | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Jayme Mesecher | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Sheena Lovett | Phoenix | AZ | 85009 | US | 9/22/2023 |
| Michael Henein | Merrick | | 11566 | US | 9/22/2023 |
| Dana Huether | Phoenix | AZ | 85001 | US | 9/22/2023 |
| David Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Eva Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Alex Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Paul Surdakowski | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Kayla Grande | Phoenix | AZ | 85024 | US | 9/22/2023 |
| Rhonda Dimmick | Desert Hills | AZ | 85086 | US | 9/22/2023 |
| Jack MacDonald-Hilton | Worcester | | 1609 | US | 9/22/2023 |
| Hannah Soliman | Charlotte | | 28075 | US | 9/22/2023 |
| Andrew Floyd | | | | US | 9/22/2023 |

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|---|---|---|---|---|---|
| Cathy Zou | Phoenix | AZ | 85001 | US | 9/22/2023 |

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| **From:** | Richards, Dan |
| **To:** | PDD Long Range Planning; Anthony M Grande; Council District 2 PCC |
| **Subject:** | RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village |
| **Date:** | Friday, September 22, 2023 2:18:14 PM |
| **Attachments:** | image002.png |

Could I sneak in one final comment into the case file that was just getting brought up last night? People are now getting emails from Vestar trying to promote the need for more grocery stores in this area. The verbiage they are using was that Desert Ridge incredibly only has one grocery store in a 21-mile square area. Talk about incredibly confusing and misleading. 21-mile square area? Who speaks that way? Did they mean 21 square miles? They used 21-mile square area intentionally to confuse people. These people are spreading lies to try getting people to sign their ONLINE petitions. I would be very interested to see how many of these people that have signed their ONLINE petition live outside of the Desert Ridge area.

Another thing I would ask Gammage and Burham how many of these people signed their petition, while voting for a Sprouts or Trader Joes in their online survey? They are deceiving the public with this survey when they knew before they began the survey that these smaller grocery stores aren't even an option to be used as the grocer.

I would like the City and the Village Planning Committee to request the results of their online survey become public records. I would be willing to bet over 50% of their supporters are looking for something Vestar already knew wasn't an option.

Thanks,
Dan Richards

---

**From:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Sent:** Friday, September 22, 2023 2:04 PM
**To:** Richards, Dan <Dan.Richards@strand.com>; PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Thank you, your comment has been received.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Wednesday, September 20, 2023 9:35 AM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

**Dan Richards**

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602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

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**From:** Valerie Arnold
**To:** Anthony M Grande
**Subject:** No rezoning of Black Mountain and Deer Valley Road
**Date:** Saturday, September 23, 2023 10:31:19 AM

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Please do not rezone. My kids go to Pinnacle High School and this is a stupid idea. There is enough traffic there now. Please do not let Vestar come in. We need that land to stay undeveloped.

Thank you.

**From:** Kathy Green
**To:** Anthony M Grande
**Subject:** Zoning of the corner of Black Mountain and Deer Valley
**Date:** Saturday, September 23, 2023 10:51:17 AM

---

As someone who lives in the area and drives that intersection every day, I fully oppose this re-zoning. Traffics is already a mess in the mornings and afternoons.

I would love to have a grocery store in the area but that location is awful.

Warmest Regards,
Kathy Green
Mountain Gate Subdivision resident

Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Sunday, September 24, 2023 2:12:13 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves, and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:00:47 PM

---

| **Name** |
| --- |
| Sachiyo Moench |
| **Email** |
| satosachiyo@hotmail.com |
| **Support Comments** |
| Traffic during school pickup/drop off and rush hour is already stressing the traffic flow in this area. The traffic associated with a big box retailer would make this intersection/area much worse. |

| | |
|---|---|
| **From:** | Jennifer Garcia |
| **To:** | Anthony M Grande |
| **Cc:** | Jennifer Garcia |
| **Subject:** | Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Monday, September 25, 2023 9:08:21 PM |
| **Attachments:** | image001.png |

**Dear Anthony,**

I am writing to let you know I'm very concerned with the new zoning up for approval. reference case numbers below.

This zoning in my opinion is way to close to Pinnacle High School. The traffic is already so congested with the onramp of hwy 51, and with new drivers (young from the high school) potential accidents would be a huge concern.

I vote NO for the new commercial zoning.  It needs to stay residential

Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Thank you, Jennifer Garcia

3824 E. Ringtail Way

*Jennifer Garcia*
*www.RelationalWealthAdvisors.com [relationalwealthadvisors.com]*

RWA
Relational Wealth Advisors

| | |
|---|---|
| **From:** | Jayme Mesecher |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 |
| **Date:** | Monday, September 25, 2023 8:07:45 PM |

Hello,

I'd like to document my opposition to the rezoning of superblock 12. I am a homeowner across the street at 3609 E Cat Balue Dr Phoenix AZ 85050 and do not want to see this area rezoned for commercial use. Here are the case numbers:

**Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.**

Thank you,

Jayme Mesecher

| | |
|---|---|
| **From:** | Thejas Nair |
| **To:** | Anthony M Grande |
| **Subject:** | Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Monday, September 25, 2023 8:44:10 PM |

Reference : Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Hello Sir,
This is regarding rezoning of superblock 12 - Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

I am a resident of the Fireside community in Desert Ridge. I would like to voice my concerns on rezoning superblock 12.

Rezoning to commercial would change the neighbourhood characteristics to be less desirable and affect the peace and quiet of the Fireside community. We already have sufficient access to grocery and other businesses within a couple of miles in multiple directions.
If rezoning is still being considered, I would be for restricting the hours of operations of the commercial establishments to be before 10pm (or restrict it to such types of establishments). And not have other establishments like gas stations that tend to operate very late in the night.

Thanks,
Thejas

**From:** Tininenko, Jason
**To:** Anthony M Grande
**Subject:** black mountain project
**Date:** Monday, September 25, 2023 4:24:16 PM

---

My family wanted to weigh in on the proposed black mountain village project.
We are Opposed to the building of a gas station, grocery store, or any large project that will increase traffic, crime, and accidents.
A nice restaurant or 2 would be great,  but Vape shops, Liquor stores, Pawn shops and gas stations do not help wonderful neighborhoods like Aviano.
Thanks.

**From:** Suresh Uppalapu
**To:** Anthony M Grande
**Subject:** Rezoning of super block 12
**Date:** Monday, September 25, 2023 7:18:49 PM

---

Hello,

Please consider this email my vote and my wife's vote in opposition of rezoning the area for commercial use. It is too close to the schools in the neighborhood. Desert ridge shopping complex is not that far. We don't need another complex here. Also, the traffic for drop off and pick up to Pinnacle and Fireside schools is already backed up. A commercial complex will further complicate traffic and lead to traffic mishaps.

Please NO.

Sincerely,
Dr. Uppalapu and Dr. Veeranki

**From:** Kim Galetti
**To:** Anthony M Grande
**Subject:** SW. Corner of Deer Valley & Black Mountain Blvd.
**Date:** Wednesday, July 19, 2023 1:51:47 PM

---

Anthony,
My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [mail.onelink.me]

**From:** Nahian Latif
**To:** Anthony M Grande
**Subject:** Re: black mountain village
**Date:** Saturday, July 22, 2023 11:45:06 AM

---

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience. Future growth for a public library adjacent would serve the area well.

Thank you
Nahian Latif
Local resident

**From:** Riley Dresser
**To:** Anthony M Grande
**Subject:** Support for Z-39-23
**Date:** Wednesday, August 2, 2023 2:48:50 PM

---

Hi Anthony,
I just wanted to express my support for this project. I live in Fireside and would love to have amenities closer to my house without having to go to Desert Ridge.

Thank you,

Riley Dresser

Sent from my iPhone

**From:** Lauren Packer
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain/Deer Valley
**Date:** Thursday, August 3, 2023 8:34:43 PM

---

Just voicing our opinion for what it is worth.
We are not against the rezone. But we are against a gas station and drive thru fast food. Additionally if this is rezoned, there must be traffic modifications on Black Mountain. My kids do not attend pinnacle but we get stuck in the backlog daily and this is without additional people entering or exiting a shopping plaza.

We hope the city listens to the citizens.

Lauren Packer

Sent from my iPhone

| | |
|---|---|
| **From:** | Polson, Adam |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village / Superblock 12 |
| **Date:** | Thursday, August 3, 2023 10:30:07 AM |
| **Attachments:** | Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png<br>80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png |

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050

LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

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**From:** shawnkline2
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Friday, August 4, 2023 1:55:26 PM

---

Hello Mr. Grande,

I am writing to you regarding the Black Mountain Village project on the corner of Deer Valley and Black Mountain Dr. I am a resident of the Sky Crossing neighborhood directly across from the proposed project. I welcome the zoning change from residential to commercial with a few stipulations.

1. No gas station. It will increase loitering, traffic, and light pollution in the neighborhood.

2. Grocery store must be a smaller, neighborhood grocery store (Trader Joes, Sprouts, Whole Foods). A large Fry's or Albertsons type store would not fit into our residential area, especially since there is already an Albertsons in Desert Ridge and on Cave Creek.

3. The businesses must be in line with the demographics of the neighborhood. Desert Ridge and Sky Crossing are neighborhoods with high end homes. We need high end businesses, shops and restaurants that would enhance our community and not degrade it like a large grocery store and gas station would. This would also hopefully include appropriate lightscaping and landscaping, so the business park blends into the desert area that we all bought houses here for. We moved here because it was a quiet, residential area and we do not want to see it turn into another corner of concrete, traffic, litter, and loitering.

Thank you for your concern and I look forward to hearing about the next steps of the project.

Shawn Kline
Sky Crossing Resident

**From:** Lisa Abrams
**To:** Anthony M Grande
**Subject:** Zoning Changes Near Black Mountain and Deer Valley RDs
**Date:** Monday, August 7, 2023 4:32:42 PM

---

Hi,
I'd like to suggest a compromise for the city to consider regarding the parcel near Black Mountain and Deer Valley Rds. I agree we need more shopping in the area, however this is still a large residential neighborhood and I'd like the city to consider putting some restrictions on the new zoning, similar to what many shopping centers in Scottsdale have done.

Please consider rezoning with conditions including:
a maximum size for the grocery
prohibiting gas stations
dimmer lighting
larger landscape setbacks
shaded walking and bike paths
ample outdoor dining spaces

These conditions would still allow a company to develop the land, while also keeping it as close to a neighborhood feel as possible.

Thank you for your consideration.

Lisa Abrams

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:05:58 AM

---

| **Name** |
| --- |
| Jenna Barrett |
| **Email** |
| jennabarrett422@gmail.com |
| **Support Comments** |
| I would want a grocery store and fast food options at the shopping center. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:09:07 AM

---

| **Name** |
| --- |
| Ashley Campbell |
| **Email** |
| Ashleycampbell@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside at Desert Ridge |
| **Support Comments** |
| I support retail space in that location. Thank you! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:04:56 AM

---

| **Name** |
| --- |
| John Schott |
| **Email** |
| Jopschott@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| As a native and person living in the area, I welcome the new development. Adding places to live, shop and eat will benefit the community. Please approve this project. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:08:35 AM

---

| **Name** |
| --- |
| Austin Lynch |
| **Email** |
| Alynchortho@yahoo.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:03:22 AM

---

**Name**

Michael Marsh

**Email**

michaelmarsh.cre@gmail.com

**Support Comments**

I am currently building a home in Desert Ridge and am extremely supportive of additional retail and commercial opportunities in this area. Desert Ridge Marketplace is hugely successful, but that comes with a convenience fee for people who actually live in the area. Additional options for groceries, restaurants and neighborhood retail on a smaller scale would actually serve the needs of people who live in and around the area, and an additional option to avoid the traffic and crowds of Desert Ridge Marketplace that has become a destination shopping center. My understanding is that the current entitlements would allow for additional housing units. While I am moving to the area and think that housing is important, the opportunity to have additional retail and commercial as a future homeowner in this area is exciting and would seem to actually serve the needs of the people that already live and are actively building homes there. Thanks for your favorable consideration of the requests.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:28:47 PM

---

| **Name** |
| --- |
| Rachel Cohn |
| **Email** |
| rachel-cohn@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I would love a small grocery store, no gas station and a local bistro. Thanks! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:05:35 PM

---

| **Name** |
| --- |
| Amanda Honey |
| **Email** |
| amanda.honey3@gmail.com |
| **Support Comments** |
| Neighborhood grocer is wonderful but no gas station please |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:37:25 PM

---

| **Name** |
| --- |
| Meghann Jones |
| **Email** |
| Mprusick@yahoo.com |
| **Support Comments** |
| No gas station.<br><br>Small grocery store, i.e. Trader Joe’s, Whole Foods. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:09:39 PM

---

| **Name** |
| --- |
| Kevin Honey |
| **Email** |
| amaresh@cox.net |
| **Address / Neighborhood (Optional)** |
| 3762 e ember glow way |
| **Support Comments** |
| Neighborhood grocer, but no gas station please. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:16:05 PM

---

| **Name** |
| --- |
| Pam Sullivan |
| **Email** |
| Scottspam4@gmail.com |
| **Support Comments** |
| No gas station |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:29:06 AM

---

| **Name** |
| --- |
| Peter Reinsch |
| **Email** |
| Preinschaz@gmail.com |
| **Support Comments** |
| Sounds like a great idea! That’s a great location to build a grocery store! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:56:30 AM

---

| **Name** |
| --- |
| Melissa Romero |
| **Email** |
| Melromeo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4240 E Expedition Way |
| **Support Comments** |
| We need additional options in this area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:01:05 AM

---

| **Name** |
| --- |
| Allie Schott |
| **Email** |
| alliejschott@gmail.com |
| **Support Comments** |
| As a future resident in the Talinn development, I support growth in the local area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:19:23 PM

---

| **Name** |
| --- |
| Scott Shuman |
| **Email** |
| sshuman99@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I am very supportive of this new development. This area would benefit from additional convenient options for groceries, restaurants, etc. In particular, it would be great to have a Trader Joe’s or Sprouts. The congestion around Desert Ridge can be challenging and quality alternatives are welcome. |

**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Deer Valley and Black Mountain commercial
**Date:** Thursday, August 10, 2023 12:41:55 PM

---

hi, I guess people are saying to contact the planner about this development and that's you I guess? anyways, this is great news. we need more commercial in this area. it's a major intersection and just what should be happening here. I'm emailing because I'm sure people will complain. because that's what people do. and usually, the most vocal are the minority. I want to make sure you guys know that there are plenty of people excited about this happening. but will probably never attend a meeting or voice their excitement, because people usually only do that when they complain. so if you need anybody to point to in the community that has no vested interest at all, that is excited and 100% in favor of this, that would be me. thanks and good luck with the complainers

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:10:32 PM

---

| **Name** |
| --- |
| Chris Sinclair |
| **Email** |
| sinclaireng@cox.net |
| **Address / Neighborhood (Optional)** |
| 23251 N 38TH PL |
| **Support Comments** |
| this is a great news. been living in Aviano since 2009. we need more commercial, not less. Deer Valley and Black Mountain is exactly the type of spot where this should be going. this creates a walkable destination from our neighborhood. we need more of this. I'm firmly in favor of this happening! thanks. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:06:22 AM

---

| |
|---|
| **Name** |
| Hanna Steger |
| **Email** |
| Hannaesteger@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano Community |
| **Support Comments** |
| We fully support the new black mountain shopping center. We would love to see something smaller scale to desert ridge that provides us places to dine and shop. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:55:47 PM

---

| **Name** |
| --- |
| Mahyar Vahabzadeh |
| **Email** |
| mahyar@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano Desert Ridge |
| **Support Comments** |
| This shopping center will be a much needed addition to the Desert Ridge area as we are very limited currently with a single grocery store (Albertsons). |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, August 12, 2023 10:43:46 AM

---

**Name**

James Senften

**Email**

jsenften@gmail.com

**Address / Neighborhood (Optional)**

4535 E. Navigator Lane, Phoenix, AZ 85050

**Support Comments**

As a resident of Desert Ridge for over 3 years, I am excited for the opportunity to have additional options for groceries, restaurants and neighborhood retail in the area. This area has seen a lot of residential development in the past 5 to 10 years, but there has been a lack of additional commercial development. However, I don't want to see this site end up as another huge big box store (like a Wal-Mart) for several reasons. For one, we have a Target and other big box stores at Desert Ridge that fill that need. Second, it might cause too many traffic problems at the site and the surrounding area. I think this site should focus on a smaller, high quality grocery store and related restaurants and commercial uses. I would be in support of a square footage cap to prevent any big box stores from going in and to promote the possible attraction of a Sprouts or Trader Joe's type grocery store.

**From:** Scott Corwin
**To:** Anthony M Grande
**Subject:** Support for Black Mountain Village development
**Date:** Sunday, August 13, 2023 1:32:59 PM

---

Mr. Grande,

My family and I are residents of Sky Crossing, and I am writing in support of the re-zoning of the land proposed for Black Mountain Village.

To say I am disappointed in my community members who oppose this project is an understatement. Apparently others do not care about growth and development of a neighborhood. Apparently others do not care about their property values increasing because of convenience. Apparently the principal of Pinnacle High School is urging us to protest the re-zoning, and because the school cannot figure out how to manage the flow of kids arriving to school, they are using this development as a scapegoat.

Granted, while I love the concept of the development, I do oppose the gas station idea unless it is only a gas station without a convenience store. Convenience stores, no matter the location, seem to draw people out of the woodwork. I don't know what latitude the city has to stipulate the details of the plan, but that would be my request as a resident.

I do plan on attending the October 3rd meeting, but will all those in attendance have the opportunity to vote on the decision?

Looking forward to the meeting.

Thank you,

Scott Corwin
3422 E Crest Ln
Phoenix, AZ 85050

Sent from Yahoo Mail for iPhone [mail.onelink.me]

**From:** Aly Fox
**To:** Anthony M Grande
**Subject:** Case Number Z-39-23
**Date:** Monday, August 14, 2023 1:26:25 PM

---

Anthony Grande I am a resident the last 17 years in Aviano in Desert Ridge. I'm emailing you in reference to case number Z-39-23 to say that we are very excited for the proposed commercial zoning at the corner of Deer Valley and North Black Mountain Blvd. We were told that this was in the plan when we first bought. I feel this will be positive for the area and help bring home values up as well. I hope that this is highly considered and passed to continue to build. Thank your time and appreciate all you do.

Alyson and Ken Fox
602-909-0340

**From:** cici martin
**To:** Anthony M Grande
**Subject:** Desert View Shopping Center - Rezoning
**Date:** Tuesday, August 15, 2023 9:11:11 PM

---

Hello,
I am a resident of Sky Crossing and wanted to write to share my thoughts as I have seen a lot of chatter in the Sky Crossing community FB account.
I am not opposed to a smaller shopping mall with a small grocery store and food/coffee options. Nice mall like Gainey Ranch or DC Ranch. I would be opposed to a gas station as I believe it will bring traffic from the freeway, not community members. As well as the noise of refueling trucks.
Just wanted to share my thoughts - commercial property yes; as long as no gas stations are included.
Thank you,
Cecilia Martin

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 16, 2023 3:35:09 PM

| **Name** |
| --- |
| Jodi Dougan |
| **Email** |
| Jodster_29@hotmail.com |
| **Support Comments** |
| Would love more shopping and eating options close by. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 17, 2023 9:42:39 PM

---

| **Name** |
| --- |
| Nicole Mezzatesta |
| **Email** |
| nicolem@lunicabeauty.com |
| **Support Comments** |
| I support this parcel to be zoned for commercial property. |

**From:** Walker, Oliver
**To:** Anthony M Grande
**Subject:** Black Mountain Village Plans at Black Mtn Blvd and Deer Valley Rd
**Date:** Friday, August 18, 2023 2:09:36 PM
**Attachments:** image001.png

---

Anthony,

I hope you are enjoying your Friday! I wanted to reach out as your email was provided by a neighbor in Sky Crossing as a point of contact on this proposed project.

I live in one of the homes that backs up to Deer Valley and to the piece of land which is being submitted for rezoning from Residential to Commercial.

I actually love the idea of having a retail center on the plot of land - I absolutely hate the idea of a gas station being part of the project, especially on the North side of the project as it would be the first thing I would see out of my back window. I can tell you that opinion within the neighborhood on the Sky Crossing Facebook group seems to be split 50/50. One thing, however, that seems to be consensus - nobody wants a gas station as part of the project.

I am in the mortgage lending world, and I can share that if a gas station is placed at the very northern edge of the parcel, it would render the homes on the other side of Deer Valley unlendable for certain mortgage products, which seems incredibly unfair to the folks who bought homes here 3 years ago none the wiser to future changes that might occur.

I would stand firmly against a gas station, but would support a well designed retail center that would serve our community. I have lived in Desert Ridge for the last 15 years, and the project seems very exciting if done correctly.

Please feel free to call my cell below if you would like any further input or have any questions.

ROCKET Mortgage



**Oliver Walker**

**Sales Manager**
**Rocket Mortgage**
**Office:** (480) 548-4365
**Cell:** (517) 214-7706
**Fax:** (877) 380-5164
**NMLS 34960**

[social.pr]

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 10:55:52 PM

---

| **Name** |
| --- |
| Doug Dresser |
| **Email** |
| flyboyltu@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I’m for no gas station, as we have had a big increase in homelessness in north Phoenix in the last couple of years as a gas station will increase homeless presence. A small grocery story like sprouts, Aldi, or Trader Joe’s will be nice as these stores typically don’t attract homelessness and close at a decent hour. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:00:02 PM

---

| **Name** |
| --- |
| Janee Foster |
| **Email** |
| Janeeapostol@yahoo.com |
| **Support Comments** |
| Would like to see a small grocer like Trader Joe’s. Traffic is already so bad by the high school, don’t need a big retail store there. And NO gas stations! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 6:50:57 PM

---

| **Name** |
| --- |
| Bob Mayo |
| **Email** |
| bob_mayo@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I am in support of this project, minus the gas station, think that needs to be rethought. Thank you |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 5:10:04 PM

---

| **Name** |
| --- |
| Clint Marchuk |
| **Email** |
| cmarchuk@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments** |
| I'm highly supportive of bringing a 2nd grocery store into the Desert Ridge community. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 9:44:23 PM

---

| **Name** |
| --- |
| Raj Kapur |
| **Email** |
| raj85719@gmail.com |
| **Support Comments** |
| the overwhelming majority of desert ridge residents want this project to be built and get another small grocery store. i would rather not have a gas station though.. |

**From:** James Patterson
**To:** Anthony M Grande
**Subject:** Black mountain / deer valley project
**Date:** Wednesday, August 23, 2023 7:12:43 PM

---

Anthony,

Hope all is well. I live in Sky Crossing and want to make you (and the other city planners) know that my family supports this new development. This area continues to grow and we need more amenities like another grocery store, etc.

I can tell you that the FB group for my neighborhood gets all fired up about every little issue and this is no different. People are clearly frustrated about pinnacle traffic at 7am… can't imagine a grocery center is going to have a ton of extra traffic at that time. They seem to be forgetting the convenience + likely property value appreciation by having more amenities within walking distance.

I support this development and from what I can tell, Vestar seems like a very reputable firm with a great track record of great shopping centers.

Apologize in advance if you are getting many emails very different from this one. Appreciate all that the city does!

-Jimmy

James S. Patterson III
(480) 390-4288

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 11:52:57 AM

---

| **Name** |
| --- |
| Jacqueline Soutus |
| **Email** |
| jackie.soutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I support this proposal. Currently there is not enough retail in the Desert Ridge area. More house developments will cause an even larger shortage of restaurants, groceries and other retailers. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, August 27, 2023 7:11:09 PM

---

| **Name** |
| --- |
| Goldberg Nathan |
| **Email** |
| ndgoldberg@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside - amber crest |
| **Support Comments** |
| I support the proposal but would like it without a gas station. Perhaps we can do some kind of awesome charging station with higher end convenience store. Also, no Walmart or Walmart market…an AJs or Trader Joe's or even a frys would be fantastic. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, August 28, 2023 12:44:37 PM

---

**Name**

Sonita W.

**Email**

Soniyay@gmail.com

**Address / Neighborhood (Optional)**

Aviano N 36th St

**Support Comments**

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.

**From:** sonia
**To:** Anthony M Grande
**Subject:** New development Desert Ridge Black Mtn Village
**Date:** Monday, August 28, 2023 12:09:32 PM

---

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.
Thank you
Sonita W.

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: SW Corner of Black Mountain Blvd snd Deer Valley |
| **Date:** | Thursday, August 31, 2023 11:26:19 AM |

---

**From:** Kim Galetti <kg2238171@yahoo.com>
**Sent:** Wednesday, July 19, 2023 1:48 PM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** SW Corner of Black Mountain Blvd snd Deer Valley

Hi Michelle,
Nice talking to you today. My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [linkprotect.cudasvc.com]

**From:** Anthony M Grande
**To:** Anthony M Grande
**Subject:** FW: Black Mountain Village
**Date:** Thursday, August 31, 2023 11:25:59 AM

---

**From:** Nahian Latif <nahian25@gmail.com>
**Sent:** Saturday, July 22, 2023 11:44 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Re: Black Mountain Village

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience.  Future growth for a public library adjacent would serve the area well.

Thank you
Nahian
Local resident

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Sky Crossing Resident / Black Mountain Village |
| **Date:** | Monday, September 11, 2023 8:07:40 AM |

---

**From:** James Patterson <jsp.three@gmail.com>
**Sent:** Friday, September 8, 2023 9:09 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Sky Crossing Resident / Black Mountain Village

Hello,

I am a resident of Sky Crossing and very in-favor of this proposed development. For what it's worth, the community seems overly concerned about 1) the additional traffic around Pinnacle high school at drop off and pick up, 2) the potential for a gas station and 3) the "aesthetic" of the project.

For me, this seems like a no-brainer given we need a grocery store + other amenities (this helps our property values). I look forward to attending the town hall on Tuesday

Thanks,
Jimmy

--
James Patterson
(480) 390-4288

| | |
|---|---|
| **From:** | Jessica Fierros |
| **To:** | Anthony M Grande |
| **Cc:** | Robert Fierros |
| **Subject:** | Aviano resident FOR commercial rezoning |
| **Date:** | Saturday, September 9, 2023 9:10:41 AM |

Hello Anthony,
I am a resident that is beyond excited about the potential rezoning near Pinnacle HS! I am shocked by the negative response being organized by some here in Desert Ridge. We DESPERATELY need more commercial businesses to support the homes/community that are already here. It is horrendous that we only have ONE grocery store and ONE gas station and ONE fast food restaurant for this many homes in one area- and there are many more homes still being built. One of the biggest complaints by people is that these businesses will bring in crime and homelessness. Well guess what?! It's already been moving in and the problem isn't businesses. The problem is that we have voted in a mayor who is SOFT on crime and our police force is over worked, under staffed and under funded. Commercial businesses are what we NEED!!

We have lived in Aviano for 14 years and had already been saying for several years that we hoped businesses would develop somewhere along this stretch of Deer Valley. We were so excited to hear about this proposal and couldn't be more disappointed or disheartened by how "noisy" the ones against this have been. We truly hope they don't ruin this much needed opportunity for growth in our community.

Jess Fierros

**From:** Martina McConnon
**To:** Anthony M Grande
**Subject:** Black Mountain shopping area
**Date:** Saturday, September 9, 2023 8:16:54 AM

---

Hi Mr Grande,

My name is Martina McConnon, I live in the Fireside community and have been hearing about the planned rezoning & possible shopping area coming to Black Mountain next to Pinnacle High School. Just wanted to let you know that our family would very much welcome a grocer like Trader Joes or Sprouts to get that spot. We do not need more fast food options as we have plenty in Desert Ridge. But another grocery store would be great, especially a healthier alternative to Albertsons.

Thank you!

Martina McConnon
3826 E Cat Balue Drive
Phoenix AZ 85050

| | |
|---|---|
| **From:** | vanessacorwin@yahoo.com |
| **To:** | Anthony M Grande |
| **Subject:** | Support for Black Mountain Village Project |
| **Date:** | Saturday, September 9, 2023 11:19:25 AM |

Mr. Grande,

I am a resident of the Sky Crossing community, and am writing this email in support of the rezoning of Vestar's proposed Black Mountain Village project. For the planning committee's consideration, I want to offer some thoughts about the project:

1. Traffic - I have seen a lot of input from community members opposing the rezoning because of traffic concerns. If it is eventually developed into homes, that'll be another 20+ single family homes built. If it's developed into townhomes, it'll be another 400 units. If it'll be developed into apartments, the number of residents will be even higher. Regardless of the outcome of residential development, residential development will also create more traffic for that area. Those those oppose the rezoning to commercial don't seem to offer that as a consideration. Some/any level of additional residential development will further congest DRM. The Vestar development of this land at least offers additional shopping and dining options, which I would hope offloads DRM to some degree. I see that as a positive. However, I would hope the City would partner with Vestar to assess entrance and egress points, especially during the morning when PHS students are driving or being dropped off. I do agree it'll create more traffic at certain points of the day, so I would hope that is already on the docket to evaluate.

2. Types of businesses on the property - I would ask the planning committee to not support a gas station with a convenience store. I would rather have a gas station alone, like Costco, with limited hours. A convenience store option will likely cause more harm than good, in terms of the people who would be shopping or loitering at the store.

3. There are many concerns about noise from residents in my community and the community to the immediate east of the proposed development. My house is located 5 houses Black Mountain Boulevard, and we are objectively closer to the proposed development than 60% of Sky Crossing. In the two+ years that we've lived in this community, I've never heard any noise from BM boulevard. I can't even hear the football games at Pinnacle High School. I've seen many people via our community's Facebook and Desert Ridge's community Facebook groups share this concern as a reason to oppose the development. How can people 2-3 miles away complain about noise when noise present no impact to them today? Rhetorical question, but people are grasping at straws.

Overall, while this proposed project is not by any means perfect and there are some legitimate concerns (like traffic), additional commercial development for this area will be a boost for property values, tax revenue, economic growth, and some level of job creation. I strongly, strongly support this rezoning in favor of the Vestar development.

Thank you,

Vanessa Corwin

**From:** Roland Ward
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 4:25:24 PM

---

Hello Anthony,

I live in Aviano at Desert Ridge near the proposed Black Mountain Village shopping center.

I fully support the proposal and welcome the additional option for shopping, especially a grocery store.

Regards,
Roland Ward
3828 E Morning Dove Trail
Phoenix, AZ 85050

**From:** sonia Whig
**To:** Anthony M Grande
**Subject:** Black mountain village
**Date:** Monday, September 11, 2023 5:35:10 PM

---

Not sure if this is the right forum but I am writing to add my FULL SUPPORT for this project.

I live in Aviano and would love to have a coffee shop and a grocery store within walking distance. The land will definitely go the apartment route if left alone for long. Can't build more than 6-7 houses in the lot. Can't imagine anyone preferring that to a neighbourhood market. I am definitely for it for environmental as well and logistics reasons.

Thank you

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 8:48:38 PM

---

| **Name** |
| --- |
| Jared Nielsen |
| **Email** |
| jarheadnielsen@gmail.com |
| **Support Comments** |
| We are very excited about the possibility of a grocery store close to our house. A quick food option would also be welcome. |

| | |
|---|---|
| **From:** | Polson, Adam |
| **To:** | Anthony M Grande |
| **Cc:** | msantoro@gblaw.com |
| **Subject:** | RE: Black Mountain Village / Superblock 12 |
| **Date:** | Wednesday, September 13, 2023 7:55:44 AM |
| **Attachments:** | image001.png<br>image002.png<br>Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png<br>80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png |

Mr. Grande,

I am sending this e-mail to reaffirm my position that I am **IN FAVOR** of the proposed development. I attended the information session by the developer and Gammage and Burnham at Sky Crossing yesterday evening, and I was impressed with what Vestar was agreeing to do as far as infrastructure in and around this proposed project. If this project is denied, I do not see a residential developer agreeing to do what Vestar is agreeing to do. Nevertheless, although I do not pretend to be a traffic engineer, I believe that it makes sense to have a light at 34th street and Deer Valley. This is even though there is a light nearby at Deer Valley and Black Mountain. Again, I am not a traffic engineer, but it seems to me as a layperson that 75% of Sky Crossing traffic would be inclined to head west down Deer Valley and enter Sky Crossing at 32nd Street and/or Sky Crossing Way. I suspect that a lot of people who live around Cave Creek and Deer Valley would also prefer to have a light at 34th Street. This is something to consider. Again, I am **IN FAVOR** of the proposed development.

-Adam


LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

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**From:** Polson, Adam <Adam.Polson@lewisbrisbois.com>
**Sent:** Thursday, August 3, 2023 10:30 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Black Mountain Village / Superblock 12

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050

**Adam S. Polson**
**Partner**
Adam.Polson@lewisbrisbois.com

**T: 602.792.1503 F: 602.385.1051**

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**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Black Mountain Village Desert Ridge
**Date:** Wednesday, September 13, 2023 2:03:18 PM

---

from the sounds of it, you're getting obliterated with negative comments about this. just wanted to make sure you know many of us here approve of this project. we were promised for years we'd be getting a second grocery store. the people complaining are mostly people that have been here only a year or 2. many of them back the major roads to this. this has 2 major roads and leads to the interstate. and backs a high school. should the rest of the community be deprived of this development because they bought houses that back these major roads? I don't think so. I've been here since 2009 and have always known there was commercial coming. anyways, thanks for hearing me out.

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 11:52:21 AM

| **Name** |
| --- |
| Alexander Soutus |
| **Email** |
| asoutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22221 n 41st st |
| **Support Comments** |
| We are in support for commercial business. Preferably a grocery store. |

**From:** david white
**To:** Anthony M Grande
**Subject:** Zoning
**Date:** Wednesday, September 13, 2023 7:37:10 PM

---

To Whom This May Concern,

I just want my voice heard.

I fully support the rezoning of the southwest corner of Deer Valley Road and Black Mountain Blvd. from residential to commercial.

Respectfully,
David White

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:09:28 PM

---

| **Name** |
| --- |
| Brandon York |
| **Email** |
| blyork85@gmail.com |
| **Support Comments** |
| Thank you for planning to bring some more shopping to the desert ridge area. Desert ridge marketplace is a nightmare most all the time with all the congestion. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 5:56:51 PM

---

| **Name** |
| --- |
| Sharon Ceccarelli |
| **Email** |
| Sceccarelli1@gmail.com |
| **Support Comments** |
| I would like a fry’s or Trader Joe’s. Qt would be nice too. I’m down for chic fillet or chipotle |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 7:49:45 PM

---

| **Name** |
| --- |
| Allie Lucyk |
| **Email** |
| Lucykallie88@gmail.com |
| **Support Comments** |
| Bring on the grocery store |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 6:43:12 AM

---

| **Name** |
| --- |
| Chrissy Seibel |
| **Email** |
| chrissyandsteve2011@gmail.com |
| **Support Comments** |
| I’m all for a new grocery store in the area! We are in need! |

**From:** Robert Berto
**To:** Anthony M Grande
**Subject:** Rezoning near Pinnacle High School
**Date:** Friday, September 15, 2023 8:28:08 AM

---

I just would say not all residents in this area are opposed to finally building on land that looks like a deserted field that has not been maintained and does not align with the atmosphere of surrounding homes in the area. Finally something can be put in place with some amenities north of the 101.

I do have a question though.
Is there a plan to build anything north of Pinnacle Peak and Black Mountain? This land as well looks like overgrown weeds that have not been maintained.
Not only that, but it is a dark busy road on Pinnacle Peak. Wildlife darts out from the side of the road and could pose a risk to drivers trying to avoid hitting a coyote chasing a rabbit. I know from experience. I drive it multiple times a night.

I look forward to seeing more commercial establishments that will help the community that continues to grow.

I just wanted to give some input as I live in the area and my son goes to Pinnacle High School.

Thank You,
Robert Berto

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 6:30:20 AM

---

| **Name** |
| --- |
| Sonia W. |
| **Email** |
| nimbus-polkas0h@icloud.com |
| **Support Comments** |
| Would LOVE to have a Trader Joes or similar grocery store. A nice independent coffee shop would be great too. Not a gas station though- I don’t think that’s a good idea. Maybe some other tasteful and new concept retail. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 9:17:01 PM

---

| **Name** |
| --- |
| Lynn Stevens |
| **Email** |
| lynnkstevens@gmail.com |
| **Support Comments** |
| Improved Grocery shopping is needed desert ridge. A Fry’s would offer choices to consumers and improve the food desert north of the 101. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:17:36 PM

---

| **Name** |
| --- |
| Jan Axtell |
| **Email** |
| kentandjan@cox.net |
| **Support Comments** |
| We need another grocery store besides Albertsons! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:24:48 PM

| **Name** |
| --- |
| Vanessa Corwin |
| **Email** |
| vanessacorwin@yahoo.com |
| **Support Comments** |
| I support this project |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:44:54 PM

---

| **Name** |
| --- |
| Michael Curtis |
| **Email** |
| mcc50@q.com |
| **Address / Neighborhood (Optional)** |
| 2235 e Parkside lane |
| **Support Comments** |
| I support this there is no grocery stores in this area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 11:11:07 PM

| **Name** |
| --- |
| Melissa Gasper |
| **Email** |
| melissa.gasper@icloud.com |
| **Address / Neighborhood (Optional)** |
| Desert peak |
| **Support Comments** |
| I support it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:39:35 PM

---

**Name**

John Hamby

**Email**

Jhamby1011@gmail.com

**Address / Neighborhood (Optional)**

Aviano

**Support Comments**

All day! Living is Aviano is funny because the homes are a millions dollars but the grocery and food options around are minimal and/or of poor quality. Would love to see more options up here but some serious traffic mitigation would need to take place because with the high school right there, it’s already a disaster.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:12:51 PM

| **Name** |
| --- |
| Brenda Johnson |
| **Email** |
| artbybrenda@cox.net |
| **Address / Neighborhood (Optional)** |
| 3919 E Daley Lane Phoenix/Aviano |
| **Support Comments** |
| Please! Another grocery store and gas station and another fast food drive-through option! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:44:47 PM

---

| **Name** |
| --- |
| Rajesh Kapur |
| **Email** |
| Raj@benefitcommerce.com |
| **Address / Neighborhood (Optional)** |
| 20918 N 37th pl |
| **Support Comments** |
| we all want this. please ignore the handful of rowdy fireside folks that are arguing against! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 4:35:44 PM

| **Name** |
| --- |
| Jodie Koltes |
| **Email** |
| jodie.koltes@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Crescent Butte |
| **Support Comments** |
| Fry’s would be nice! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:27:39 PM

---

| **Name** |
| --- |
| Jadyn L |
| **Email** |
| Jnlien267@gmail.com |
| **Support Comments** |
| Please add a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:15 PM

| **Name** |
| --- |
| Jamie Lafranchi |
| **Email** |
| lafranchi.jamie@gmail.com |
| **Support Comments** |
| We need another grocery. Crazy just to have Albertsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:32:44 PM

---

| **Name** |
| --- |
| Vanessa Mason |
| **Email** |
| vnessahenderson@gmail.com |
| **Support Comments** |
| As a resident in this area we would<br>love to have easier access to a nice grocery store without having to drive 10-15 mins to the nearest store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 12:53:20 PM

| **Name** |
| --- |
| Roselyn Meyer |
| **Email** |
| meyerroselyn@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3818 E Cat Balue Dr |
| **Support Comments** |
| We will support Trader Joe’s to come to our neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:23:42 PM

---

**Name**

Scott Corwin

**Email**

scott.corwin@yahoo.com

**Support Comments**

I support this development, but suggest two things: 1) no convenience store as part of any gas station. 2) Vestar and City do traffic studies to assess impact to BM Boulevard, and make changes to entrance and egress points.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:40:37 PM

| **Name** |
| --- |
| Mary Patterson |
| **Email** |
| Mfpatterson2016@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 6:44:56 PM

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**Name**

Jon Peterson

**Email**

jpeterson_az@yahoo.com

**Support Comments**

I realize the location is not ideal for everyone but I would prefer to have a local grocery store closer and less crowded than a Desert Ridge

I think the fry's complex at Thompson Peak and Hayden is a good example of what this could be and support it.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:44:24 PM

---

| **Name** |
| --- |
| Jamisyn Smith |
| **Email** |
| jamisyn.rae.smith@gmail.com |
| **Support Comments** |
| We need better options. A Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:21:55 PM

| **Name** |
| --- |
| Leslie Wren |
| **Email** |
| lesliewren22@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek Rd & Deer Valley |
| **Support Comments** |
| We need another grocery store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:54:09 PM

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| **Name** |
| --- |
| Suhair Riederer |
| **Email** |
| ishtar2000@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21526 n 59TH way Phoenix AZ 85054 |
| **Support Comments** |
| Please bring a sprout , fry’s or Walmart yo the area . We lack a good grocery store in desert ridge<br>Thanks<br>Suhair |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:04:40 PM

---

| **Name** |
| --- |
| Mary Jill Almassy |
| **Email** |
| jillalmassy@cox.net |
| **Support Comments** |
| We definitely need more and more convenient grocery shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:38:09 PM

---

| **Name** |
| --- |
| Not Helping |
| **Email** |
| Nothelping@stop.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Hey Gammage and Burnham - these silly Facebook groups are not a good idea. I actually like the idea of Black Mountain Village, but having a law firm with no vested interest in the neighborhood aside from the development being approved creating a Facebook/Instagram group to drum up support for the project makes your law firm look absolutely desperate, pathetic, and borderline deceptive. Please discontinue this type of advertising. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:34:53 AM

---

| **Name** |
| --- |
| Anne Blazek |
| **Email** |
| boutiquewellness@gmail.com |
| **Support Comments** |
| Need more than one alberstsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 2:08:41 PM

---

| **Name** |
| --- |
| Dennis Brown |
| **Email** |
| azhairguy@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2513 E Barbed Wire Pass |
| **Support Comments** |
| I think it would be great, yes students need parking which could be part of it, rather more houses/apartments that they couldn’t park in, stores would be closer for all of us on cave creek and deer valley ect. Can’t wait for it!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:47:07 AM

| **Name** |
| --- |
| Maryanne Christensen |
| **Email** |
| mlchristensen05@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| We need another grocery store in this area!! I have lived here for 12+ years and the only thing that hasn't grown is options to shop for groceries. Please make it a Signature Fry's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:09:33 AM

| **Name** |
| --- |
| Brian Clifton |
| **Email** |
| bclifton5@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We need more business and less housing in the area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:44:09 AM

---

| **Name** |
| --- |
| Stephanie Cohen |
| **Email** |
| s_marema@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 4410 East Kirkland Rd. |
| **Support Comments** |
| I support and additional shopping development with hopes to have another more boutique style. Grocery store option. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:03:00 PM

| **Name** |
| --- |
| Ralph Ferrara |
| **Email** |
| ralph.ferrara@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2129 East Daley Lane |
| **Support Comments** |
| I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:36:17 AM

---

| **Name** |
| --- |
| Sol Fink |
| **Email** |
| sol_fink@yahoo.com |
| **Address / Neighborhood (Optional)** |
| SkyCrossing |
| **Support Comments** |
| We definitely need a supermarket, some restaurants and a few boutique shops within walking distance of SkyCrossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:57:01 PM

| **Name** |
| --- |
| James Gregory |
| **Email** |
| jamesgregory1882@gmail.com |
| **Address / Neighborhood (Optional)** |
| Boulder Creek |
| **Support Comments** |
| I'm looking forward to the space being utilized, for what I hope, will be a higher end use. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:57:52 AM

---

| **Name** |
| --- |
| April Halaby |
| **Email** |
| ahalaby@chicagopropertyconcierge.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Harlow Sky Crossing |
| **Support Comments** |
| We wholly support the plans for Vestar to develop the land, including a grocery store. This area is underserved with regards to grocery stores and small shops, and this would help resolve that issue. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:45:58 AM

---

**Name**

Bob Hamer

**Email**

Hamer.bob@gmail.com

**Address / Neighborhood (Optional)**

Adobe Rd. (Sky crossing resident)

**Support Comments**

Definitely in favor of the commercial development on Black Mtn and Deer Valley. Closer grocery store (maybe gas too?) retail restaurants (a coffee shop) would be awesome. Right now we have to go to desert ridge and it's too trafficked. Also, growing up and in High School eating at our local restaurants nearby school was a huge part of the community experience and right now I fear that doesn't exist. As long as it's thoughtful re: loitering and lighting and traffic there really isn't a downside here at all. Hope we can get this approved!!

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 11:47:41 AM

---

**Name**

Brooke Harmon

**Email**

brharmon@gmail.com

**Address / Neighborhood (Optional)**

2214 E SOFT WIND DR

**Support Comments**

As someone that has live near this area since 2011, I am excited for the potential to build more commercial stores, including a grocery store other than Albertsons nearby. Our only nearby options for this is Desert Ridge which is getting ridiculously crowded now that Sky Crossing exists. It's funny that I see them as the ones complaining, but we were all very opposed to more residential homes in that area for two reasons. 1 - it made things even more congested and 2 - now our school boundaries risk being redrawn. I purchased land at cave creek and deer valley for Pinnacle High, now the extra residential growth is putting our ability to attend that school in the future at risk.

I do NOT want more residential homes at the corner at Black Mountain and Deer Valley. Commercial property is what I would love to see. It would also create more jobs for our area, especially the older teens / young adults.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:52:58 PM

| **Name** |
| --- |
| Linda Metcalf |
| **Email** |
| Ljm@hdride.com |
| **Address / Neighborhood (Optional)** |
| 26633 N 42nd street |
| **Support Comments** |
| We do need more shopping choices on this area. Not much to choose from right now |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:02:45 PM

| **Name** |
| --- |
| Kyla Geise |
| **Email** |
| kyla_geise@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I do not want a new gas station/ store on deer valley. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 1:13:40 PM

---

| **Name** |
| --- |
| James Patterson |
| **Email** |
| Jsp.three@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I fully support this project. It will add much needed amenities to a growing area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:04:26 PM

| **Name** |
| --- |
| Christina Peregrym |
| **Email** |
| Cperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| I would love a Trader Joe’s across the street!!’ |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:50:19 AM

---

| **Name** |
| --- |
| Jeanice Ridgway |
| **Email** |
| jeanice@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2213 E. Monona Dr |
| **Support Comments** |
| We should not need to drive that far to get the things we need. It's a busy corner already with the high school so it won't change. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:11:29 AM

---

**Name**

David Rucker

**Email**

azresbroker@gmail.com

**Address / Neighborhood (Optional)**

Aviano Desert Ridge

**Support Comments**

This area is in desperate need of additional shopping. The traffic is way too congested at Tatum and Deer Valley. It's also a safety issue for our teens that have to cross Tatum or Deer Valley to get to the only shopping at Desert Ridge Marketplace. The business revenue for City of Phoenix would be substantial as multiple businesses are ready to expand to this area. Another grocery anchor is what we really need. Our options are very limited especially with the expansion off of 56th St. And Deer Valley.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:27:29 PM

| **Name** |
| --- |
| Ron Stilwell |
| **Email** |
| rstilwell9@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Yes more choices |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:14:33 AM

---

**Name**

Roland Ward

**Email**

rmward194@gmail.com

**Address / Neighborhood (Optional)**

3828 E Morning Dove Trail/Aviano

**Support Comments**

Black Mountain Village is a much needed addition for Desert Ridge residents. Albertsons needs competition and the current mall is already too congested. I don't shop there because the ingress and egress are so terrible.

With thousands of new residents coming to Desert Ridge in at least four apartment complexes, new condos and Talin additional shopping options are absolutely necessary.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:35:21 PM

| **Name** |
| --- |
| Scott Weinberg |
| **Email** |
| scottysair@aol.com |
| **Address / Neighborhood (Optional)** |
| 3635 E Zachary Dr |
| **Support Comments** |
| Please build new Fry’s and In N Out Burger, as well as new restaurants. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:12:09 PM

---

| **Name** |
| --- |
| Shane Zink |
| **Email** |
| shane.j.zink@gmail.com |
| **Support Comments** |
| Put a new grocer in Desert Ridge. Whole Foods or Trader Joe’s would kill here. Don’t listen to the vocal minority about this. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:51:29 PM

---

| **Name** |
| --- |
| Ashley Allen |
| **Email** |
| ashleyallenfit@gmail.com |
| **Support Comments** |
| Please put a grocery store here, with a Starbucks |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:13:43 PM

---

| **Name** |
| --- |
| Anna Britt |
| **Email** |
| swedeanna@gmail.com |
| **Support Comments** |
| Its about time! Trader Joe and Sprouts would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 11:19:16 PM

---

| **Name** |
| --- |
| Simental Carolina |
| **Email** |
| csimental@hotmail.com |
| **Support Comments** |
| We need more options on the area. We only have Desert Ridge Mall as option. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 9:43:04 PM

| **Name** |
| --- |
| Danielle Coleman |
| **Email** |
| daniellecjacques@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Desert Ridge marketplace is too congested, would love to have other options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:07:09 AM

| **Name** |
| --- |
| Melissa Gitt |
| **Email** |
| melissagitt@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We look forward to this potentially happening and appreciate the transparency in your plans. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:09:40 AM

| **Name** |
| --- |
| Jesse Goldstein |
| **Email** |
| jgoldstein19@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We'd like this to happen. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:28:44 PM

---

| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| Wildcat Ridge |
| **Support Comments** |
| I'd love a grocery store but no stabd alone gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:51:34 PM

---

| **Name** |
| --- |
| Sylvia Lind |
| **Email** |
| spawlak0808@gmail.com |
| **Support Comments** |
| Yes we need a grocery store!!! Trader Joe’s please!!!!<br>There is nothing close by. Albertsons and Costco. Trader Joe’s would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:11:42 AM

---

| **Name** |
| --- |
| Monica Litt |
| **Email** |
| Monicalitt@hotmail.com |
| **Support Comments** |
| We live in Sky Crossing and fully support this project!<br>A gas station, restaurant, grocery store (would love Trader Joe's) and a Dutch brothers would be absolutely amazing!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:59:06 PM

| **Name** |
| --- |
| Josh Mann |
| **Email** |
| jmann5225@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23230 N 20TH St |
| **Support Comments** |
| My closest grocery store is desert ridge which is about 12 minutes from my house. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:20:31 AM

---

| **Name** |
| --- |
| Don McCaul |
| **Email** |
| ddmccaul1@cox.net |
| **Address / Neighborhood (Optional)** |
| 3807 E Crest Lane, Phoenix, AZ. 85050 |
| **Support Comments** |
| Desert Ridge is exploding in size with no additional retail services. We desperately need an additional grocery store. Hopefully Vestar will attract Trader Joe’s. Desert Ridge Mall is a transportation nightmare with poor circulation. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:52:42 AM

| **Name** |
| --- |
| L M |
| **Email** |
| lauramcintosh5@gmail.com |
| **Support Comments** |
| Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:47:25 PM

| **Name** |
| --- |
| Ben McKeown |
| **Email** |
| buckshanks@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2521 e paraiso dr |
| **Support Comments** |
| I fully support having more quality grocery options include to my neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 6:18:50 PM

| **Name** |
| --- |
| Jorge Monroy |
| **Email** |
| jorge.monroy0@gmail.com |
| **Address / Neighborhood (Optional)** |
| Pinnacle at desert peak |
| **Support Comments** |
| I 100% support more options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 5:20:08 PM

| **Name** |
| --- |
| Marc Pruzansky |
| **Email** |
| mpruzansky@yahoo.com |
| **Support Comments** |
| Albertsons is the only large market in the vicinity. We deserve more options. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:29:28 PM

| **Name** |
| --- |
| Nathan Rodgers |
| **Email** |
| Iamnatedog@gmail.com |
| **Support Comments** |
| Grocery stores really don’t go north of Bell Road |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:59:49 PM

| **Name** |
| --- |
| Connie Tracy |
| **Email** |
| ctracycrna@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| I support more grocery stores and restaurants and shopping . |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 7:29:41 PM

---

| **Name** |
| --- |
| Kasey Allayeva |
| **Email** |
| kaseyaz1225@yahoo.com |
| **Support Comments** |
| Would like to see Trader Joe’s<br>Aldi store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 12:28:52 PM

---

| **Name** |
| --- |
| Sommer Arekat |
| **Email** |
| sommer.arekat@gmail.com |
| **Support Comments** |
| Please bring a Trader Joe’s!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 8:37:06 PM

| **Name** |
| --- |
| Natalie Castaneda |
| **Email** |
| ndcastaneda80@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2725 e. Mine creek rd unit 1030 Phoenix, az 85024 |
| **Support Comments** |
| We need in this area more retail shopping and a mall too |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:37:07 PM

| **Name** |
| --- |
| Beth Field |
| **Email** |
| Bethfield1@hotmail.com |
| **Support Comments** |
| Support more shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:54:34 AM

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| **Name** |
| --- |
| Marta Graziano |
| **Email** |
| deltazeta@cox.net |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| My husband and I would greatly appreciate a grocery store with healthy foods like Sprouts. This area is becoming too dense with homes and not enough grocery stores to support the families who live here. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:53:57 PM

| **Name** |
| --- |
| Abigail Hunnicutt |
| **Email** |
| abbyjhunnicutt@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2029 east dry wood rd Phoenix 85024 |
| **Support Comments** |
| Our family would love to have a grocery store closer |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 5:42:35 AM

| **Name** |
| --- |
| Devin Kaufman |
| **Email** |
| Dgkaufman3@gmail.com |
| **Support Comments** |
| Supportive |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:23:46 PM

| **Name** |
| --- |
| Cindy Marquardt |
| **Email** |
| cindymarq@cox.net |
| **Address / Neighborhood (Optional)** |
| 4831 E Williams Dr., Phx 85054 |
| **Support Comments** |
| We need another grocery store in desert ridge |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:26:33 PM

| **Name** |
| --- |
| Lorenia Ochoa |
| **Email** |
| lorenia_o@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr. |
| **Support Comments** |
| Yes, it would be beneficial to Sky Crossing! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:28:39 PM

| **Name** |
| --- |
| Sara Phillips |
| **Email** |
| sjsmx@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 904 E Mohawk Dr |
| **Support Comments** |
| A grocery store such as frys, Trader Joe’s and a cvs or Walgreens would be amazing!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:29:33 PM

| **Name** |
| --- |
| Joann Polk |
| **Email** |
| Jopolk@me.com |
| **Address / Neighborhood (Optional)** |
| East side of Tatum and Ranger |
| **Support Comments** |
| I support the need for another grocery store in Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:39:54 PM

| **Name** |
| --- |
| VERNON PEREZ RUBIO |
| **Email** |
| vpra@me.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr |
| **Support Comments** |
| I support comercial center |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 9:13:00 PM

| **Name** |
| --- |
| Bonnie Sauer |
| **Email** |
| momtogrif@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| Yes!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:05:49 AM

| **Name** |
| --- |
| Nate Schoenfeld |
| **Email** |
| nathan.schoenfeld@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Donald Dr Phoenix 850505, Sky Crossing |
| **Support Comments** |
| This is needed! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:17:57 PM

---

| **Name** |
| --- |
| Shirlee Tye |
| **Email** |
| tyeshi67@gmail.com |
| **Support Comments** |
| Trader Joe's would be the perfect size store in that location! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:29:46 PM

| **Name** |
| --- |
| Sunny Weisbaum |
| **Email** |
| sunnyw@sbcglobal.net |
| **Address / Neighborhood (Optional)** |
| 4009 E hashknife Rd |
| **Support Comments** |
| We need a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 4:42:43 PM

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| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| WildCat Ridge |
| **Support Comments** |
| I'm all for a grocery store. NO to a gas station. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:42:47 PM

| **Name** |
| --- |
| Michael Charley |
| **Email** |
| mcharle9@asu.edu |
| **Address / Neighborhood (Optional)** |
| Moon Valley |
| **Support Comments** |
| I support the location as their needs to be a grocery store within desert ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:18:51 PM

| **Name** |
| --- |
| Crystal Cline |
| **Email** |
| crystal2383@aol.com |
| **Address / Neighborhood (Optional)** |
| 21917 N 59th Ter |
| **Support Comments** |
| We would love more grocery store, restaurants and shopping options! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:32:19 PM

| **Name** |
| --- |
| John DEAN |
| **Email** |
| Johntdean@aol.com |
| **Support Comments** |
| I support a grocer and gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:48:50 PM

| **Name** |
| --- |
| Sandesh Dev |
| **Email** |
| Sandeshdev1@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Grocery store is a positive - Sprouts or Whole Foods would be great |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:50:13 PM

---

| **Name** |
| --- |
| Joann Friedman |
| **Email** |
| joannwf@cox.net |
| **Support Comments** |
| I watched Desert Ridge shopping Center being built and was thrilled when Albertson's was completed. Another market facility would add to desert ridge neighbors choices. I wholeheartedly support this idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:05:00 PM

---

| **Name** |
| --- |
| Shannon Griffith |
| **Email** |
| Rowharder1@gmail.com |
| **Support Comments** |
| It would be very beneficial to build a Trader Joe’s at Deer Valley Dr and Black Mountain Pkwy. This area is saturated with customers and shopping. However, having more grocery options gives people more choices. Having a Trader Joe’s also appeals to a younger audience and is highly desirable. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:56:23 PM

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| **Name** |
| --- |
| Bethany Gunn |
| **Email** |
| bethbaz79@aol.com |
| **Support Comments** |
| Trader Joe’s would be great! That’s all I want. Please put one in.<br><br>Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:19:17 PM

---

| **Name** |
| --- |
| Jodi Hoffman |
| **Email** |
| lbux555@aol.com |
| **Support Comments** |
| I live off of Cave Creek right after Deer Valley. The only convenient store is Costco. I dont always need to buy in bulk. Please place a Fryes near me. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 3:09:37 PM

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| **Name** |
| --- |
| Jennifer Hopkins |
| **Email** |
| jenay99@aol.com |
| **Address / Neighborhood (Optional)** |
| 3941 E Hashknife Rd |
| **Support Comments** |
| This is definitely needed in this area as our options are very limited for how many homes are in the area versus convenience to a local grocer. This is fully supported.<br>Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:16:47 PM

---

| **Name** |
| --- |
| Joseph Joaquin |
| **Email** |
| Josephj1299@yahoo.com |
| **Support Comments** |
| It would be good to have a Trader Joe’s at Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:35:42 PM

---

**Name**

Samalie Kahunde

**Email**

samaliek@yahoo.com

**Support Comments**

To begin with, the proposed development will be closer to where our family lives than Desert Ridge Marketplace. Sometimes, one just needs to make a really quick dash to the store to make a much-needed quick family dinner, when running late.

I also appreciate the Fuel Station - again for the convenience of proximity when one needs to get the kids to school or get oneself to work.

If the following stores (Trader Joe's, Whole Foods, Fry's, Sprouts or Safeway) were brought closer to the Desert Ridge residences, it would be a big plus as we usually travel little longer to one of their locations.

In summary, proximity, quality and variety of options, are key for my family and I.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 12:21:07 PM

| **Name** |
| --- |
| Debra Kruszalnicki |
| **Email** |
| dsbeerrn99@aol.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Sprouts please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 2:15:29 PM

| **Name** |
| --- |
| Cindy Lien |
| **Email** |
| cindyrocketonline@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate |
| **Support Comments** |
| The Albertsons parking lot drivers are just rude and awful and drive like they are above the laws of traffic. Need more alternatives. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:53:56 PM

---

| **Name** |
| --- |
| Diane McCaul |
| **Email** |
| ddmccaul1@gmail.com |
| **Support Comments** |
| Would love to see a Trader Joe’s or a Sprouts at this location. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:46:09 PM

| **Name** |
| --- |
| Klara McClellan |
| **Email** |
| Klara.mcclellan@hotmail.com |
| **Support Comments** |
| I would love to see Trader Joe's there |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:34:54 PM

---

| **Name** |
| --- |
| Whitney Murto |
| **Email** |
| whitneymurto@gmail.com |
| **Support Comments** |
| Trader joes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:55:08 PM

---

**Name**

Neal Dubey

**Email**

neal.dubey@gmail.com

**Address / Neighborhood (Optional)**

22313 N 36th Street

**Support Comments**

I would love a neighborhood shopping center catering to the local community as getting in and out of Desert Ridge Marketplace can be quite congested. I prefer a smaller grocery store like a Trader Joe's over a larger store like Fry's. I am opposed to having a gas station in station the complex. Based on my discussions with people in the community if the shopping center had Trader Joe's and no gas station more people would support the development.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:03:50 PM

| **Name** |
| --- |
| Michelle Nordmann |
| **Email** |
| normoyle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23009 North 23rd Place |
| **Support Comments** |
| Would appreciate another spot to shop. Desert ridge is impossible |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:11:39 PM

| **Name** |
| --- |
| Jaimee Pascale |
| **Email** |
| bklyndevil24@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23825 N 25th way |
| **Support Comments** |
| It would be much closer for us |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:10:44 PM

---

| **Name** |
| --- |
| Anne Pauli |
| **Email** |
| Paulifamily@hotmail.com |
| **Support Comments** |
| TRADER JOES!!! We need one in our area!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:32:29 PM

---

| **Name** |
| --- |
| Mary Petty |
| **Email** |
| smspetty2006@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I would love to have a Sprouts grocery store nearby. The second choice would be Trader Joe's. I have to drive a ways to get to the nearest Sprouts store. I would love to have access to both the Albertsons we have and adding a Sprouts nearby. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:11:42 PM

---

**Name**

Raymond Rita

**Email**

raymond3213@hotmail.com

**Address / Neighborhood (Optional)**

Sky crossing.

**Support Comments**

I love this idea and have been waiting for news on its development.

Going to desert ridge marketplace is a pain in the butt for the essentials, it will be nice to have a place that is much closer. It’s a huge win for people who want to bike and walk too.

I think the developers can secure a big win if they scrap the gas station idea. I also think having a left hand turn option on 34th street would be a big win.

I also think you should include more studies on how convenient/walkable areas like this improve properly values.

Many of the naysayers also site traffic, however for most residents of SC it’s a net win since they will drive less to DRM. The safety concerns are also silly cuz there’s already traffic, and the new improvements will actually make it safer.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:11 PM

| **Name** |
| --- |
| Sophia Rizk |
| **Email** |
| sophia_rizk@yahoo.fr |
| **Support Comments** |
| A Trader Joe’s would be great in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:40:00 AM

---

| **Name** |
| --- |
| David Roth |
| **Email** |
| lancets.bearded.0v@icloud.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing Neighborhood |
| **Support Comments** |
| We fully support development at Deer Valley & Black Mountain Blvd. Desert Ridge can be extremely busy with traffic in that area, so it would be nice to have other shopping options closer to our home in Sky Crossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:26:26 PM

---

| **Name** |
| --- |
| Marjorie Schnell |
| **Email** |
| ms.margieschnell@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 39726 N MESSNER WAY |
| **Support Comments** |
| Would love a Trader Joe's or While Foods at Desert Ridge, perfect size and variety of food different from the many Frys and Sageways we have around. Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:01:21 PM

---

| **Name** |
| --- |
| Kassie Shirey |
| **Email** |
| kassie.shirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr |
| **Support Comments** |
| A neighborhood Sprouts or Trader Joe’s would be wonderful! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:34 PM

| **Name** |
| --- |
| Elissa Silber |
| **Email** |
| gemsilber@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5867 E Tierra Buena Ln |
| **Support Comments** |
| I would like a Trader Joe’s, or a Sprouts to go on there. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:59 PM

---

| **Name** |
| --- |
| Cynthia Sowa |
| **Email** |
| clusowa@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23319 N 44TH PL |
| **Support Comments** |
| Trader Joe's would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:45 PM

---

| **Name** |
| --- |
| Scott Starr |
| **Email** |
| rltycheck@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Thai would be a great addition. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:29:06 PM

---

| **Name** |
| --- |
| April Storey |
| **Email** |
| azstorey@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate Pass |
| **Support Comments** |
| Trader Joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:37 PM

---

| **Name** |
| --- |
| Elena Tager |
| **Email** |
| elenatager@yahoo.com |
| **Support Comments** |
| We support. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:00:15 PM

---

| **Name** |
| --- |
| Juli Thompson |
| **Email** |
| Julesnrs@gmail.com |
| **Support Comments** |
| Yes, I vote for Whole Foods and a trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:57:47 PM

| **Name** |
| --- |
| Morgan Troutman |
| **Email** |
| morgan.troutman8700@gmail.com |
| **Address / Neighborhood (Optional)** |
| 12802 N 23RD ST |
| **Support Comments** |
| I support the proposal of a new grocer in the desert ridge area... preferably Fry's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:03:56 PM

| **Name** |
| --- |
| Amber Vercelline |
| **Email** |
| amber.rhodes.rn@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum Manor |
| **Support Comments** |
| Agree with grocery store. Would love Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 5:58:52 PM

| **Name** |
| --- |
| chris waranch |
| **Email** |
| cwaranch@gmail.com |
| **Support Comments** |
| Would appreciate a new grocery store in this location |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:11 PM

| **Name** |
| --- |
| John Zatarski |
| **Email** |
| jzatarski@hotmail.com |
| **Support Comments** |
| YES - We need another Grocery Store ! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:25:29 PM

---

| **Name** |
| --- |
| Mike Albers |
| **Email** |
| MikeAlbers23@gmail.com |
| **Support Comments** |
| Huge NO for gas of any kind.<br>Yes Trader Joe's or Whole Foods. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:07:37 PM

| **Name** |
| --- |
| David Ashkuri |
| **Email** |
| davidashkuri@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3514 E Utopia Rd. |
| **Support Comments** |
| We would love to see either a traders joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 2:21:51 PM

---

| **Name** |
| --- |
| Tony Baldwin |
| **Email** |
| Avalosoul@live.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Trader joes please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:36:27 AM

| **Name** |
| --- |
| Samantha Bednarz |
| **Email** |
| samiebednarz@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4616 E Desert Cactus St |
| **Support Comments** |
| This area absolutely needs a Sprouts! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:25:47 AM

| **Name** |
| --- |
| Kimberly Bocchi |
| **Email** |
| kimberly.a.bocchi@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Such a great use of the land over here!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:03:27 PM

---

**Name**

Amanda Brockbank

**Email**

Brockbankamanda16@gmail.com

**Address / Neighborhood (Optional)**

Boulder creek at desert foothills subdivision

**Support Comments**

I think this proposed plan adds value and convenience to the north Phoenix area. With the growing number of houses going up and no new stores, especially grocery, going up, this will be a positive and impactful addition to our neighborhood. We don’t want more houses or apartments crammed together. We want something that will actually be of use in the day to day life.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:11:14 AM

---

| **Name** |
| --- |
| Susan Cotner |
| **Email** |
| sccotner@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23650 N. 22nd St. |
| **Support Comments** |
| As senior living in the area, having a new neighborhood grocery store would help me to age in place in my current home. Currently I live more than 5 miles away from any grocery store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:32:55 AM

| **Name** |
| --- |
| Kimberly Fabrycki |
| **Email** |
| kimberlyfabrycki@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3222 E Bryce Ln |
| **Support Comments** |
| Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:09:18 PM

---

| **Name** |
| --- |
| Sara Grasteit |
| **Email** |
| sarajuneco@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please make it a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:55:08 AM

| **Name** |
| --- |
| kevin jerrett |
| **Email** |
| krjerrett@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 6 deer valley drive |
| **Support Comments** |
| Hope its a frys |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:44:20 PM

| **Name** |
| --- |
| PG Lakshminarayan |
| **Email** |
| plakshman@rocketmail.com |
| **Address / Neighborhood (Optional)** |
| Aviani |
| **Support Comments** |
| Support mini grocer like trader joe or sprouts... |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 6:32:26 AM

| **Name** |
| --- |
| David Larcher |
| **Email** |
| Dlarcher@vestar.com |
| **Support Comments** |
| Go for it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 9:53:48 AM

| **Name** |
| --- |
| Sarah Larocca |
| **Email** |
| sarahdeelo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3984 E Scout Pass |
| **Support Comments** |
| We need a healthy, organic grocery store that is local. |

**From:** Michelle Santoro
**To:** PDD Long Range Planning
**Subject:** FW: Support for Black Mountain Village Project
**Date:** Friday, September 22, 2023 11:33:04 AM

---

-----Original Message-----
From: Aaron Lloyd <aarontlloyd@gmail.com>
Sent: Friday, September 22, 2023 11:21 AM
To: anthony.grande@phoenix.gov
Cc: Michelle Santoro <msantoro@gblaw.com>
Subject: Support for Black Mountain Village Project

Mr. Grande,

I will not be able to attend the meeting on October 3 but write to provide my strong support for the Black Mountain Village rezoning project. As a homeowner in the Sky Crossing community I view this project favorably. It will be a good use of the land and provide homeowners in the surrounding neighborhoods with options not found in the immediate vicinity. I would much prefer a commercial rezoning to a multi family project and believe those opposed may be not realizing other potential and less favorable uses for the land.

As a former member of the PV Village Planning Committee, this project has my full support, and I urge the committee to vote to approve on October 3.

Thanks,

Aaron Lloyd

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:10:41 AM

---

**Name**

Aaron Lloyd

**Email**

aarontlloyd@gmail.com

**Address / Neighborhood (Optional)**

21926 N 29th St

**Support Comments**

Hello,

I strongly support this project as a neighbor in the Sky Crossing community. I believe the project will be an asset to the neighboring communities, provide additional services not found in the immediate neighborhood, and be a good use of the land. I strongly recommend that the planning committee approve the project at the upcoming meeting!

Thanks,

Aaron Lloyd

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 4:10:08 PM

---

| **Name** |
| --- |
| Thomas Mosmeyer |
| **Email** |
| thomasmosmeyer@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4514 E Weaver Road |
| **Support Comments** |
| The ability to walk to a grocer can greatly reduce the traffic strain that is clearly obvious in front of Desert Ridge Marketplace. The more walkable the surrounding neighborhoods, the cheaper and less deleterious the use of cars becomes. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:02:47 PM

---

| **Name** |
| --- |
| Charles Pawlak |
| **Email** |
| charlespawlak@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| A grocery store is badly needed and the Desert Ridge area with all the new apartments and homes being built and only Albertsons available within a few miles. I totally support a grocery store at the southwest corner of Deer Valley and Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:34:01 AM

---

| **Name** |
| --- |
| Nikki Reiter |
| **Email** |
| nikkijean6@yahoo.com |
| **Support Comments** |
| Trader Joe’s would kill it up in this neighborhood! We have to travel all the way down to tatum and shea or get overwhelmed at the FLW location. Also a full sized Sprouts or ALDIs would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:23:46 AM

---

| **Name** |
| --- |
| Gianna Schneider |
| **Email** |
| ggbella12@gmail.com |
| **Support Comments** |
| Trader joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:52:48 PM

| **Name** |
| --- |
| Sylvia Sebescu |
| **Email** |
| silvip3@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 23222 N. 41 st Street, Phoenix 85050 |
| **Support Comments** |
| We need grocery store in our neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:17:31 AM

---

| **Name** |
| --- |
| Will Shirey |
| **Email** |
| wtshirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr. |
| **Support Comments** |
| I support this initiative. We need more fuel and groceries in this area. Prefer Sprouts or Trader Joe’s as first choice. Fry’s second choice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 3:20:20 PM

| **Name** |
| --- |
| Jennifer Ulrich |
| **Email** |
| jenbulrich@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Stone Butte |
| **Support Comments** |
| We need closer shopping and restaurant options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:13:18 AM

| **Name** |
| --- |
| Rohit Vir |
| **Email** |
| rohitvir@hotmail.com |
| **Support Comments** |
| Love the idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 12:01:03 PM

---

| **Name** |
| --- |
| Ariela Acuna |
| **Email** |
| Acunaariela@gmail.com |
| **Support Comments** |
| We really need more stores near our neighborhood as there isn’t much around and other stores such as desert ridge are becoming super crowded. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:37:09 AM

| **Name** |
| --- |
| David Allayev |
| **Email** |
| davidallayev5@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3843 e expedition way |
| **Support Comments** |
| This would be great for the neighborhood |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:15:32 AM

| **Name** |
| --- |
| Karla Grajeda |
| **Email** |
| Karlaplacido_96@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23555 n desert peak parkway Phoenix Arizona 85024 |
| **Support Comments** |
| Give us a Trader Joe’s and Whole Foods |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 5:34:53 PM

| **Name** |
| --- |
| Ginny Komlos |
| **Email** |
| ginnykomlos@gmail.com |
| **Support Comments** |
| We need a new supermarket and gas station in the Deer Valley/Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 11:05:11 AM

| **Name** |
| --- |
| Greg Kraus |
| **Email** |
| greg.kraus@datadvisors.com |
| **Support Comments** |
| Can’t wait |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:08:31 AM

---

| **Name** |
| --- |
| Lama Mattar |
| **Email** |
| lama.mattar@hotmail.com |
| **Support Comments** |
| Such a great idea !! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:16:56 AM

---

| **Name** |
| --- |
| Terrie Miller |
| **Email** |
| tmiller855@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 E Deer Valley Dr |
| **Support Comments** |
| We need another grocery option as well as dining in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 1:04:05 PM

---

| **Name** |
| --- |
| Shaun Kelley |
| **Email** |
| sh4unz0r@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| My support for this development is contingent upon 3 things:<br>1. Grocer is guaranteed to be Sprouts, Whole Foods, or AJ's<br>2. No gas station, given the above grocers don't do accessory stations.<br>3. Lighting plan is implemented to be similar to lights at the Shops at Gainey Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 2:03:22 PM

| **Name** |
| --- |
| Jennifer Padgett |
| **Email** |
| Jcwiltse3@yahoo.com |
| **Support Comments** |
| Trader Joe's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:46:54 AM

| **Name** |
| --- |
| Kaci Peregrym |
| **Email** |
| kaciperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3253 E Pike St |
| **Support Comments** |
| n/a |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:50:49 AM

| **Name** |
| --- |
| Gloria Poppa |
| **Email** |
| gjpoppa@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 5450 E Deer Valley Dr. #4211 Phoenix AZ 8505 |
| **Support Comments** |
| LOVE IT!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 6:20:40 AM

| **Name** |
| --- |
| Xiomara Pravong |
| **Email** |
| xpravong@gmail.com |
| **Address / Neighborhood (Optional)** |
| 18618 N 34th Pl |
| **Support Comments** |
| Trader Joe’s please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:24:20 AM

---

| **Name** |
| --- |
| Marisa Sanchez |
| **Email** |
| Marisatsanchez@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| We'd like to see a Whole Foods or Sprouts put in. It's a long drive to either of these places. Or even a Natural Grocers or Trader Joe's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 12:05:30 PM

| **Name** |
| --- |
| Joyce Carlberg |
| **Email** |
| carlberg_az@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We are in favor |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 7:00:37 PM

---

| **Name** |
| --- |
| Beth Dahl |
| **Email** |
| bethdahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cachet at Peakview |
| **Support Comments** |
| I lived in Aviano and Fireside for 8 years. I would have loved this center a mile from My house |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:21:29 PM

---

| **Name** |
| --- |
| Dianne Moore |
| **Email** |
| dianneishappy@gmail.com |
| **Support Comments** |
| I would be interested in a Trader Joe’s. Is that a possibility? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:01:25 PM

---

| **Name** |
| --- |
| Al Mercado |
| **Email** |
| azalbert@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please only speciality high-quality markets like Trader Joe’s, Whole Foods, Fry’s, Sprouts. Please NOT Frys or Safeway!!!<br><br>And surrounded by small retail stores = ok, but NO fuel station please!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 10:23:43 AM

| **Name** |
| --- |
| Donald Pearman |
| **Email** |
| 1fantasea@gmail.com |
| **Address / Neighborhood (Optional)** |
| PO Box 5155 Carefree AZ 85377 |
| **Support Comments** |
| I would like the facility (s) to exist. Please help make it happen |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 6:59:13 AM

---

| **Name** |
| --- |
| Victoria Pearman |
| **Email** |
| Twobeadorknot@yahoo.com |
| **Support Comments** |
| I would love to see a Trader Joe’s or something similar in that area. I support Desert Ridge’s idea to build another grocery. I would definitely use it when in the area. |

**From:** Dan Oseran
**To:** Anthony M Grande
**Subject:** Support(ish) for Black Mountain Village / Superblock 12
**Date:** Sunday, September 24, 2023 10:56:17 PM

---

Hi,
I know you are probably inundated with notes about the development on BMB and Deer Valley. Thank you for taking the time to consider all of the suggestions.

I support a form of development with limitations. I would strongly support a C-1 designation (rather than the proposed c-2) with no gas stations or fast food drive through pads. I support a true neighborhood community commercial development.

The area immediately surrounding this parcel has homes worth over a million dollars and I think Vestar made a tactical error by trying to build too much on the property. The current proposal isn't aligned with the 'feeling' of the immediately surrounding neighborhood, which is quieter, more residential, and further from the Desert Ridge core. If a more modest commercial development was proposed, I think it could make a positive difference in the community and be better received.

Thank you again,
Dan Oseran

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Robert Adams
22819 N. 39th Ave
Phx AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Alissa Thompson
alissa Thompson
3955 E. Parkside Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Mark Eyglehardt
3937 E Patrick Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jessica Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Lorena Figueroa
22903 N. 39th Terrace
85050 Phoenix, AZ.

| | |
|---|---|
| **From:** | Mandi Fleming |
| **To:** | Anthony M Grande |
| **Subject:** | Fireside at Desert Ridge - Superblock 12 Rezoning Amendment Requests |
| **Date:** | Monday, September 25, 2023 11:18:59 AM |

Dear Mr. Grande,

This communication is to inform you that as homeowners at Fireside Desert Ridge, my husband, Tom, and I are in favor of the proposed rezoning requests. You will find the case numbers associated with this proposal below:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Warm Regards,
Mandi and Tom Fleming

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Megan Grimes
3977 E Navigator Lane
Phoenix AZ 85050
Megan Grimes

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ed Hansen
3815 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Cameron Headley
3840 E Daley Ln
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

[illegible]

[illegible]

22833 N. 39th Ave

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Padma Thakur
23008 N. 38th Pl
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jonathan Floyd
Jonathan Floyd
3937 E. Herrera Dr
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Christine Jones
3815 E. Daley Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Justin Thompson

[illegible]

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Sarah Kang
3955 E Navigator Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:40:42 AM

---

**Name**

Ana Keller

**Email**

Anarygi@cox.net

**Support Comments**

I will strongly support a Trader Joe’s store .
We don’t have any of those close by and I’m sure it will be the best since we have 3 other ones you mention already and close by too .
Thank you !
Ana Keller

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Melinda Kennedy
3936 E. Parkside Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 10:26:01 AM

| **Name** |
| --- |
| Alexandra Lusk |
| **Email** |
| alusk482@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert ridge |
| **Support Comments** |
| Trader Joe’s. I’m all in. Sprouts. For sure. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 4:23:22 PM

---

| **Name** |
| --- |
| Paul Marazzo |
| **Email** |
| amarazzo@arrowheadbmw.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Sounds great! Better than building apartments! |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Lawrence Martinez
22705 N 38th Way

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Anuradha. Mclam
23012, N. 38th Pl
Phoenix, AZ, 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ann Z. Nimlos

3810 E Patrick Ln
Phoenix AZ 85050

Ann Z. Nimlos

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely, PAT NOCK

PAT NOCK
3977 E Navigator Ln
Phoenix AZ

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

FIKRET PAJAZETOVIC
3815 E HERRERA DR
PHOENIX, AZ, 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:05:32 AM

---

| **Name** |
| --- |
| Shelly Palmer |
| **Email** |
| shellypalmerrd@gmail.com |
| **Support Comments** |
| I would support a Trader Joe’s or Whole Foods |

CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.*
*Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Priscilla Barnes | [signature] | 2115 E Williams DR | |
| Matt Tave | [signature] | 2115 E Williams DR | |
| Jan Rehorik | [signature] | 2045 N. 28 Way | |
| Indira Kirby | [signature] | | |
| Adelynn Kirby | [signature] | | |
| Wyatt Bowie | [signature] | | |
| Trenton Dawson | [signature] | | |
| Ryan Aldon | [signature] | | |
| Jeannette Vespale | [signature] | | |
| Dyan Bond | [signature] | | |
| Mary Barry | [signature] | | |
| W. Barry | [signature] | | |
| Marie Andregg | [signature] | 3664 E. Adobe Dr. | |
| Bree Fulp | [signature] | | |
| Jenifer Graham | [signature] | 4945 E Roberta Dr Cave Creek | |
| Zoe Drolet | [signature] | 6302 E Delcoa Ave | |
| Kay Griffin | [signature] | 5450 E Deer Valley Dr | |
| Lauren Herzog | [signature] | | |
| Mary Fulton | [signature] | | |
| Rebecca Hodo | [signature] | | |
| Jamie Trewfinen | [signature] | 4841 E. Williams DR. | |
| Andrew Hendley | [signature] | 18002 N 12th St | |
| Alysa Torres | [signature] | 18002 N 12th St | |
| Maya Torres | [signature] | 16220 N 7th St, Phoenix | |
| Drew Pyne | [signature] | | |
| Young Jung | [signature] | 4849 E Garfield | |
| Connor O'Malley | [signature] | 4849 E Earll Dr | thetotaldoor.com |
| Joey Steinbacher | [signature] | | Joeysteinbacher49@hotmail.com |
| Ante henderson | [signature] | 4345 e acoma drive | a henderson20@cox.net |
| drew henderson | [signature] | | drewhenderson@cox.net |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Natasha Nuwasma | | | |
| [illegible] Price | [illegible] Price | 228 N 32nd St Phx | 85054 |
| Ryan Wolinsky | | | |
| [illegible] | | | |
| Zachary Wierzba | | | |
| Alex Drifler | | | |
| Windee Gustafson | | | |
| Zachary Stone | | | |
| Kristie Mills | Kristie Mills | 17987 E Veit Springs | |
| [illegible] | | | |
| Kian Akhavan | | | |
| Yuth Bunnell | | | |
| Linda Quartaro | | 3935 E Rough Rider Rd | |
| Liam Bailey | | | lbliamBailey@gmail.com |
| | | | |
| Khrismary Vazquez | | | |
| [illegible] Blankey | | 24901 N 39th Cra | Blankey3@cox.net |
| [illegible] | | 15635 N 29th | |
| Lindy Chipman | | | |
| Virginia Hurst | Virginia Hurst | 5550 E. Deer Valley | |
| Debra Giuffre | | | |
| Laiza Montes | | | Park |
| Caleb Campos | | Aviano community | 505-385-9630 |
| [illegible] | Kelly Kenneas | 3350 Valley Dr. | 206-353-563 |
| Reema McGonagle | | 4275 E. Ether Trail | |
| Amanda Fagelman | Fagelman | 21150 N Tatum, Phx | |
| Kurt Fagelman | | 21150 N Tatum Phx | |
| Billy Watkins | | | |
| Kenis Paulk | | | |
| Ryan Kosterna | | 22036 N 44th Pl | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| T. McWilliams | [signature] | | |
| Kari Backlin | [signature] | | |
| Hannah Ullestad | Hannah Ullestad | | contact.hpulis@gmail.com |
| Anthony Paterno | [signature] | | |
| Matt Endicott | [signature] | 3960 E Melinda Dr | |
| Susan Santiago | Santiago Sa | 10040 E Happy Valley | SGerconc@ex.NET |
| Barbara Miranda | B Miranda | 18637 N 45th Pl | |
| Jen Kirby | [signature] | | |
| RAHUL THAEL | [signature] | | |
| Jenna Turner | [signature] | 22028 N. 59th Way | jennanturner@gmail.com |
| Brian Watts | [signature] | 5550 E. DEER VALLEY | Bwatts14@gmail.com |
| TYLER SMITH | Tyler Smith | 4031 E. ROBIN LANE | TYLER.SMITH@KIDDER.COM |
| Becki Smith | B Bigler S | 4031 E Robin Ln | beckibiglersmith65 |
| Grayson Smith | Grayson Smith | " | @yahoo.com |
| Anita Skywater | [signature] | | Grayson Smith162 |
| | | | @gmail.com |
| Megan Newman | [signature] | 26418 N. 42nd St | |
| Amy Windisch | Amy Windisch | 4631 E. [illegible] Dr. | amydge@me.com |
| Taryn Gosch | [signature] | | taryngosch@hotmail.com |
| Larry Trefz | [signature] | | |
| H. Khatchadourian | [signature] | 4750 E Union Hills Dr | |
| Joe Johnson | Joe Johnson | 23313 N 45th St | njandjj3@cox.net |
| Phil Gilbert | [signature] | 20653 N 16th Way | |
| Analicia Greeley-Reed | [signature] | | |
| Ruben Borden | [signature] | 21150 N Tatum | |
| Dominica | [signature] | 24113 N 20th | |
| | | | |
| Anita Mayur | Anita Mayur | 3132 E. Tina dr. | anitajmayur@gmail.com |
| Sandeep Mayur | [signature] | 3132 E. Tina dr. | Sandeep.mayur@gmail.com |
| | | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Andres Torres | [illegible] | 4849 E Earll DR | andrestorres ne@gmail |
| Asida Cheval | [illegible] | 21155 N 56th, | Phoenix |
| AGGIE BEDNARZ | [illegible] | [illegible] | |
| Chloe Peck | [illegible] | 22429 N 30th Way | |
| Sarah LaRue | [illegible] | | |
| Logan Glines | [illegible] | | |
| Riley Coughlin | [illegible] | 22020 N 28th Way | |
| Holly Grossman | [illegible] | | |
| SHARYN VUOLO | [illegible] | | |
| Renee Ybarra | [illegible] | 3816 Ringtail | |
| G M Lee | [illegible] | 3975 W Chame | |
| Jake Thos | [illegible] | 21811 N. 48th pl | |
| Veronica Gaffney | [illegible] | 21495 N 28th st. | |
| Lauren Teixeira | [illegible] | 21150 N Tatum | |
| Sophie Aspen | [illegible] | 3712 E Potter | |
| [illegible] Susan Kraft | [illegible] | 4412 E Williams | |
| KARL KASOWSKI | [illegible] | | |
| Supsup Lor | [illegible] | | |
| A. Itkoff | [illegible] | 3901 E. Pinnacle PK RD, Phoenix 85050 | |
| [illegible] | [illegible] | 2448 ec [illegible] | |
| Wes Desperie | [illegible] | BLVD 85024 4823 E Patrick Ln | |
| Whitney M | [illegible] | Phoenix, AZ 85054 | |
| Sara Betancourt | [illegible] | 18245 N. Pima Rd, Scottsdale AZ 85255 | |
| Bill Kelley | [illegible] | | |
| Fran Kelley | Fran Kelley | | |
| MARSHALL FUND | KATHLEEN FUND | ~~1750 PINE AVE. LOS OSO~~ | |
| Sage Moffett | [illegible] | 5102 E Votaire | sagemoffett@gmail.com |
| [illegible] | [illegible] | | |
| Fredie | Carroll | | |
| [illegible] | [illegible] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Charlie Quinn | [signature] | 21831 N 48th Pl | |
| Amelia Burton | [signature] | | |
| Brian Burton | [signature] | 21715 N 59th St. | |
| Ethan Fender | [signature] | 21320 N 56th St | |
| Jason Willson | [signature] | 211 50 N Tatum | |
| Abby Russell | [signature] | | |
| David Everett | [signature] | | |
| Darryl Lemecha | [signature] | 22227 N 51st ST | |
| Karen Lemecha | [signature] | " " | |
| Michelle Corey | [signature] | 4702 E Sands Dr 85050 | |
| Cameron Campbell | [signature] | | |
| Chatam Smith | [signature] | | |
| Christine Wallis | CHRISTIE O | 3901 E PINNACLE PEAK RD PHX 85050 | |
| Ernesto Ortiz | [signature] | | |
| Ernesto Ortiz | [signature] | 23555 N. Desert Pk #625 Phoenix | |
| Thida Uk | [signature] | | |
| Lawrence Moon | [signature] | 3517 E Adobe Dr | |
| Jadyn Shak | [signature] | | |
| Christopher [illegible] | [signature] | | |
| Lynn Konrath | Lynn Konrath | 4908 E. Kirkland Rd | |
| Julie Steelman | [signature] | 3960 E. Hummingbird Ln. | |
| Shannon Hanna | [signature] | 4810 E Rosin Ln Phx | |
| James | Smith | | |
| Nichole | [signature] | | |
| Alex | [signature] | | |
| Felix taxjhal | Felix | | |
| Travis Wells | [signature] | 21332 N 60th Place, Phoenix | |
| Sakina Pashu | [signature] | 3945 E Monona Dr. Phoenix | |
| Kendell Friess | [signature] | 5450 East Deer Valley Drive. | |
| ~~Kendell~~ Friess | [signature] | ✓ ✓ ✓ | |
| Colin | | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| SAVANNAH ROBINSON | [signature] | 1481 N. MONTOYA PHX, AZ | |
| Mathew Mann | [signature] | | |
| Danielle Stein | [signature] | | |
| P. Haggard | P. Haggard | | |
| Sandra Shradek | | | |
| [illegible] | Logan Ritter | 3935 E Roughrider | |
| Trena Hamilton | Trena Hamilton | 11095 E Running Deer Trail Scotts | |
| Gilda Kemp | [signature] | Desert Ridge | |
| Shiloh Stewart | [signature] | | |
| Reza Parvin | [signature] | | |
| [illegible] | | | |
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CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.*
*Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Johnathan Gamler | | | |
| Gianna Falco | | | |
| Nicole Wurzel | | | |
| Nathan Hawkins | | | |
| Blake Walker | | | |
| Brian Mrochinski | | | |
| Damon Brady | | 4656 E Sandra Terrace | |
| Cameron Peterson | | | |
| Gabby Mouradian | | | |
| Zach VanMore | | | |
| Erika Jesen | | | |
| Cole Gissing | | Desert Ridge | |
| Landon Shaw | | | |
| Trevor Wood | Trevor Wood | | |
| Super Chief | | | |
| Kyien Cohn | | | |
| Emily Ankeny | | | |
| Trevor Swenson | | Avino | |
| Colin Chemes | | | |
| Garrett White | | | |
| Michael Juel | | | sonovanlabs@gmail.com |
| Kadence Stout | | | |
| Scott Shopper | | | |
| Rob Prichard | | | |
| Brittany Krusze | | | |
| Lauren Taylor | | | laurenmtaylor18@gmail.com |
| Lauren Adams | | | laurenadams@gmail.com |
| Megan Gredish | | | |
| Heather S. | | | |
| Ethan Crupe | | | ethancrupe@gmail.com |

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Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| JODY MONCRIEFF | [illegible] | 21150 N TATUM BLVD | |
| Yaqueline [illegible] | [illegible] | " | |
| Erlion Bojter | [illegible] | 21810 N 48th | |
| [illegible] | [illegible] | 26220 N. 47th | |
| [illegible] | Barbara Lerch | | horseshownana@aol.com |
| [illegible] | [illegible] | | |
| [illegible] | [illegible] | 5350 E. Deer Valley | |
| CHUCK WARREN | [illegible] | 4606 E. VISTA BONITA DR. | |
| Diana Cowen | [illegible] | | |
| Jodi Held | [illegible] | 4816 E. Daley Lane | |
| Robin Edgett | [illegible] | 2034 E Patrick Ln | |
| [illegible] | [illegible] | 4042 E [illegible] | |
| [illegible] | | 352 959 4771 | |
| [illegible] | | 505 892 2810 | |
| Teresa Perrin | | 80654 10201 | |
| Autumn Brewer | [illegible] | | |
| Scott Snelson | [illegible] | [illegible] | |
| Julie [illegible] | [illegible] | 3651 E ZACHARY DR. | |
| Allison L Wilkins | [illegible] | | |
| MICHAL | [illegible] | 21155 N 56th st | |
| Nancy | Nancy [illegible] | 1212 W Muriel D. | |
| Angie Gayer | [illegible] | 8126 E Vista Bonita | |
| Sean Gibbs | [illegible] | 8116 W [illegible] | |
| Sheryl A Shealey | Sheryl Shealey | 22423 N 22nd Way | |
| Rita Hervey | Rita Hervey | 21150 N. Tatum | |
| Zach Lynn | [illegible] | | |
| [illegible] | Teresa Tay | | |
| Alden Sundeen | [illegible] | | |
| [illegible] | [illegible] | 3450 E. Deer Valley Dr | |
| Julianna Rivera | [illegible] | 24342 N. 27th Pl. | julianna.ri |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| David Mauhin | [illegible] | | |
| Anna Mauhin | Anna Mauhin | | |
| [illegible] | [illegible] | | |
| Sharon Kellogg | Sharon K | | |
| Young Jung | [illegible] | | yjung021@gmail.com |
| Julie Zawada | [illegible] | | RCDRIVING80@yahoo |
| alex nichols | alex | | alexisnichols480 |
| Riley Mogull | [illegible] | | rileymogull@icl. |
| Aidan Hague | [illegible] | | 73645@cccsd93.. |
| Amberlyn Bell | Amberlyn Bell | | |
| Camden Gallasher | [illegible] | | |
| [illegible] Mulhern | [illegible] | | |
| Colton Alhers | [illegible] | | |
| Brady Narbut | Brady Narbut | | bradynarbut@yahoo.com |
| Zachary Narbut | Zachary Narbut | | zachnarbut2@gmail.com |
| Walter Funes | [illegible] | | |
| Joshua Williams | [illegible] | | |
| Janice Christian | [illegible] | | |
| Ker Carpenter | [illegible] | | |
| Ed Rucki | [illegible] | | |
| Debra Rucki | Debra Rucki | | |
| Blaise Backlund | [illegible] | | |
| Ryan Wegner | [illegible] | | |
| TYLER ARNETT | [illegible] | RENEE DR | |
| Gilda Kemp | [illegible] | Desert Ridge | |
| Abigayle Glidden | [illegible] | | |
| KEITH DUDLEY | [illegible] | DESERT RIDGE | |
| Grady B | [illegible] | DR | Dsgradybeegmail |
| Max Blotzman | [illegible] | | |
| Julia Graham | Julia Graham | Desert Ridge | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Norbert Hofwald | [illegible] | Desert Ridge | |
| [illegible] | Maria Vittorio | Desert Ridge | |
| Kerry Malvin | [illegible] | Desert Ridge | |
| Donna Nagy | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | | |
| Ana Salomon | a Salomon | | |
| [illegible] | Schumacher | | |
| Linda Woodard | Linda Woodard | Desert Ridge | |
| Jackson McKenzy | [illegible] | | |
| Marisa Carangi | Marisa C | | |
| Joe Brown | [illegible] | | |
| Victoria Herrera | [illegible] | Desert Ridge | |
| Terry Serago | Terry Serago | " | |
| Stone Mason | [illegible] | DR | |
| Sam Oslender | [illegible] | | |
| Ethan DePue | [illegible] | | |
| Kylie Francis | Kylie Francis | | |
| Peyton P. | [illegible] | | |
| Sarah E | [illegible] | Scottsdale AZ | — |
| Sativa K | [illegible] | Scottsdale AZ | — |
| Lisa Bern | [illegible] | DR | |
| Ayden Baker | [illegible] | | |
| Ethan Moya | [illegible] | | |
| Brandon Torres | [illegible] | | |
| Jeremy Burnley | Jeremy Burnley | | |
| Avery Whitesitt | [illegible] | | |
| Isaac Reynolds | [illegible] | | |
| Henwcin Mae | Benitez | | |
| Violet Sanders | [illegible] | Cave Creek | |
| Oliver Celaya | [illegible] | | |

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*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Regina Arellano | | | |
| Alex Pirtle | | Fireside | |
| Isabella Renaud | | Fireside | |
| Erica Delgado | | | |
| Michael Delgado | | | |
| Hall Beyer | | | |
| Ryder Dominguez | | | |
| Tommy Wall | | | |
| Keegan | | | |
| Tristin Mahr | | | |
| MS chapman | | Desert Ridge | |
| Anahis Moreno | | | |
| Carolina Moreno | | | |
| Stephanie Moreno | | | |
| Nate Crabtree | | | |
| Tessa Crabtree | | | |
| Kate Crabtree | | | |
| JJ Watt | | | |
| Hank Webber | | Desert Ridge | |
| Srijn Parthi | | Sanctuary | |
| | | | |
| | Shaylah Satchel | | |
| | Jackson Gaertner | Aviano | |
| Charlie Larsen | | Aviano | |
| Olivia Gaertner | | Aviano | |
| Trish Dorney | | Desert ridge | |
| Srimaa | | Desert ridge | |
| Jonah Espinoza | | Desert ridge | |
| Tyler Trimakoff | | | |
| Brendan George | | | |

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***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| DAVID LANUE | [illegible] | | DAVID LANUE3@ EMAIL |
| Chloe Jackson | Chloe Jackson | | |
| Lanor Roe | [illegible] | | Chloebeharose@xlovel |
| Ethan Penrose | [illegible] | | |
| Mary Spener | [illegible] | | spener@cox.net |
| Carolina Nieto | Nieto Carolina | | |
| Sayra Soto | [illegible] | 16432 N 28th St | SayraSoto0908@1clov.com |
| Jesus Aguirre | | 1946 W LARKSPUR Dr. | |
| Amina Afous | Amina | East Monte Cristo 6009 | amina85259@gmail.com |
| [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | | |
| Carson Smith | [illegible] | | |
| Bailey Ison | [illegible] | | |
| Maya Belleher | [illegible] | | |
| Alec Greenwood | [illegible] | | |
| Jason Coleman | [illegible] | | |
| LOWELL MANAW | [illegible] | | |
| MARK Daggleby | [illegible] | | |
| Felix Betancur | [illegible] | | |
| Aly Betancur | [illegible] | | |
| Lou Rodriguez | [illegible] | | |
| Amy Jones | [illegible] | | |
| John Burns | [illegible] | | |
| Nasrin Molani | [illegible] | 85032 | — |
| Eliesa Rob. | [illegible] | | |
| Armin Smailagic | [illegible] | | armin.1674@gmail.ca |
| Jota Oso | [illegible] | | jotaoso@5919.com |
| Sara Hanson | [illegible] | 85004 | |
| Samara Brown | [illegible] | 85022 | Samarakrier@gmail |
| MARY KORY | [illegible] | | |

# BRING A NEW GROCER TO DESERT RIDGE

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Tirsa Quartullo | | | |
| Kierre S | | | |
| Jermaine Norman | | | |
| Jocelyn Chay | | | |
| Andres Torres | | | andres.tort22@gmail.com |
| Graceek | | | |
| Josh Stelwell | | | |
| Zac Brown | | | brownzac@gmail.com |
| Josie Ramos | | | Josie Ramos@gmail |
| Paul Palmer | | | |
| Douglas Perez | | | Perdog18@hotmail.com |
| Tiffany Nowatske | | | tnowatske@gmail.com |
| Tiffini Giebel | | 3114 E Kerry ln | Tiffini Giebel |
| Jordan Thomin | | 2725 E Mine Creek Rd | Jordan.e.thomin@gmail |
| Lisa Graham | | | |
| Shyler Weber | | | |
| Mari Holtore | | | |
| Daisy Ellis | | | |
| Kanani Araki | | | |
| amber g. | | | |
| Alexis P. | | | |
| Margaret Castillo | | 22717 N 38th Way Phx, AZ 85050 | |
| Tiffany Ossoughe | | 4720 E Pinchot Peak | tvossoughe2@gmail.com |
| Emily Thai | | | |
| Isaac Lara | | | |
| Jack Lankford | | 11441 N thunderbird | Jdlankford03@gmail |
| Shreyas A | | 4038 E Saint John Rd | |
| Averie | Cowden | 4038 E St John Rd | |
| Ryker P | | 3046 East Wilbrage | Ryker.pr |
| Ethan | | 5309 E Monte | elohenz |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Robert Johnson | [signature] | 2959 N 29th st | rj732855.rj4@gmail.com |
| Jack Creelman | [signature] | 4690 S Lakeshore Drive | jackcreelman108@gmail.com |
| Jenna Jeran | [signature] | 610 W. Roosevelt | — |
| Mark Durocher | [signature] | — | Mduro8@gmail.com |
| Andreas Hacmeyer | [signature] | | |
| David Herrera | [signature] | | |
| Kristen Packard | [signature] | | Kristen.packard@me.com |
| Jared Blackstone | [signature] | | Jblackstone1977@gmail |
| Collin Hurt | [signature] | | |
| Karli Davis | [signature] | | |
| Lauren Angelo | [signature] | | |
| Nathan Padilla | [signature] | | |
| Matt Durocher | [signature] | — | mattdurocher1@gmail.c |
| Bree Durocher | [signature] | — | bread1023@yahoo.com |
| Robert Gilch | [signature] | | |
| Tyrone Brandon | [signature] | PHX | |
| Chris Potter | Chris Potter | | |
| Mya Sheppard | [signature] | | |
| [illegible] | [illegible] | Calif / PHX | [signature] |
| [illegible] | [illegible] | | |
| Jacob Newberry | [signature] | | |
| Carlyn Stalionicz | [signature] | | |
| [illegible] | [illegible] | | |
| [illegible] | Nolan Lapskin | | |
| Dylan McMullen | [signature] | PhX | |
| [illegible] | FATE TAYLOR | PHX | |
| Val Hartman | C. Tejera | | |
| Sarah Connell | [signature] | | |
| Lauren Summey | [signature] | | |
| Bibi Tejera | [signature] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Brett Bigelow | [signature] | | bbigelow55@cal |
| [illegible] | [signature] | | [illegible] |
| Anthony Reeves | [signature] | | areeves@gmail.com |
| Tristan Vanderbilt | [signature] | — | — |
| Taylor Sunset | [signature] | — | — |
| Alexis Gordon | [signature] | | lexie15boss@gmail.com |
| McKenzie Reynolds | [signature] | — | — |
| Casie Cooper | [signature] | — | — |
| Judieu Williams | [signature] | — | — |
| Alivia Judith Kagal | [signature] | | akagal3398@gmail.c |
| Soley Kilian | [signature] | | sakilian@gmail.com |
| MADISON DEES | [signature] | | MADDYDEES@GMAIL.COM |
| RICHARD CHAVEZ | [signature] | | chavezrel4@hotmail.com |
| Steve Lukasl | [signature] | | Bob@Aol.com |
| John Gallagher | [signature] | — | — |
| London Sabani | [signature] | | |
| [illegible] | | | |
| Nima Parvin | [signature] | — | — |
| Adrian Vender | [signature] | — | — |
| Brianna Balderaz | [signature] | | |
| Pawshlewin | [signature] | — | — |
| Doyle Thomas | [signature] | — | — |
| BRIAN GUTTERREZ | [signature] | | |
| Tyler Blinn | [signature] | — | — |
| Mark Kosten | [signature] | | |
| Austin Hartin | [signature] | — | |
| Don T | [signature] | | |
| Matthew | [signature] | | |
| [illegible] | [signature] | | |
| Max Valentine | [signature] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| | | 5070 83rd St | |
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| | | | |
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| | | | |
| | | | |
| | | | |
| Moorea Crabtree | | | Moorea.crabtree@gmail |
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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Kevin Harkey | [illegible] | | Kharkey69@gmail.com |
| [illegible] | [illegible] | | |
| Drake Barandela | [illegible] | | drakeabarandela@gmail.co |
| Jeremy Barandela | [illegible] | | drake.barandela@my.tccd.E |
| Christina Barandela | [illegible] | | christinabarandela@gmail |
| Carlie Fitting | [illegible] | | carlie197@gmail |
| Ryan Castle | Ryan Castle | | |
| Gabby Vega | Gabriel Vega | | |
| Casey Spencer | Casey Spencer | | |
| Meadow Spencer | Meadow | | |
| Erick Chavez | [illegible] | | |
| Danny Saavedra | [illegible] | | |
| Shane Thompson | [illegible] | | |
| [illegible] | S. Hannah Hoffman | | HRH@SamHouston.edu |
| Marleen Galvan | [illegible] | | |
| Lauren Thompson | [illegible] | | |
| Jeanette Madera | [illegible] | | GetLuz@gmail.com |
| Brenda Ferreira | [illegible] | | GetLuz@gmail.com |
| Jesr Rodriguez | [illegible] | | |
| Maricela Reyes | [illegible] | | [illegible] |
| Jessica Galarza | [illegible] | | |
| [illegible] | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | DR | |
| [illegible] | [illegible] | | notaeyyjb8e241@yahoo |
| [illegible] | [illegible] | | |
| Jeremiah Hyles | [illegible] | | |
| Colin Brandenberger | [illegible] | | |
| Anthony [illegible] | [illegible] | | |
| [illegible] | [illegible] | | |
| [illegible] | [illegible] | DR | |
| Doug Gonnly | [illegible] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Myles Henderson | [illegible] | | Mymy Henderson44@gmail.com |
| Desirée Ayala | [illegible] | | |
| Kendricks Y. Lab | [illegible] | | |
| Yeriel Figueroa | [illegible] | | |
| Cole Gascon | [illegible] | | |
| Derek Kane | [illegible] | | |
| Ana Serra | [illegible] | | |
| Nolan Johnson | [illegible] | | |
| Jeremy Zanganella | [illegible] | | |
| Brian Kelly | [illegible] | | |
| Amy Kelly | [illegible] | | |
| Brett Moran | [illegible] | | |
| Katie Warren | [illegible] | | |
| David Hall | [illegible] | | |
| Connor Gowens Pdt | [illegible] | | |
| Ben Petersen | [illegible] | | |
| Angel Gonzalez | [illegible] | | |
| Erik Espinoza | [illegible] | | |
| Cory David | [illegible] | | |
| Jim Gruler | [illegible] | | |
| Jill Gruler | [illegible] | | |
| BRIAN MORAN | [illegible] | | |
| Joe Cryan | [illegible] | | joe@citywidecre.com |
| Chelsea Martin | [illegible] | | |
| TREY MARTIN | [illegible] | | |
| Shae Hardin | [illegible] | | shaelenahardin@live.com |
| Jenna Finley | [illegible] | | |
| Skye Kollmer | [illegible] | | |
| Julie Crowley | [illegible] | | |
| Lauren Clement | [illegible] | | |
| Allison Radzel | [illegible] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Lou Serrao | [illegible] | | |
| Jake Wilson | [illegible] | | |
| Thalia Holmstrom | [illegible] | | |
| Brandon Kohli | [illegible] | | |
| James Gibson | [illegible] | | |
| Katrina Brunn | [illegible] | | |
| Heather Gibson | [illegible] | | |
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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Jessica Bjork | | | |
| Chris Reese | | | |
| Jerry Gonzales | | | |
| Michael Rhodes | | | |
| Sally Fordham | | | |
| Patricia Blair | | 3 | |
| Betty Schley | | | |
| | | | |
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CITY OF PHOENIX
SEP 25 2023
Planning & Development
Department

## SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| New Grocer | | | | US | 9/1/2023 |
| David Larcher | Brooklyn | NY | 11249 | US | 9/4/2023 |
| Yvette Mayo | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Bob Mayo | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Stephanie Garcia | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Susan Hweimel | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Christine McNeal | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Monica Pereira-Guana | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Chris Cross | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Kiersten Pace | Phoenix | AZ | 85017 | US | 9/6/2023 |
| Mary Downing | Clifton | CO | 81520 | US | 9/6/2023 |
| Sandy Summers | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Cheryl Wadina | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Lina Chua | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Jill Blair | Phoenix | AZ | 85085 | US | 9/6/2023 |
| Skeleton Key | Los Angele | CA | | US | 9/6/2023 |
| Michael Vittorio | Chicago | | 97603 | US | 9/6/2023 |
| Nancy Thompson | Kennesaw | | 30152 | US | 9/6/2023 |
| Jon Inwood | Brooklyn | NY | 1123 | US | 9/6/2023 |
| Alix Cassagnol | Watertown | | 13601 | US | 9/6/2023 |
| Daniel O'Brien | MILTON | | 12547 | US | 9/6/2023 |
| Preston Towne | Burlington | | 52601 | US | 9/6/2023 |
| Arya Albritton | Terre Haute | | 47802 | US | 9/6/2023 |
| Chloe Carlton | Peoria | | 61604 | US | 9/6/2023 |
| Kieth Bryant | Seattle | | 98118 | US | 9/6/2023 |
| Shane White | Kansas City | | 66101 | US | 9/6/2023 |
| Mackenzie Griswold | Irving | | 75063 | US | 9/6/2023 |
| Max Mildebrandt | | | | US | 9/6/2023 |
| Aja Smith | Norristown | | 19401 | US | 9/6/2023 |
| Miala Wilkerson | Atlanta | | 30315 | US | 9/6/2023 |
| Gedion Yemane | Los Angeles | | 90016 | US | 9/6/2023 |
| Michael Keith | Cincinnati | | 45239 | US | 9/6/2023 |
| Frehiwot Gezahegn | Hayward | | 94544 | US | 9/6/2023 |
| Catherine Kenyon | La Quinta | | 92253 | US | 9/6/2023 |
| Andrew Floyd | | | | US | 9/6/2023 |
| Viviana Sanchez | Jamaica Plain | | 2130 | US | 9/6/2023 |
| lyssy howard | Annapolis | | 21403 | US | 9/6/2023 |
| Liliana Martinez | Caldwell | | 83605 | US | 9/6/2023 |
| Ivory Murphy | Asbury Park | | 7712 | US | 9/6/2023 |
| Trukessa Ussery | Hampton | | 30228 | US | 9/6/2023 |
| Cynthia Ervin | Winston-salem | | 27105 | US | 9/6/2023 |
| Mia Helmick | Dearborn | | 48126 | US | 9/6/2023 |
| Sennait Misghinna | Wylie | | 75098 | US | 9/6/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Melissa Winner | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Ann Jankes | Phoenix | AZ | 85054 | US | 9/6/2023 |
| Lisa Andreas | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Debbie Merrick | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Gary Lawrence | Phoenix | AZ | 85040 | US | 9/7/2023 |
| Deirdre Menchaca | Hyannis | MA | 2601 | US | 9/7/2023 |
| Melanie Stone | Phoenix | AZ | 85024 | US | 9/7/2023 |
| Carol Ditmore | Phoenix | AZ | 85050 | US | 9/7/2023 |
| Martina McConnon | Phoenix | AZ | 85080 | US | 9/7/2023 |
| Moon Knight | Los Angele | CA | | US | 9/8/2023 |
| Sheena Lamon | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Christopher Lamon | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Diane Diamond | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Shannon Garman | Phoenix | AZ | 85036 | US | 9/11/2023 |
| Chantelle Sabbath | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Jenna Huffman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Robert Caccamo | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Lina Senia | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Susan Cheeseman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Beth levine | Phoenix | AZ | 85015 | US | 9/11/2023 |
| Jamie Bush | Phoenix | AZ | 85003 | US | 9/11/2023 |
| Sonita W. | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Ginny Komlos | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Christine Nard | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Don Crosby | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Susan Almanza | Phoenix | AZ | 85059 | US | 9/11/2023 |
| Angela Marnell | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Karen Flaherty | Phoenix | AZ | 85063 | US | 9/11/2023 |
| Rita Onofrio | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Rebeka Bauer | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Juliana Fisher | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sharon Levy | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Susan Nerheim | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Maria Elizabeth Rodriguez | Phoenix | AZ | 85022 | US | 9/12/2023 |
| Sarah Levine | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Jodi Lavin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Patrice Kimmerle | Phoenix | AZ | 85003 | US | 9/12/2023 |
| Betsy Studer | Phoenix | AZ | 85009 | US | 9/12/2023 |
| Mohan Paredla | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sri Ben | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Hamsa Srinivasan | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Sunil K | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sananda Saha | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Jamie Bessler | Phoenix | AZ | 85014 | US | 9/12/2023 |
| Shachindra Pandey | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Divya Kutty | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kingshuk Choudhary | San Dimas | CA | 91773 | US | 9/12/2023 |
| Neil Hoffman | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Colleen Widdows | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Barbara Welch | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kirstin Robinson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kathy Petersen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| aaron brock | HOWELL | | 48843 | US | 9/12/2023 |
| G. Diane Matthews-Marcelin | Carson | | 90746 | US | 9/12/2023 |
| Javier Chacin | Memphis | | 38112 | US | 9/12/2023 |
| Christina Rago | Cave Creek | AZ | 85331 | US | 9/12/2023 |
| barbara coyle | San Antonio | | 78234 | US | 9/12/2023 |
| Christopher Bean | | | | US | 9/12/2023 |
| Mary Ursaki | Portland | | 97206 | US | 9/12/2023 |
| Stephen Roan | Baton Rouge | | 70807 | US | 9/12/2023 |
| Cody teawitch | Castle Rock | | 80109 | US | 9/12/2023 |
| natalie thornhill | Charleston | | 25312 | US | 9/12/2023 |
| Jonna Parker | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Niko D-R | | | | US | 9/12/2023 |
| natalie Thornhill | Elkview | | 25071 | US | 9/12/2023 |
| Jaslyn Ruvalcaba | Aurora | | 80010 | US | 9/12/2023 |
| Zach Pemberton | Santa Rosa | | 95404 | US | 9/12/2023 |
| Diana Brown | San Bernardino | | 92410 | US | 9/12/2023 |
| Cathie Andresen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Kristin Peterson | Scottsdale | AZ | 85261 | US | 9/12/2023 |
| Julie Greenberg | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Alysson Zatarga | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Sarah Williford | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Daliah Meirovits | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Liz DAnna | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Cummings | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Julie Peterson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Nancy Ackel | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tony D'Anna | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Elena Tager | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sk V | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Carole Fields | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Stephanie Gustafson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| William Getz | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Karenlee Thorpe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Joann BEVERLY | Phoenix | AZ | 85001 | US | 9/12/2023 |
| David Binkley | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sidney Mae | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Gillian Fallas | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Olivia Filippone | Phoenix | AZ | 85050 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Dinesh Chintalapuri | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Jenny Araujo | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhishek Saxena | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Robin Berning | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Jen Silverberg | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sheila Hansen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tamara Hajja | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shalimar Marshall | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Leah Mondlick | New York | NY | 10038 | US | 9/12/2023 |
| Michele Briggs | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Laurie Thrasher | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Johnston Melanie | Phoenix | AZ | 85012 | US | 9/12/2023 |
| Noel Ortiz | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Michele Sonkin | Phoenix | AZ | 85068 | US | 9/12/2023 |
| James Patterson | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Keaira Tighe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Geoff Rubin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kate Fleming | Phoenix | AZ | 85025 | US | 9/12/2023 |
| Courtney Strittmater | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Crystal Alix | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Irish Shay | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Natalie Monjoin | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Navneet Bhatnagar | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Monika Saxena | Phoenix | AZ | 85036 | US | 9/12/2023 |
| Victoria Zacchini | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Adam Polson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shilpi Gupta | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Lavanya Juttukonda | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shane Zink | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Annabel Rimmer | Phoenix | AZ | 85020 | US | 9/12/2023 |
| Chris Sinclair | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhilasha Kapur | Phoenix | AZ | 85050 | US | 9/12/2023 |
| James Watson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nancy Thomas | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Praveen avuthu | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Chris Collins | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Derek Geisinger | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lauren Barbaruolo | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Christina Peregrym | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Meredith Blythe | Phoenix | AZ | 85013 | US | 9/12/2023 |
| Keith Maclaren | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Laliberte | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Jennifer Kovacik | Scottsdale | AZ | 85254 | US | 9/12/2023 |
| Meredith Edling | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Richa Sharma | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Audrey Somers | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Preston Spriggel | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Dipti Dravid | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Katie Ray | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Cici Martin | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nathan Goldberg | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lavanya Vinjamuri | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Brooke chez | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Yana Dashevsky | Phoenix | AZ | 85007 | US | 9/12/2023 |
| Joshua Hope | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Tanner Davis | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Brianne Fischer | Collierville | | 38017 | US | 9/12/2023 |
| Neal Dubey | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shivani Dubey | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Robert Fierros | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Josh Schweser | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Leslie German | Phoenix | AZ | 85050 | US | 9/13/2023 |
| Heather Noble | Phoenix | AZ | 85001 | US | 9/13/2023 |
| Annie Maiden-Hope | Phoenix | AZ | 85001 | US | 9/13/2023 |
| David Wallace | Phoenix | AZ | 85006 | US | 9/13/2023 |
| Jodie Koltes | Phoenix | AZ | 85004 | US | 9/13/2023 |
| Brad Otoupalik | Phoenix | AZ | 85027 | US | 9/13/2023 |
| Susan Tinsley | San Diego | CA | 92101 | US | 9/13/2023 |
| Brian Sevchik | Phoenix | AZ | 85015 | US | 9/13/2023 |
| David M | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Chrissy Seibel | Phoenix | AZ | 85013 | US | 9/14/2023 |
| Raymond Rita | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Ivy Bryan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jordan Sandler | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Scott Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sean Morgan | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Monica Litt | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Melissa Gitt | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Vanessa Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Morgan Bircher | Phoenix | AZ | 85041 | US | 9/16/2023 |
| Pratiba Rachamalla | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Mark Sidorenkov | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Erin Reese | Phoenix | AZ | 85008 | US | 9/17/2023 |
| Bob Hamer | Phoenix | AZ | 85001 | US | 9/17/2023 |
| CJ Wren | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Lorraine Roberts | Rocky Poin | NC | 28457 | US | 9/17/2023 |
| Shyamsharan Prajapati | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Jaiden Dubey | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Shweta ghumre | Phoenix | AZ | 85050 | US | 9/22/2023 |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

ROBERT L. REFUERZO
3831 E HERRERA DR
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Robert Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Ross Dunpeno
ROSS
3929 E Herrera Dr

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Ameen Salfi

3959 E. Navigator Lane

Phx, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

SHERREEN SARWAT
22822 N. 39TH RUN
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Scott A. Sas
3839 E. Daley Lane

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 1:09:13 AM

| **Name** |
| --- |
| Emily Schaefer |
| **Email** |
| emily.schaefer@me.com |
| **Address / Neighborhood (Optional)** |
| Tatum Village |
| **Support Comments** |
| Support of sprouts or Safeway |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jigar Shah

22306 N. Fremont Rd.
Phoenix, AZ 85050

what happened to the library plans?

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Sam Tacheny
3760 E Expedition Way
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Margaret Thorstenson
3821 E Cielo Grande Ave
Phoenix, Az 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

David Walgvick
3823 E Daley Ln

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Cadence Writing
3951 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Wieslawa Floyd
Wieslawa Floyd
3957 E. Herrera Dr
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 6:02:40 PM

---

**Name**

Fan Wu

**Email**

wufan1026@gmail.com

**Address / Neighborhood (Optional)**

4723 E Parkside Ln

**Support Comments**

I am writing the comments below to support Vestar's proposal to develop the 20.5 acres of Property located at the southwest corner of Deer Valley Drive and Black Mountain Parkway as a retail shopping center called Black Mountain Village.
I believed the new grocery store will have the following benefit:
1.Local Economic Growth
2.Convenience and Accessibility
3.Community Gathering Place
4.Environmental Sustainability

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

LANCE ZAMORA
22928 E 39th PL
Phx AZ 85050

| | |
|---|---|
| **From:** | mjb cartof.com |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2) |
| **Date:** | Tuesday, July 4, 2023 12:17:10 PM |
| **Attachments:** | image002.png<br>GPA-DSTV-2-23-2.pdf<br>GPA-DSTV-3-23-2.pdf |

Anthony—

It amazes me that the applicant would want to put in a shopping center of that magnitude only 2.5 miles from Desert Ridge. Why isn't the currently designated 2-5 du/ac housing more important than changing the General Plan to provide Commercial?

Marcia Busching

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**From:** Geno Koman [mailto:geno.koman@phoenix.gov]
**Sent:** Monday, July 3, 2023 3:11 PM
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2)

Attached for your review is an amendment to the General Plan for Phoenix that has been filed:

**DESERT VIEW VILLAGE**
Application **GPA-DSTV-2-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for a Map Amendment to change the General Plan land use designation on approximately 20.5 acres from Residential 2-5 du/acre (20.5 acres) to Commercial (20.5 acres) to allow commercial land uses.

Application **GPA-DSTV-3-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for an amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12, Parcel 12.L.

These applications are proceeding concurrently with a rezoning request (Z-39-23-2) for the same property, approximately 20.5 acres from S-1 (Approved R1-6 and R-2) to C-2 to allow a commercial shopping center.

Please forward your comments prior to **August 22, 2023** to:

**Anthony Grande**
Village Planner
City of Phoenix Planning & Development Department
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611
**602-256-5648**

**anthony.grande@phoenix.gov**

Should you have any questions or concerns, please contact the Planning & Development Department at 602-262-7811.

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:** | Paul Bierbusse |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; marybierbusse@gmail.com |
| **Subject:** | Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School |
| **Date:** | Monday, August 14, 2023 5:05:46 AM |

To: Anthony Grande, Planner, City of Phoenix Planning & Development Department
Cc: Mr. Jim Warring, Councilman – District 2, City of Phoenix

Good morning gentlemen,

My wife, Mary, and I recently purchased a home in the Sky Crossing neighborhood immediately north of the proposed rezoning on E. Deer Valley Drive and Black Mountain Boulevard near Pinnacle High School (Desert View Village GPA-DSTV-2-23-2). We are excited to become active members of the community and have been impressed by how the City of Phoenix has thoughtfully managed development. We understand that the proposed rezoning transitions the parcel from residential to commercial, and while we don't object to the rezoning of the parcel we do have a number of significant concerns.

First, we understand that proposed development plans include the construction of a gas station on part of the parcel – we would like to express our strongest reservations as to the inclusion of a gas station within the final plan given the traffic it is likely to draw, the likely extended hours of operations including intrusive late-night lighting in the area, and the environmental impact. There are nearby stations located both at E. Deer Valley Drive/Cave Creek and at E. Deer Valley Drive/Tatum which should more than suffice to address local demand.

Second, the area already deals with significant traffic challenges associated with ingress/egress to Pinnacle High School. Any rezoning and associated development should be coordinated with the traffic needs of the high school both to mitigate impact to overall traffic flow and to enhance safety in a high traffic area. As development continues north of our community, confident that the AZ-51 access point will only see increased traffic volume – plans should be made to address not only existing traffic due to the high school but increased traffic due to the proposed redevelopment.

Third, we have been made aware of increased random acts of violence associated with late night hours at Desert Ridge Marketplace and we don't wish to see those issues brought closer to our community. Should the rezoning be approved, we would ask that conditions be placed on the hours of operations for tenants to minimize late night traffic to the property (preferably no later than 9pm) and that coordination be pursued with the City of Phoenix Police Department to ensure appropriate police resources are dedicated to the area.

We understand the importance of continued development across Phoenix and believe that reasonable accommodations can be made that both permit development while addressing resident concerns. Thank you for providing us the opportunity to voice our concerns.

Warmest regards,

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

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**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 7:26:32 AM

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| **Name** |
| --- |
| RICHARD STARR |
| **Email** |
| rtstarraz@hotmail.com |
| **Address / Neighborhood (Optional)** |
| FIRESIDE |
| **Support Comments** |
| There is an existing parking problem at Pinnacle HS that needs to be solved before the development of retail center. At 6pm last night, there were 200 overflow cars in desert on future retail center site. AZ State Land, PVUSD and possibly retail developer need to solve problem first. Perhaps retail center purchases extra 5 acres and delivers to PVUSD west of retail? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:34:20 PM

| **Name** |
| --- |
| Susan Babendure |
| **Email** |
| susiebabendure@gmail.com |
| **Support Comments** |
| Need to know info |

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## GPA-DSTV-2-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 1, 2024 |
| **Request From** | Residential 2 to 5 dwelling units per acre |
| **Request To** | Commercial |
| **Proposal** | Commercial uses |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Approval |
| **VPC Vote** | 9-2 |

**VPC DISCUSSION:**

*Item No. 4 (GPA-DSTV-2-23-2), Item No. 5 (GPA-DSTV-3-23-2), and Item No. 6 (Z-39-23-2) are companion cases and were heard together.*

*Fifty-two members of the public registered to speak on this item, 18 in opposition, 34 in support.*

*Twelve members of the public registered in opposition, not wishing to speak.*

*Twenty-six members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. Mr. Grande further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Ashley Marsh**, representing the applicant with Gammage & Burnham, PLC, provided a presentation, highlighting the work the applicant has done with the community since the last meeting and the aspects of the proposed development that have been modified. **Ryan Ash** with Vestar provided an overview of the company and the project, including the process of deciding on the subject site for this project. **Dawn Cartier** with CivTech

described the proposed street improvements in the surrounding area and the impacts on the traffic.

QUESTIONS FROM COMMITTEE

**Vice Chair Lagrave** asked about the provision of crossing guards and whether the applicant would be open to prohibiting car washes. **Ms. Marsh** stated that the applicant would provide the crossing guards and would be open to prohibiting car washes.

**Committee Member Israel** asked about the enforceability of the requirements of the Desert Ridge Specific Plan and about the responsibility to street improvements. **Mr. Grande** replied that the requirements of the specific plan are regulatory and would be enforced for any future development at the site and that developers are generally responsible for street improvements on their half of the street.

**Committee Member Younger** asked about auto-oriented businesses. **Ms. Marsh** replied that the zoning would allow what's found in the C-2 zoning use list.

**Committee Member Nowell** asked about drive throughs and the traffic and noise generated from them. **Ms. Marsh** stated that every drive through is different and has to be reviewed through a use permit for each one.

**Mr. Nowell** asked about the timing of street improvements. **Ms. Marsh** replied that all street improvements would need to be done first before development of the site.

**Committee Member Kollar** asked about the bus stop pad. **Ms. Marsh** replied that it would be incorporated for any future bus routes that may serve the area.

**Mr. Younger** commented on the traffic pattern example mentioned at Xavier College Preparatory School and asked if it would be similar here. **Ms. Cartier** replied that these would be more controlled movements because of the medians.

**Committee Member Carlucci** asked about signal timing changes at Black Mountain Boulevard and Deer Valley Drive. **Ms. Cartier** replied that the timing would be adjusted to allow pedestrians time to cross. **Mr. Carlucci** asked about the overall traffic modeling. **Ms. Cartier** provided details of the level of service in several scenarios.

**Committee Member Kirkilas** asked about the size of the grocery store and asked for clarification on the definition of adult uses. **Mr. Ash** replied that the site plan is conceptual and that negotiations will begin after zoning is in place, which will solidify the store size. **Ms. Marsh** provided a clarification on adult uses.

**Mr. Israel** asked about limiting all auto-oriented uses in C-2. **Mr. Grande** explained that individual uses could be prohibited in the Desert Ridge Specific Plan.

**Mr. Younger** asked about the height limit. **Mr. Ash** replied that it would be two stories, 30 feet.

**Mr. Carlucci** asked about the estimated investment in infrastructure for this project and whether prohibiting drive throughs would negatively impact the project. **Mr. Ash** replied with investment details and stated that prohibiting drive throughs would limit many future restaurant options. **Chair Bowser** added that in the post-Covid market, there are many more pick-up windows and drive throughs than before.

PUBLIC COMMENTS

**Ted Weis** introduced himself and spoke in support of the proposal, highlighting that it will provide more options for the area.

**Stephen Applebaum** introduced himself and spoke in opposition to the proposal, stating that it will provide opportunities for bad behavior for students.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that this will only shift where people spend money, and that housing would be more important to building due to the housing crisis.

**Gary Smith** introduced himself and spoke in support of the proposal, stating that Desert Ridge Marketplace is too crowded, and this will provide an alternative.

**Yana Dashevsky** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**Aimee Sinclair** introduced herself and spoke in support of the proposal, stating that Desert Ridge is growing, and this proposal will make it safer to walk and bike.

**Kristen Cassuto** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**David Barge** introduced himself and spoke in support of the proposal, stating that he did not like the original proposal but is in support due to the changes Vestar made.

**Allie Lucyk** read a letter from **Geraldine Belafsky** in support of the proposal.

**Roland Ward** introduced himself and spoke in support of the proposal, stating it will provide an alternative to Desert Ridge Marketplace, which is too busy.

**Payton Sinclair** introduced himself and spoke in support of the proposal, stating it would be good to have job opportunities nearby.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating she bought her home to be able to safely walk to school, not to have retail neaby.

**Mike Coppola** introduced himself and spoke in opposition to the proposal, stating that it will cause a traffic nightmare.

**Suzanne Sayegh** introduced herself and spoke in opposition to the proposal, stating that this is not a neighborhood shopping center, that stores people are looking for do not want to locate here, and that street improvements would be made by any new development.

**Chris Sinclair** introduced himself and spoke in support of the proposal.

**Allie Lucyk** introduced herself and spoke in support of the proposal.

A member of the public read a letter of support from **Greg Abrams**.

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating this will have a negative impact on the nearby schools and highlighting the issue of child trafficking.

**William King** introduced himself and spoke in support of the proposal, stating they expected new retail to be built to accommodate new housing coming in.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, highlighting a petition submitted of people against the proposal.

**Jason Epstein** introduced himself and spoke in opposition to the proposal, stating there are too many unknowns.

**Megan Lloyd** introduced herself and spoke in support of the proposal, stating that having closer retail options is a good thing.

**Ben Butler** introduced himself and spoke in support of the proposal, stating support for additional retail and that Vestar is a good developer.

**Ron Bookholder** introduced himself and spoke in opposition to the proposal, stating the retail center will be regional due to the presence of the SR-51 and that this will be detrimental to the kids.

**Aaron Lloyd** introduced himself and spoke in support of the proposal, stating it will bring amenities to the area.

A member of the public read a letter of support from **Bob Hamer**.

**Layla Saikley** introduced herself and spoke in opposition to the proposal, stating that the area is a quiet, peaceful community.

A member of the public read a letter of support from **Erin Reese**.

A member of the public read a letter of support from **Richard Kovacik**.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that he moved to the area to enjoy the distance from retail, that he was told this parcel would be residential, and that the shopping center is not needed.

A member of the public read a letter of support from **Rick Merritt**.

**Ronald Diamant** introduced himself and spoke in opposition to the proposal, stating it will bring in more traffic with the proximity of the SR-51.

**Helen Doyle** introduced herself and spoke in opposition to the proposal, stating that this intersection will end up busier than Tatum Boulevard.

**Neeraj Chandak** introduced himself and spoke in opposition to the proposal, stating that the shopping center will be just as bad as Desert Ridge Marketplace and highlighting the issue of homelessness.

**Irina Butler** introduced herself and spoke in support of the proposal, stating that Vestar did a good job of responding to the community's concerns.

**Linda Miles** introduced herself and spoke in support of the proposal.

**Sara Johnson** introduced herself and spoke in support of the proposal.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, stating that it is spot zoning and should be invalidated, and that the existing allowed use is single-family residential.

**Carolyn Dunn** introduced herself and spoke in opposition to the proposal, playing a video showing the traffic issues around the school.

A member of the public read a letter of support from **Harrison Cole**, stating the need for new commercial development to support the new housing.

A member of the public read a letter of support from **Caryn Marchuk**, stating the peak times are better with retail than with residential.

**Nathan** and **Ilene Friedland** introduced themselves and spoke in support of the proposal.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that parking and crime are issues, noting the issue of children crossing the street.

**Robert Miles** introduced himself and spoke in support of the proposal, stating the area is not currently walkable and that this proposal will take vehicles off the road.

**John Norris** introduced himself and spoke in support of the proposal, stating it will enhance the value of the area by providing an amenity.

**Jim Farley** introduced himself and spoke in support of the proposal, stating that Vestar responded to community concerns.

**Greg Collins** introduced himself and spoke in support of the proposal, stating this will provide options for kids and enhance walkability.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that people bought homes based on the Desert Ridge Specific Plan and highlighting the issues with drive throughs.

A member of the public read a letter of support from **Bill Knapp**.

**Christian Jacob** introduced himself and spoke in support of the proposal, stating that friendships are formed at spaces like this and that other similar centers provide a safe space.

**Peggy Neely** introduced herself as the former Councilperson for the area and spoke in support of the proposal, stating that Vestar is a good developer and that the project will benefit the area.

APPLICANT RESPONSE

**Ms. Marsh** showed a drone video highlighting the traffic conditions of the area and discussed the history of the Desert Ridge Specific Plan being amended in the past.

COMMITTEE DISCUSSION

**Committee Member Warren** stated a concern about having retail next to the school, adding that he would be supportive if it was in a different location.

**Vice Chair Lagrave** commented about other examples of shopping centers near schools and noted that he was previously opposed to this because of the size of the grocery store and the gas station, which have been addressed by the applicant, adding that he would be supportive with the condition that there is no car wash.

**Committee Member Younger** asked about the bid process and timing. **Ms. Marsh** provided clarification.

**MOTION**
**Vice Chair Lagrave** made a motion to recommend approval of GPA-DSTV-2-23-2. **Richard Carlucci** seconded the motion.

**VOTE**
**9-2;** motion to recommend approval of GPA-DSTV-2-23-2 passed; Committee Members Barto, Carlucci, Israel, Kollar, Nowell, Reynolds, Younger, Lagrave, and Bowser in favor; Committee Members Kirkilas and Warren opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## GPA-DSTV-2-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 3, 2023 |
| **Request From** | Residential 2 to 5 dwelling units per acre |
| **Request To** | Commercial |
| **Proposal** | Commercial uses |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Denial |
| **VPC Vote** | 9-1 |

**VPC DISCUSSION:**

*Item No. 5 (GPA-DSTV-2-23-2), Item No. 6 (GPA-DSTV-3-23-2), and Item No. 7 (Z-39-23-2) are companion cases and were heard together.*

*Twenty members of the public registered to speak on this item, 17 in opposition, three in support.*

*Thirty-three members of the public registered in opposition, not wishing to speak.*

*Three members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. He further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, provided a presentation, describing the need for an additional grocery store in the area and highlighting details of the proposed development, including limitations on uses and upgrades to the adjacent streets. Mr. Anderson further noted responses to concerns raised and reviewed data regarding support for the proposal in the community.

QUESTIONS FROM COMMITTEE

**Committee Member Bunnell** asked about the ownership of the property. **Mr. Anderson** replied that the property is owned by the Arizona State Land Department and provided clarification about the future auction process.

**Committee Member Nowell** asked if alcohol sales would be permitted at the grocery store. **Mr. Anderson** replied that it would be permitted.

**Chair Bowser** asked for clarification on uses allowed in proximity to the school. **Mr. Anderson** stated that alcohol is not permitted within 300 feet of the school and that the proposed specific plan text would not permit alcohol sales as a primary use, but it would be allowed as an accessory use.

**Committee Member Kirkilas** asked if the gas station would be permitted to sell alcohol. **Mr. Anderson** replied that a gas station with a convenience store would not be permitted on the site.

**Committee Member Younger** asked whether dispensaries would be allowed on the site. **Mr. Anderson** replied that they would be prohibited by the proposed text.

**Committee Member Kollar** asked about parking management plans for the site. **Mr. Anderson** replied that the developer has experience managing complex parking situations, including at Desert Ridge Marketplace.

**Committee Member Kirkilas** asked about the distance from the site to the Albertsons and if there is a standard distance expected between grocery stores. **Mr. Anderson** stated that the distance is about two miles and noted that the distance to the nearest grocery store from Albertsons is currently around five miles, which is an unusually large separation for the Phoenix area.

**Committee Member Nowell** asked about the median extension stipulation. **Mr. Anderson** provided clarification, noting that the curbing would be added where it is currently striped.

**Committee Member Israel** asked about street conditions on Mayo Boulevard before and after the proposed development. **Mr. Anderson** stated that Mayo Boulevard is currently a half-street and described the proposed street improvements.

**Committee Member Bunnell** stated that bike lanes should be provided in both directions.

PUBLIC COMMENTS

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area did their research and expected this parcel to be residential and

that the proposed commercial use will bring customers from the SR-51 freeway and create issues with lighting, safety, loitering, and property values.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that neighborhood retail is limited to three acres in the specific plan and it doesn't need to be changed because it already accomplishes the goals of the General Plan, further noting safety concerns with students walking to school and pedestrian and bike fatalities in relation to Vision Zero.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that commercial activity should take place in the core and reduce in intensity away from the core, further noting that there are other shopping options nearby and that people bought their homes expecting this parcel to be residential.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, highlighting the large footprint of the proposed grocery store and stating that the proposal will not be low impact and will cause traffic issues, in addition to air and light pollution.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that the statements made by the applicant, including alcohol sales prohibition and the inclusion of Trader Joes or Whole Foods, are misleading and that C-1 zoning would be neighborhood retail, rather than C-2.

**Mallorie Laforest** introduced herself and spoke in opposition to the proposal, highlighting issues related to light pollution, traffic, and parking.

**Todd Laforest** introduced himself and spoke in opposition to the proposal, stating there was no immediate need for the development and that it would cause traffic issues, further noting that the development will not necessarily be done by Vestar.

**Randal Spence** introduced himself and spoke in opposition to the proposal, stating that there are many grocery store options in the area and that people supporting the proposal only want small grocers.

**Jeanette Vespalee** introduced herself and spoke in opposition to the proposal, stating that the master plan does not call for commercial use and that the proposal will cause congestion, traffic, and crime issues.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that homeowners with exterior view fencing on neighboring developments expected the site to develop with residential, rather than commercial, and that crime, homeless, and human trafficking are important issues.

**Tom Carlson** introduced himself and spoke in opposition to the proposal, stating that it has transportation engineering issues and will draw traffic into the neighborhood.

**Nathan Goldberg** introduced himself and spoke in support to the proposal, stating that he is generally in favor of the proposal and the area needs more grocery stores, but he noted that he is concerned about the size of the grocery store and that the plan could be modified to include pick up and drop off areas for the school.

**Joe Hudock** introduced himself as a former chair of the committee and spoke in opposition to the proposal, stating that the purpose of the specific plan was to concentrate commercial activity in the core and that there will be opportunities to build with C-2 zoning to the north.

**Laurie Smith** introduced herself and spoke in opposition to the proposal, stating that the plan raises security concerns because residential development allows people to monitor the streets more than with commercial development.

**Jeff Smith** introduced himself and spoke in opposition to the proposal, highlighting that there is uncertainty in the final product because a different developer could come in later with a different proposal.

**Patty Farley** introduced herself and spoke in support to the proposal but noted that there should be no gas station and that a pedestrian bridge should be constructed over Deer Valley Drive.

**Jim Farley** introduced himself and spoke in support to the proposal, stating that the HAWK will be a great device for Mayo Boulevard and that there should be overhead walkways installed.

**Nathan Friedland** introduced himself and spoke in opposition to the proposal, stating that he moved to the location to get away from the lights of Reach 11 and this proposal would introduce more lighting to the area, further noting that there should be no gas station.

**Connie Ahlman** introduced herself and spoke in opposition to the proposal, stating agreement with many of the comments made and adding that Mayo Boulevard will continue to have a parking issue and that C-1 zoning would be neighborhood retail, rather than C-2.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating that people bought homes in this area to be away from commercial growth and allow kids to safely walk to school, knowing the proposed site would be residential.

APPLICANT RESPONSE

**Mr. Anderson** stated that Black Mountain Boulevard connections to the north will be in the distant future, the adjacent streets are major arterials designed to handle a large amount of traffic, lighting limits would be in place through stipulations, and this proposal

will not set a precedent for additional commercial in the area, further reviewing Desert Ridge Marketplace traffic issues.

COMMITTEE DISCUSSION

**Committee Member Warren** stated that the concerns raised by the community about commercial activity next to the school are valid and that he has traffic concerns. **Mr. Warren** further stated that it is not a good idea to put commercial activity next to a school and that he is not supportive of the proposal.

**Vice Chair Lagrave** asked for clarification about the Arizona State Land Department's role in the process. **Mr. Grande** stated that ASLD is the property owner and submitted an authorization to allow Vestar to apply to rezone the property.

**Vice Chair Lagrave** stated that he does not support gasoline sales, that car washes should be prohibited at this location, and that 96,000 square feet is not a neighborhood grocery store. He further stated that if the application is approved, stipulations should be added to limit the size of the grocery store to 64,000 square feet, require a 50-foot building setback on Black Mountain Boulevard and Deer Valley Drive, and prohibit gasoline sales and car washes.

**Committee Member Bunnell** provided clarification on the ASLD process for auction.

**Committee Member Younger** stated that he hopes the shopping center would be moved to a different location.

**MOTION**

**Committee Member Mark Warren** made a motion to recommend denial of GPA-DSTV-2-23-2. **Committee Member Rick Nowell** seconded the motion for denial.

**VOTE**

**9-1**, motion to recommend denial of GPA-DSTV-2-23-2 passed; Committee Members Barto, Bunnell, Israel, Kirkilas, Kollar, Nowell, Warren, Younger, and Lagrave in favor; Committee Member Bowser opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## GPA-DSTV-2-23-2
## INFORMATION ONLY

| | |
|---|---|
| **Date of VPC Meeting** | August 1, 2023 |
| **Request From** | Residential 2 to 5 dwelling units per acre |
| **Request To** | Commercial |
| **Proposal** | Commercial uses |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |

**VPC DISCUSSION:**

*Item No. 3 (GPA-DSTV-2-23-2), Item No. 4 (GPA-DSTV-3-23-2), and Item No. 5 (Z-39-23-2) are companion cases and were heard together.*

*Committee Member Michelle Santoro declared a conflict of interest, bringing quorum to 10 members.*

*Eight members of the public registered to speak on this item, seven in opposition, one with questions.*

*One member of the public registered in support, not wishing to speak.*

*One member of the public registered in opposition, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the process to amend the Desert Ridge Specific Plan and the amendment proposed by the applicant, further describing the proposed General Plan Land Use Map amendment and rezoning.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, described the proposed commercial development, noting that the anchor would be a grocery store, described the process for development of Arizona State Land Department property and the City of Phoenix zoning and development process. He further described the proposed text change to the Desert Ridge Specific Plan, in addition to the General Plan Amendment and rezoning cases.

QUESTIONS FROM COMMITTEE

**Committee Member Kirkilas** suggested adding a prohibition on smoke shops.

**Committee Member Powell** asked about the size of the grocery store. **Mr. Anderson** stated that the size was not defined yet.

**Committee Member Nowell** stated a concern about light pollution from the proposed gas station. **Mr. Anderson** stated that there was interest in a gas station in their outreach, but they could consider shifting it south.

**Committee Member Younger** asked if the applicant had spoken with the school leadership and whether electric vehicle charging would be provided. **Mr. Anderson** replied that they had recent discussions with the school leadership, but no specific agreements have been reached. He further stated that there would be EV charging on site.

**Committee Member Kollar** asked about safety issues related to foot traffic around the school. **Mr. Anderson** replied that it was the subject of discussions with the school, adding that a safe crossing is going to be needed for Mayo Boulevard. **Dawn Cartier**, a member of the development team with CivTech, stated that a HAWK crossing is under discussion for Mayo Boulevard.

**Committee Member Kollar** asked about a traffic study for the project, citing gridlock on surrounding streets. **Ms. Cartier** stated that the traffic study is in process, noting that there will be different peak times for the proposed use and the school.

**Chair Bowser** stated that there are a lot of illegal left turns on the surrounding streets.

**Committee Member Dickson** stated that the applicant presented to the Desert Ridge organization and that people in Desert Ridge want a grocery store and gas station.

**Committee Member Kollar** asked about the presentation slides showing geographic limits on certain uses. **Mr. Anderson** replied that the graphics related to liquor licensing.

**Committee Member Nowell** asked for clarification on the proposed prohibition on liquor sales. **Mr. Anderson** replied that it would only be prohibited as a primary use but that a business like the grocery story could sell liquor as an accessory use.

PUBLIC COMMENTS

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating that the community doesn't have interest in a gas station or any alcohol sales at this site.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that traffic is an issue around the school in the mornings and that safety of the kids is a concern.

**Robin Bowie** introduced herself and spoke in opposition to the proposal, citing issues related to traffic in the area, crime, and homelessness, suggesting the commercial use could be located elsewhere.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area don't want a gas station and that the volume of traffic is very high in the area.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that the neighborhood is clean and quiet because there is no commercial in the area and that kids going to the shopping center will be a problem.

**Taylor Moskovich** introduced herself and spoke in opposition to the proposal, stating that people bought in the area with the expectation there would be no commercial uses and that it is a family friendly area with no need for businesses.

**Amanda Jane** introduced herself and spoke in opposition to the proposal, noting that residents of Sky Crossing should be considered, even though they are not in Desert Ridge.

**Frank Soldano** introduced himself and asked for more information about the size of the grocery store, as that would make a difference on the impact, noting he would like to see a gas station at this location.

APPLICANT RESPONSE

**Mr. Anderson** stated that the applicant team will consider all of the comments made and that written comments can be submitted to City staff.

COMMITTEE DISCUSSION

**Vice Chair Lagrave** stated that the developer is going to need to work with the community to find solutions to many of the issues raised at the meeting.

**Committee Member Younger** stated that the public discussion brought up an important issue about lighting, in addition to other issues raised.

# ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
November 7, 2024

| | |
|---|---|
| ITEM NO: 12 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-2-23-2<br>(Companion Cases GPA-DSTV-3-23-2 and Z-39-23-2)<br>(Continued from January 4, 2024) |
| Request: | Map Amendment |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | Residential 2 to 5 dwelling units per acre |
| To: | Commercial |
| Acreage: | 20.52 |
| Proposal: | Minor General Plan Amendment for commercial use. |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Ashley Z Marsh, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.
**Desert View** 10/1/2024 Approval. Vote: 9-2.

Planning Commission Recommendation:
11/2/2023 Continued to the January 4, 2024 Planning Commission Hearing, without fee. Vote: 9-0.
1/4/2024 Continued to a date uncertain and remanded back to the Desert View Village Planning Committee for reconsideration. Vote: 7-0.
111/7/2024 Approval, per the Desert View Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve GPA-DSTV-2-23-2, per the Desert View Village Planning Committee recommendation.

Maker: Matthews
Second: Jaramillo
Vote: 8-1 (Busching)
Absent: None
Opposition Present: Yes

Findings:

1. The proposed General Plan Land Use Map designation of Commercial would allow retail and service uses that would contribute to a mix of land uses in the surrounding area, providing services to nearby residential neighborhoods.

2. The companion rezoning case, Z-39-23-2, proposes a commercial shopping center, which, as stipulated, enhances the surrounding area with features promoting pedestrian safety, facilitating alternative transportation, and providing pedestrianized amenity spaces for the community.

3. The subject site is appropriate for commercial uses with adequate street access to two arterial streets.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
January 4, 2024

| | |
|---|---|
| ITEM NO: 2 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-2-23-2 (Companion Cases GPA-DSTV-3-23-2 and Z-39-23-2) |
| Request: | Map Amendment |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | Residential 2 to 5 dwelling units per acre |
| To: | Commercial |
| Acreage: | 20.52 |
| Proposal: | Minor General Plan Amendment for commercial use. |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham, PLC |

**ACTIONS:**

Staff Recommendation: Continuance to a date uncertain.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.

Planning Commission Recommendation: Continued to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to continue GPA-DSTV-2-23-2, to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration.

Maker: Gorraiz
Second: Vice-Chairperson Busching
Vote: 7-0
Absent: Mangum
Opposition Present: Yes

Findings: The applicant requested a continuance to a date uncertain and to be remanded back to the Desert View Village Planning Committee.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
November 2, 2023

| | |
|---|---|
| ITEM NO: 7 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-2-23-2 (Companion Cases GPA-DSTV-3-23-2 & Z-39-23-2) |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | Residential 2 to 5 dwelling units per acre |
| To: | Commercial |
| Acreage: | 20.52 |
| Proposal: | Minor General Plan Amendment for Commercial use. |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Continuance.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.

Planning Commission Recommendation: Continued to the January 4, 2024 Planning Commission hearing, without fee.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to continue GPA-DSTV-2-23-2, to the January 4, 2024 Planning Commission hearing, without fee.

Maker: Perez
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings: The applicant requested a continuance to allow more to time to work with the State Land Department and the community.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz 602-602-291-2559, TTY use 7-1-1

## ATTACHMENT E

For additional correspondence, please see GPA-DSTV-2-23-2,

GPA-DSTV-3-23-2, and Z-39-23-2 on the following website:

https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** *77

## ***ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing and Ordinance Adoption - General Plan Amendment GPA-DSTV-3-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Ordinance G-7332) - District 2

Request to hold a public hearing on a General Plan Amendment for the following item and to consider the Planning Commission's recommendation and the related ordinance if approved. Request to amend the Desert Ridge Specific Plan. This is a companion case to GPA-DSTV-2-23-2 and Z-39-23-2 and should be heard following GPA-DSTV-2-23-2 and followed by Z-39-23-2.

### Summary

Application: GPA-DSTV-3-23-2
Proposal: Amendment to the Desert Ridge Specific Plan, Section 6.C.5, Superblock 12 to facilitate commercial development.

Owner: Arizona State Land Department
Applicant: Ryan Ash, Vestar
Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A.
VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.
VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial, by a vote of 7-2-1.
PC Action: The Planning Commission heard this item on January 4, 2024, and continued the item to a date uncertain and remanded the case back to the Village Planning Committee for reconsideration, by a vote of 7-0.
VPC Action: The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, per the staff recommendation (Addendum A), with modifications, by a vote of 10-1.
PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee recommendation, by a vote of 8-1.

## Location

Southwest corner of Black Mountain Boulevard and Deer Valley Drive
Council District: 2
Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

## Responsible Department

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

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** Mayor and City Council **Date:** December 3, 2024

**From:** Joshua Bednarek
Planning and Development Director

**Subject:** ITEM 77 ON THE DECEMBER 4, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - GENERAL PLAN AMENDMENT GPA-DSTV-3-23-2 - SOUTHWEST CORNER OF BLACK MOUNTAIN BOULEVARD AND DEER VALLEY DRIVE (ORDINANCE G-7332)

Item 77, is a public hearing for a General Plan Amendment request to amend the Desert Ridge Specific Plan and to consider the Planning Commission's recommendation and the related ordinance if approved.

The Desert View Village Planning Committee heard this item on October 1, 2024, and recommended approval, per the staff recommendation (Addendum A), with modifications, by a vote of 10-1.

The Planning Commission heard the case on November 7, 2024, and recommended approval, per the staff recommendation, by a vote of 8-1.

To address community concerns, the applicant has agreed to add language that requires a total combined gross leasable area for commercial uses (retail sales and restaurants) at build-out to be a minimum of 75,000 square feet.

Staff recommends approval of the revised language in **BOLD CAPITALS AND UNDERLINED.**

Revised Language:

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Pages 6-45 to 6-46 as follows:**

**SUPERBLOCK 12**

Superblock 12 is located west of a possible future connection to the Squaw PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

**Size:** ~~136~~ 133.41 acres
**Maximum Number of Dwelling Units:** 347
**Average Density:** 2.55 du/ac

**12.L – Development Parcel 12.L**

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**

- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

**Special Requirements (Modifying City Regulations):**

- No attached single-family units; no multifamily units.
- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

**Recommendations:**

- Clustering permitted subject to minimum lot size.

**12.C – DEVELOPMENT PARCEL 12.C**

**SIZE**: 20.52 ACRES
**USES PERMITTED**:

- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED **OR MODIFIED** BELOW.

**MAXIMUM NUMBER OF UNITS: 90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

**SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):**

- MAXIMUM GROSS LEASABLE AREA FOR ANY INDIVIDUAL RETAIL TENANT/USER (E.G. GROCER) SHALL NOT EXCEED 65,000 SQUARE FEET.
- AUTOMOBILE SERVICE STATIONS ARE PROHIBITED.
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- CAR WASHES ARE PROHIBITED.

- **TOTAL COMBINED GROSS LEASABLE AREA PROVIDED FOR COMMERCIAL USES (RETAIL SALES AND RESTAURANTS) AT BUILD-OUT SHALL BE A MINIMUM OF 75,000 SQUARE FEET.**

**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**

- High school

**Potential Zoning to be Applied:** R1-8

Approved: _____
Alan Stephenson, Deputy City Manager

# ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING CHAPTER 6 OF THE DESERT RIDGE SPECIFIC PLAN, ADOPTED JULY 18, 1990, REFLECTING AMENDMENTS TO SUPERBLOCK 12, AS SET FORTH IN APPLICATION GPA-DSTV-3-23-2, DESCRIBED HEREIN.

_____

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

SECTION 1. That Chapter 6, (Development Parcel Regulations), Section C.5 (Development Regulations by Superblock), Page 6-72 of the Desert Ridge Specific Plan, be amended as set forth by Application GPA-DSTV-3-23-2 and in Exhibit A, attached hereto and by this reference is made a part hereof.

SECTION 2. 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 December, 2024.

DRAFT

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Amendment Language (2 Pages)

DRAFT

**EXHIBIT A**

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Page 6-72 as follows:**

***

**SUPERBLOCK 12**

Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

**Size:** ~~136~~ 133.41 acres
**Maximum Number of Dwelling Units:** 347
**Average Density:** 2.55 du/ac

**12.L – Development Parcel 12.L**

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**
- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

**Special Requirements (Modifying City Regulations):**

- No attached single-family units; no multifamily units.
- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

**Recommendations:**

- Clustering permitted subject to minimum lot size.

**12.C – DEVELOPMENT PARCEL 12.C**

**SIZE**: 20.52 ACRES
**USES PERMITTED**:

DRAFT

- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED BELOW.

**MAXIMUM NUMBER OF UNITS**: **90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

**SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):**

- MAXIMUM GROSS LEASABLE AREA FOR ANY INDIVIDUAL RETAIL TENANT/USER (E.G. GROCER) SHALL NOT EXCEED 65,000 SQUARE FEET.
- AUTOMOBILE SERVICE STATIONS ARE PROHIBITED.
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- CAR WASHES ARE PROHIBITED.

**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**
- High school

**Potential Zoning to be Applied:** R1-8

***

DRAFT

**ATTACHMENT B**

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

# GENERAL PLAN AMENDMENT
# STAFF ANALYSIS
September 26, 2023

| | |
|---|---|
| Application: | GPA-DSTV-3-23-2 |
| Owner: | Arizona State Land Department |
| Applicant: | Ryan Ash, Vestar |
| Representative: | Stephen Anderson, Gammage & Burnham |
| Proposal: | Amendment to the Desert Ridge Specific Plan Section 6.C.5.12.L-Superblock 12 to facilitate commercial development |
| Desert View Village Planning Committee Meeting Date: | October 3, 2023 |
| Staff Recommendation: | Approval, as shown in the recommended text in Exhibit A |

**FINDINGS:**

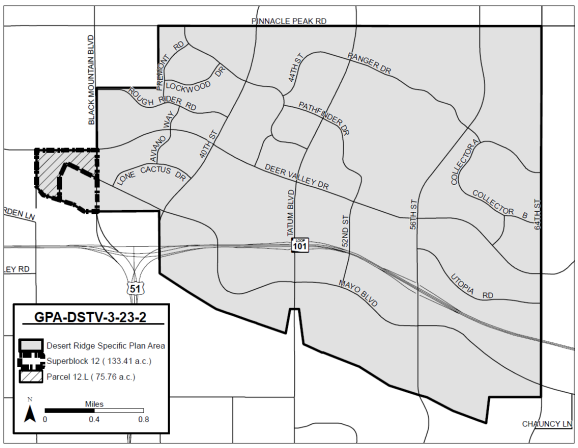
1) The proposed amendment to the Desert Ridge Specific Plan will contribute to a mix of land uses in the surrounding area, providing services closer to residential neighborhoods.

2) The companion rezoning case, Z-39-23-2, proposes a commercial shopping center, which, as stipulated, enhances the surrounding area with features promoting pedestrian safety, facilitating alternative transportation, and providing pedestrianized amenity spaces for the community.

3) The subject site is appropriate for commercial uses with adequate street access to two arterial streets.

## BACKGROUND

Desert Ridge is an approximately 5,700-acre master planned community located in northeast Phoenix generally bounded by the Central Arizona Canal, Pinnacle Peak Road, 32nd Street, and 64th Street. At its inception, the planning area consisted entirely of undeveloped land held in trust by the Arizona State Land Department. The Desert Ridge Specific Plan was approved by the Phoenix City Council in July 1990 and is the governing land use document for Desert Ridge. Desert Ridge is divided into Superblocks, each with their own individual land uses and regulations.



*Desert Ridge Location Map, Source: Planning and Development Department*

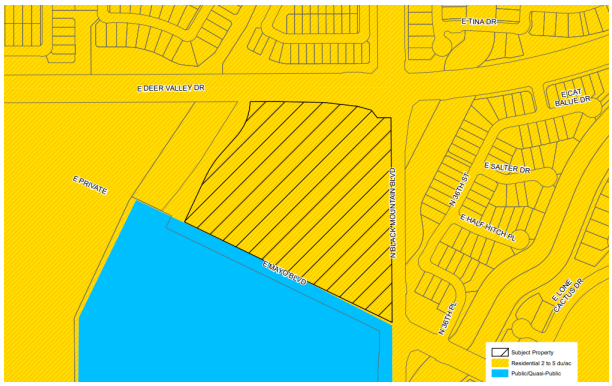
This amendment pertains to Superblock 12, Parcel 12.L, located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive. The parcel is owned by the Arizona State Land Department and is vacant, undeveloped land. The proposed development is on a portion of Parcel 12.L, as shown on the aerial location map. The site is adjacent to single-family residential uses to the north and east, vacant land to the west, and Pinnacle High School to the south.



*Aerial Location Map, Source: Planning and Development Department*

### *Surrounding Land Uses*

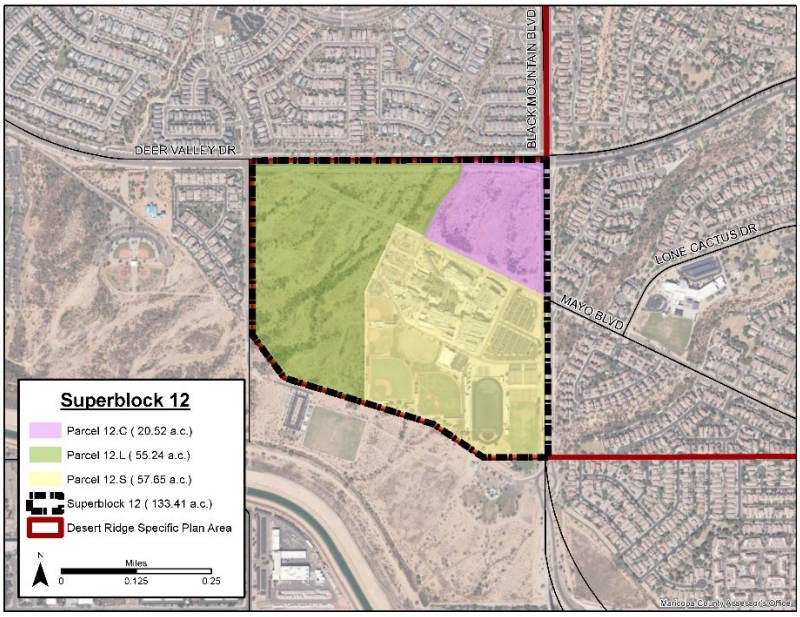
| | Land Use |
|---|---|
| North (across Deer Valley Drive) | Single-family residential |
| South (across Mayo Boulevard) | Pinnacle High School |
| East (across Black Mountain Boulevard) | Single-family residential |
| West (across 34th Street) | Vacant |




*General Plan Land Use Map, Source: Planning and Development Department*

The subject site is currently designated as Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map. This is consistent with the current designation of Parcel 12.L as a single-family residential parcel with density up to five dwelling units per acre. Companion Case GPA-DSTV-2-23-2 proposes to amend the General Plan Land Use Map designation to Commercial, consistent with this proposal to amend the Desert Ridge Specific Plan to allow commercial use on the subject site. Companion case Z-39-23-2 is a rezoning request from S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) to C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan).

The proposal is to replace a portion of Parcel 12.L with a new Parcel 12.C within Superblock 12. Parcel 12.C would be designated as a commercial parcel, allowing uses consistent with the C-2 zoning district and allowing C-2 as a potential zoning to be applied to the site. Residential use would also be retained as an option with a maximum of 90 dwelling units to match the existing allowance.




*Proposed Superblock 12 Parcel Map, Source: Planning and Development Department*

The proposal, as shown in the draft language attached as Exhibit A, would create a new Parcel 12.C, adjust acreages in all parcels within Superblock 12, define allowed uses in Parcel 12.C to include C-2 zoning district uses and multifamily residential, define a maximum number of residential units, list C-2 as a potential zoning district to be applied, and define uses that are prohibited in Parcel 12.C. One of the prohibited uses is an automobile service station, unless accessory to a grocery store, which will limit the potentially undesirable use at this location and promote compatibility with the surrounding area.

## RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

### *CONNECT PEOPLE AND PLACES*

- ***CORES, CENTERS, & CORRIDORS; DESIGN PRINCIPLE: Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.***

  The proposal, as stipulated in the companion rezoning case, Z-39-23-2, will provide a commercial center with a pedestrian plaza, shaded walkways, enhanced features for pedestrian safety, bicycle parking, and a safe crossing to the adjacent school.

### *CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS*

- **DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.**

  The proposal will contribute to a mix of land uses by providing retail and services closer to surrounding residential neighborhoods.

- **CONNECTED NEIGHBORHOODS; LAND USE PRINCIPLE: Locate neighborhood retail to be easily accessible to neighborhoods.**

  The proposal will enhance accessibility to retail uses by locating retail closer to neighborhoods and as stipulated in companion rezoning case Z-39-23-2, providing pedestrian and bicycle amenities that promote non-vehicular transportation.

***BUILD THE SUSTAINABLE DESERT CITY***

- ***TREES AND SHADE: DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

  The proposed development, as stipulated in companion rezoning case Z-39-23-2, provides shaded detached sidewalks on all bounding streets and enhanced shade to pedestrian areas and surface parking areas on site, which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

## COMMUNITY INPUT SUMMARY

At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

## CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-DSTV-3-23-2, as shown in the recommended text in Exhibit A. The proposed amendment to the Desert Ridge Specific Plan provides additional retail and commercial service options for the surrounding area at an appropriate location.

**Writer**
Anthony Grande
September 26, 2023

**Team Leader**
Racelle Escolar

**Exhibits**
A: Proposed Amendment Language (2 pages)
Desert Ridge Specific Plan Map
Community Correspondence (600 Pages)

**EXHIBIT A**
**GPA-DSTV-3-23-2**
Amendment to the Desert Ridge Specific Plan Section 6.C.5.12.L-Superblock 12 to facilitate commercial development at the southwest corner of Black Mountain Boulevard and Deer Valley Drive

Staff proposed language that may be modified during the public hearing process is as follows:

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Pages 6-45 to 6-46 as follows:**

**SUPERBLOCK 12**

Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

Size: ~~136~~ 133.41 acres
Maximum Number of Dwelling Units: 347
Average Density: 2.55 du/ac

**12.L – Development Parcel 12.L**

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**
- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

Special Requirements (Modifying City Regulations):

- No attached single-family units; no multifamily units.
- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

Recommendations:

- Clustering permitted subject to minimum lot size.

**12.C – DEVELOPMENT PARCEL 12.C**

**SIZE**: 20.52 ACRES
**USES PERMITTED**:

- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED BELOW.

**MAXIMUM NUMBER OF UNITS**: **90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):

- **LARGE SCALE COMMERCIAL RETAIL IS PROHIBITED.**
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- **TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.**
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- **AUTOMOBILE SERVICE STATIONS ARE PROHIBITED, UNLESS ACCESSORY TO A GROCERY STORE.**

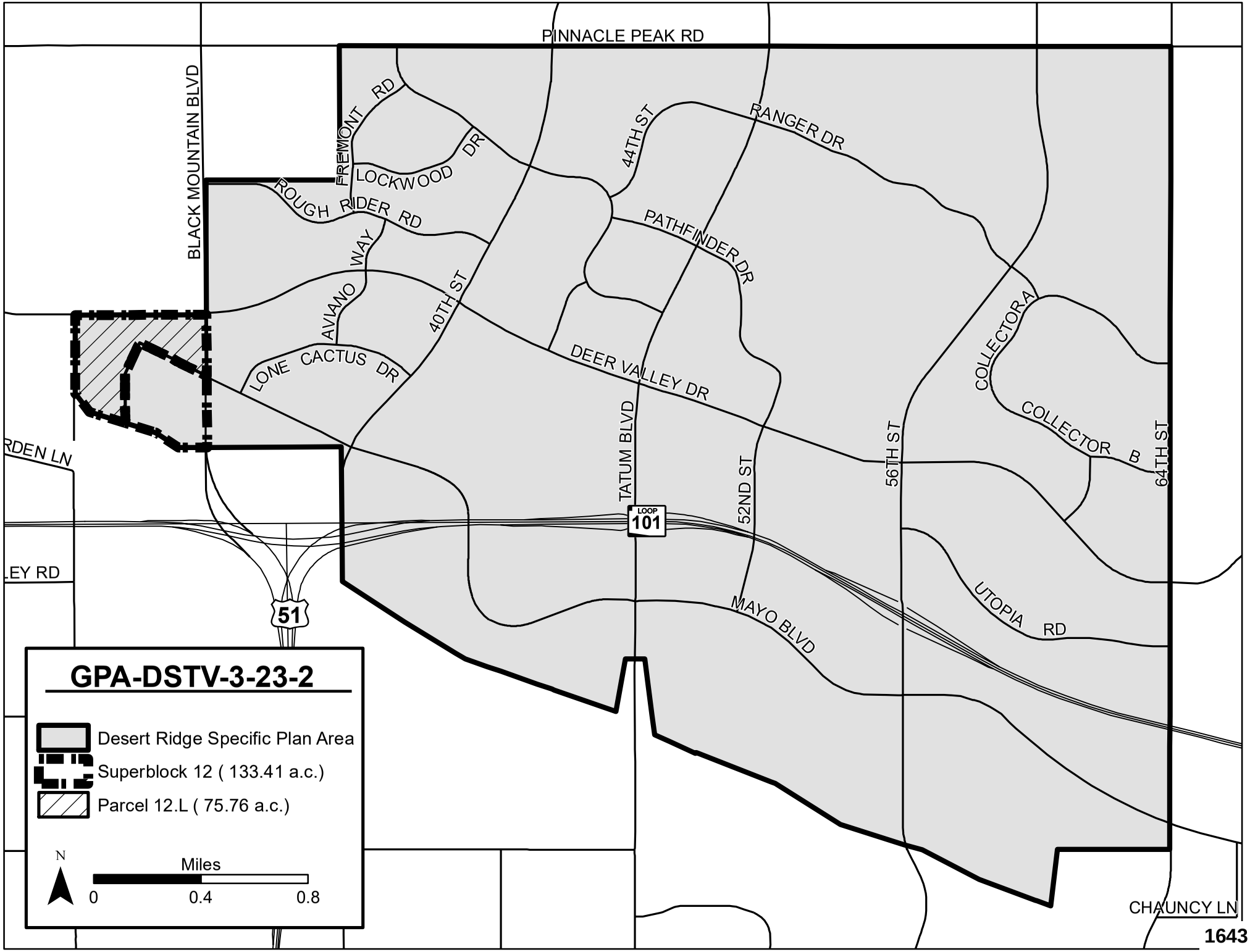
**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**

- High school

**Potential Zoning to be Applied:** R1-8

***


PINNACLE PEAK RD
BLACK MOUNTAIN BLVD
FREMONT RD
LOCKWOOD DR
ROUGH RIDER RD
AVIANO WAY
LONE CACTUS DR
40TH ST
44TH ST
RANGER DR
PATHFINDER DR
DEER VALLEY DR
COLLECTOR A
COLLECTOR B
64TH ST
56TH ST
52ND ST
TATUM BLVD
LOOP 101
51
MAYO BLVD
UTOPIA RD
CHAUNCY LN
RDEN LN
LEY RD
GPA-DSTV-3-23-2
Desert Ridge Specific Plan Area
Superblock 12 ( 133.41 a.c.)
Parcel 12.L ( 75.76 a.c.)
N
Miles
0
0.4
0.8
1643
S:\Information Systems\GIS\Projects\Desert_Ridge_Superblock_12\Desert_Ridge_Superblock_12.mxd

**From:** Scott Clark
**To:** Anthony M Grande
**Subject:** Case GPA-DSTV-2-23-2/DSTV-3-23-2, Z-39-23
**Date:** Saturday, July 29, 2023 11:20:21 AM

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Dear Mr Grande,
I am a resident of Aviano neighborhood and live 1 block from Deer Valley Drive and Black Mountain Blvd. I wanted to send an email that my family is opposed to rezoning the land use from residential to commercial, GPA-DSTV-2-23-2.

The reason that I am opposed is that the proposed site is next to Pinnacle High School and during the times of before and after school the area becomes very crowded with families driving their kids to school, children walking and biking to school.

Having a commercial shopping center next to the school is going to create an unsafe environment for the children walking and biking to school. There is a significant amount of vehicle congestion from drop off/pickup that makes that area very congested. Adding a commercial shopping area will make the area even more congested and unsafe. I have 4 children that may go to Pinnacle High School and think the current zoning as residential is appropriate for the area next to a high school.

Thanks

Scott Clark
Resident of 3610 E Donald Dr
602-363-7729 (Cell)

**From:** Nathan Friedland
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Superblock 12
**Date:** Wednesday, August 2, 2023 10:52:40 AM

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Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard. As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected and I appreciate our community's need for additional businesses like a grocery store and restaurants. However, I would like to bring to your attention some concerns that I have and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly bringing to our community more noise with drivers revving their engines and peeling out of the new center. This will be especially realized should a gas station be approved and built. A gas station, if approved on this parcel, must be restricted in their hours of operation with it being closed over night. In all candidness. a gas station is not really needed as there are a number of stations near by on Cave Creek and on Tatum - all within 2 to 3 miles from this area.

2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the night time that will disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

*Nathan Friedland*
North 34th Way - Sky Crossing
Phoenix, Az 85050

**From:** Rachel McLean
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Wednesday, August 2, 2023 3:18:23 PM

---

Hello Mr. Grande,

I am writing to you in regards to the Black Mountain Village Project (GPA-DSTV-2-23-2). I understand that you are the City Planner for this project and would like to share my opinion. I live in the Sky Crossing neighborhood directly across Deer Valley Rd from the proposed project. While I am in favor of commercial development on this parcel, I must urge you to only allow for businesses that will not degrade our neighborhood. For example, most neighbors are opposed to a gas station. This is an unnecessary addition as there are multiple gas stations on both Tatum and Cave Creek Rd. A gas station would bring unwanted loitering and excessive noise and traffic to this residential neighborhood.

Another issue I have is with a large grocery store (ie Frys, Albertsons, etc). Again, this being an entirely residential neighborhood it would detract from our community to have a large grocery store. I do however support a smaller grocery store with less traffic such as a Sprouts or Trader Joe's.

Both the grocery store and a gas station would create a large amount of light pollution. I would like to see building plans that involves less lighting, more landscaping and a more cohesive ambiance with the desert and the natural surroundings.

This leads me to my last point that our homes in Sky Crossing are typically selling around $1M. To me, this would indicate a higher scale neighborhood. I would appreciate if the commercial businesses fit in with the demographic of the area, similar to business parks in Scottsdale. A gas station and large grocery store would be unwelcome and an eye sore whereas a smaller neighborhood grocery store and smaller, tasteful restaurants and shops would be a welcome addition.

Please consider these points and I look forward to attending the next meeting to hear the latest development.

Rachel McLean
Sky Crossing Resident

*Laurie D. Smith*
*3749 E Covey Ln*
*Phoenix, AZ 85050*
*602-826-3181*

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23

August 2, 2023

To whom it may concern:

Thank you for notifying me of Vestar's application. I did attend the Desert View Planning Committee Meeting last night and after hearing Vestar's presentation and comments/questions from committee members and residents, I wish to express my strong opposition to this rezoning request.

A change to the City's General Plan, and particularly a change from residential to commercial, is a major change in general and to our Desert Ridge master planned community in particular. I was struck by the very close proximity to Pinnacle High School and surrounding residential communities.

The following concerns were expressed by residents during Public Comments and are shared by me:

- Traffic in that area continues to be a major challenge, especially during drop off and pick up times at the high school. It is frankly unsafe, yet the city and the school have been unable to find solutions. A shopping center of any size will, of course, generate additional traffic.
- On Vestar's conceptual site plan three driveways are shown on Mayo Blvd, which directly adjoins the school. Pedestrian and motor traffic safety on that shared street will be real concerns. Oddly, there are fewer points of ingress/egress shown on the major roads of Black Mountain Blvd and Deer Valley.
- Drive-through fast food restaurants/coffee shops present additional concerns for lines and traffic like those seen at Starbucks on Tatum Blvd.
- Residential homes will be impacted by light and noise pollution homeowners could not have anticipated when they purchased their homes under the current General Plan.

Some homeowners paid a premium for view fences that would look right over the natural open area into the shopping center. Their quality of life and their property values will be negatively impacted.

- A gas station generated the strongest opposition, adding gas fumes to the negative impacts.
- Tanker tracks and semi-trucks making deliveries to a grocery store, restaurants and gas station will generate noise in the nighttime and early morning.
- The Arizona Republic reported, "The application also claims the development would provide options for Pinnacle High School students before and after school, and during lunch, which could reduce their car trips." I would disagree that student hangouts close to a high school would be of benefit to anyone.

I appreciated the thoughtful questions and comments from Planning Committee members last night as well as this opportunity to express my opposition. I will plan to attend the next Village Planning Committee Meeting.

Sincerely,

Laurie D. Smith

Laurie D. Smith

**From:** Richard Starr
**To:** Anthony M Grande; PDD Desert View VPC
**Subject:** planned commercial/retail center at SWC Black Mtn Pkwy & Deer Valley
**Date:** Wednesday, August 2, 2023 3:50:16 PM

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Hello Anthony and Desert View VPC,

I am a nearby resident (Fireside) of this proposed project. My main concern here is Pinnacle HS parking. The high schoolers often park in the adjacent residential neighborhoods as Pinnacle's lot are simply not large enough for its growing population. The AZ State Land Department, Paradise Valley School District and any potential bidder/buyer of this ASLD property should work together (now) to facilitate the purchase of additional 3-5 acres for more Pinnacle High School parking north of Mayo Blvd. The school parking could be on west side of future retail center. Otherwise, students and visitors for sporting events will simply park in the new commercial center, upsetting retail tenants and customers alike.

Thank you.

Richard "R.T." Starr
(623) 521-5668
rtstarraz@hotmail.com

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Construction possibilities Deer Valley and Black Mountain
**Date:** Wednesday, August 2, 2023 7:24:45 PM

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As Sky Crossing homeowners, we wanted to express our objection to the potential of large commercial development at this corner. When school is in session the traffic is awful. It's going to be exceptionally worse if there is a commercial structure at that corner. Moreover, I have no idea how the owner will police the students parking there. It's going to bring more traffic, crime, congestion and so on. This is not the kind of thing we want to see in our area. It's very likely to negatively impact home values as well.

Thanks so much for noting our objection.

Tracy and Ronee Steiner

**From:** Sabrina Sundquist
**To:** Anthony M Grande
**Date:** Wednesday, August 2, 2023 11:45:07 AM

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Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard.

As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected, and I appreciate our community's need for additional businesses like a grocery store and restaurants.

However, I would like to bring to your attention some concerns that I have, and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly. Please do not allow a gas station on this corner, it is not a major arterial intersection. There are plenty of gas stations in both directions of this corner and those are both busier streets and can accommodate the need.
2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the nighttime, this will greatly disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns, and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

Sabrina Sundquist

3506 E. Daley Lane

**From:** nav bajwa
**To:** Anthony M Grande
**Subject:** REZONING OF THE LAND AT BLACK MOUNTAIN AND DEER VALLEY
**Date:** Friday, August 4, 2023 7:38:56 AM

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To Mr. Grande,

My name is Nav Bajwa. I am a resident of Aviano. As a concerned citizen, I am writing this email to urge and appeal that you reconsider keeping the area zoned for residental purposes only. The infrastructure in that area is not built to handle a shopping complex, with all the increased traffic from the Pinnacle high school as well.

Thanks,
Nav.

**From:** Julie Gibson
**To:** Anthony M Grande
**Subject:** Oppose the development Black Man Deer Valley
**Date:** Friday, August 4, 2023 7:55:25 AM

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Hi Anthony,

First I want to thank you for what you do. I worked ever so briefly in planning in Portland, OR. I know it's a tough and under appreciated role in development. So I do not like sending an email with a negative tone, but on this one I must.

Regarding the development at Black Mountain Blvd and Deer Valley I have 2 major concerns:

1. The additional traffic to an already clogged area - especially with high schoolers in the area. It increases frustration and potential for life treating accidents. (Teen brains in the mornings aren't really the the sharpest in the intersection).

2. How can we guarantee that this doesn't end up a strip mall of vape stores and liquor stores? Again the last thing that should be placed near a high school. Our kids have so much on their plate already in terms of the availability of addictive substances. Why make this any harder for them?

I do hope the City will take in consideration the development's proximity to a high school and the challenges it poses with the teens that will no doubt surround the area before and after school.

I will do my best to be at the next meeting in October.

Warm regards,
Julie

Julie Gibson
julsgc@me.com
480-352-8612

**From:** Gordon Smith
**To:** Anthony M Grande
**Subject:** Development at the corner of Deer Valley and Black Mountain Blvd
**Date:** Friday, August 4, 2023 2:17:59 PM

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I live close by and strenuously object to developing this land for commercial use. This would place a commercial lot right in the middle of neighborhoods and a school. I happen to live in the closest adjoining neighborhood (Fireside - Copper View) and my property values will be negatively impacted by this decision. My quality of life will be negatively impacted by this decision.

From a practical perspective, this is a dangerous place to build a development of that nature. We already suffer from high school kids parking and clogging our streets in the adjoining neighborhood. At best, this would shift that burden to this new development. Having entitled parents with their bad parking/waiting habits combined with parking lots full of high school teens disobeying parking regulations and the increased pedestrian traffic there is a recipe for disaster. I sure hope they have amazing insurance - they'll need it.

This will create light and noise pollution, add more traffic to an already congested area and degrade my property values. If anything, this state land should be used for an expansion of the school itself to allow for more high school parking and activities of the existing population attending that school.

We have gas stations nearby already. We have grocery stores nearby already. We have fast food nearby already. We do not need this development.

Sincerely,

Gordon Smith
3608 E Salter Dr
Phoenix AZ 85050

**From:** Christian Klein
**To:** Anthony M Grande
**Subject:** Case: GPA-DSTV-2-23-2
**Date:** Friday, August 4, 2023 12:42:04 PM

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Dear Anthony Grande,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime which when coupled with declining property values would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Christian Klein

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Additional information on potential project at Deer Valley and Black Mountain
**Date:** Friday, August 4, 2023 7:33:48 AM

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I urge you or someone from your office to come by between 7 am and 7:30 and see what the traffic is like. It's unbearable. I literally have to change my work schedule by leaving either before 7 or after 7:30. Any commercial addition to that corner is going to make things exponentially worse, create more accidents or worse. Kids are walking across the street and not at the intersection because there is gridlock and they think that they can just do that.

The Steiners

Jeffrey Smith
3749 E Covey Ln
Phoenix, AZ 85050
August 7, 2023

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case Number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23

Dear City of Phoenix Planning and Development Department:

I recently became aware, through your notification, of Vestar's application to have the above referenced parcel rezoned from residential to commercial. After attending the Desert View Planning Committee meeting on August 1st and listening to Vestar's presentation I wish to register my strong opposition to this rezoning change.

The property in question sits directly north of Pinnacle High School and butts up against two short stretches of major roads that lead in and out of the adjacent neighborhoods. These two roads are (and have been for 10+ years) choked with traffic to the point of gridlock twice a day with the start and end of the school session. Adding a commercial development with multiple businesses and around 500 parking spaces would simply add to the congestion already present. The current traffic situation has led to numerous accidents and unsafe practices and is unacceptable. To add to it would be irrational.

Additionally, Vestar made the claim that the businesses brought in would offer the high school students options before, during, and after school. I submit that such options to allow students to "hang out" are not beneficial to our community.

Lastly, to change from residential to commercial after the fact is also unacceptable. As homeowners, we bought in a master planned community because of the master plan and its planned land use. Changing the land use from the master plan violates the conditions under which we made our decisions and has the potential to materially impact our home values in a negative way.

For these reasons and others that were expressed at the Planning Committee meeting, I urge the Department to oppose these requests for rezoning.

Sincerely,



Jeffrey Smith

**From:** Layla
**To:** Anthony M Grande
**Subject:** Case#GPA-DSTV-2-23-2/ Desert Ridge Community
**Date:** Tuesday, August 8, 2023 10:25:52 AM

---

Mr. Grande,

My husband and I, and our children, have lived in the Desert Ridge Community since 2010. What attracted us to this area was the quiet, beauty of the desert, and the many, many young families that live here. Our children attend all the neighborhood schools including Pinnacle High School.

We feel strongly that changing this residential land site to commercial would be detrimental to our community. The increased traffic would be catastrophic to the neighborhood environment. It is already difficult to get my children to school, this would increase substantially. We have studied the developers plans for this land and we are deeply troubled. Our neighborhood will be forever changed with drive-thrus and a gas station. Huge semi trucks will now be delivering gas and food to our quiet community. We cannot allow this to happen! We do not need another gas station or grocery store here. We can drive less than a mile to obtain that. Why destroy a neighborhood/community all for money.

We are pleading with you to put a stop to this! If you have any further questions, please let us know.

Thank you,

Darrin and Layla Saikley
602-329-4432

**From:** Wendy
**To:** Anthony M Grande
**Subject:** Rezoning for Commercial of Corner Black Mountain & Deer valley
**Date:** Tuesday, August 8, 2023 10:00:00 AM

---

Hi Mr. Grande,

This email is too put in our objection for the rezoning to make commercial the corner of Black Mountain Blvd and Deer Valley.

The traffic in that area is already very busy with the school and subdivisions. As is there is usually backups. This is a residential neighborhood with lots of families and kids. We do not need to bring additional traffic or buildings that don't belong in the middle of a residential area. There is enough stuff very close by. We did not buy in the area to have that type of stuff right in the middle of our neighborhoods.

I highly object to this and would not approve it!

Thank you,
Wendy

**From:** Helen"s Cox Email
**To:** Anthony M Grande
**Subject:** Application No. GPA-DSTV-2-23-2
**Date:** Thursday, August 10, 2023 10:42:07 AM

---

Hello Mr. Grande,

We are homeowners of (2) homes in Desert Ridge and we STRONGLY OPPOSE the proposed commercial tract along Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

Please make a note of our position.

Thank you,
Helana and Timothy Doyle

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:20:48 AM

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**Name**

Peter Feldman

**Email**

peterjfeldman@gmail.com

**Address / Neighborhood (Optional)**

Fireside at Desert Ridge

**Support Comments**

This development is a terrible idea. Traffic in right lane of Deer Valley is already backed up for a half mile at drop off and pick up at high school. Black Mtn is impassible with the kids crossing the street and cars parked along the sides of the roads. Some kid is going to get hit by a shopper leaving that center and everyone associated with the development is getting sued.

This is literally the worst possible use for the property.

**From:** Sue
**To:** Anthony M Grande
**Subject:** Zone change of the Southwest Corner of Deer Valley Drive and Black Mountain Boulevard
**Date:** Thursday, August 10, 2023 11:23:32 AM

---

Dear Mr. Grande,

I am against the zone change from residential to commercial.
There are many, many reasons why I am opposed to this zone change (lights, noise, traffic , etc.).
I live in the Sky Crossing community.
I attended the August 1st meeting, but nothing favorable was convincing.

Sincerely,
Suzanne Corlett Sayegh
21827 North 33rd Street
Phoenix, Arizona 85050

Sent from my iPhone

**From:** Rusty Ludwig
**To:** Anthony M Grande
**Subject:** Proposed Development on Black Mountain and Deer Valley
**Date:** Saturday, August 12, 2023 12:30:18 PM

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Hi Anthony,
We have lived in Aviano for the past 17 years, when we purchased our home, in the general plan this was zoned residential. We have no problem driving to the commercial areas already developed for that type of businesses. From the sounds of the development it's catered to capture the local high school, the area is already congested in that area. Please forward this response to the City Staff responsible for the decision to change the zoning, please leave it residential.
Thank You,
Rusty Ludwig
--
Rusty Ludwig
RJL Excavating, Inc.
602-920-8003
rjlexc@gmail.com

**From:** cmotjen
**To:** Anthony M Grande
**Subject:** Deer Valley & Black Mountian
**Date:** Sunday, August 13, 2023 9:51:17 AM

---

Hi Anthony,

If possible, I hope you can restructure the thought of making Deer Valley and Black Mountain a commercial property. Our kids have to walk by this intersection everyday on their way to school. We moved into a neighborhood to have a neighborhood, not a city.
If commercial is the only option, please look at other corporations. The locations built by Vestar are tacky and unappealing, sprawling at best. We need something sophisticated and classy. We/You are beyond fortunate Sky Crossing Elementary, Fireside Elementary and Pinnacle High School are some of the BEST schools in the PV school district.
Please don't let us down in making a rash decision,
Christina Otjen

Sent from my iPhone

**From:** Helen's Cox
**To:** Anthony M Grande
**Subject:** Application # GPA-DSTV-2-23-2
**Date:** Monday, August 14, 2023 11:05:23 AM

---

Hello Anthony,

I understand that the city would like a more detailed explanation as to why we are strongly against rezoning this tract for commercial building.

My husband and I have lived in Desert Ridge since 2004. Phoenix does not have many areas where the beauty and quiet of the desert is so prominent. However, the Desert Ridge community is one of the beautiful, quiet and family friendly neighborhoods in Phoenix. In fact when we outgrew our home and decided to buy another one we chose to remain in Phoenix in the Desert Ridge area because we love it so much.

All of our children have and do attend the neighborhood schools. The Desert Ridge area has always been a safe and quiet neighborhood. Building a commercial plot right next to Pinnacle High School would be outrageous. It would cause a dangerous amount of traffic, crime and be very disturbing to the school and surrounding neighborhoods. Desert Ridge Marketplace is less than 1 mile away.

We understand there is a proposed gas station in the plans. This is extremely short sighted. There is a gas station less than a mile away. The future is electric. In the next few years gas cars will become obsolete. Gas stations are so toxic, it is incredibly hard to convert the land when it will no longer be needed. This begs the question, is the development being funded by a gas company?

It appears that the city is being motivated by money and not seeing how this will impact a beautiful neighborhood.

Currently, the neighborhoods in Desert Ridge are very much like you'd see in the city of Scottsdale. The Desert Ridge area is highly sought after in the City of Phoenix and gives the City of Scottsdale a "run for its money". This proposed tract is obviously money motivated with no regards as to the impact it will have on Pinnacle High School and the surrounding neighborhoods and ultimately the City of Phoenix.

The City of Phoenix is already filled with unsightly commercial plots next to neighborhoods and schools which downgrades those areas immensely.

Keep the Desert Ridge neighborhood as one of the few in the City of Phoenix that is peaceful, beautiful and safe.

Be the future and preserve this neighborhood for generations to come. Please Do Not build commercial on this land. Be better and do what's right for the city.

Thank you,
Timothy and Helana Doyle
602-432-9504

**From:** Ginger Kurtz
**To:** Anthony M Grande
**Subject:** new development in desert ridge phx az
**Date:** Wednesday, August 16, 2023 12:09:48 PM

---

I am a resident of Desert Ridge. We have been in Desert Ridge since the beginning March 1995. We have seen the growth . We feel blessed everything is within walking or a short drive . We have gas stations, grocery storel and plenty of restaurants and some fast food. If you dont like Desert Ridge for shopping you have a short drive to Bell Road off Tatum for morel choices or go to cave creek off of Deer Valley. We dont need to bring more traffic and more traffic and chaos to this neighborhood. We oppose the new development off Deer Valley BLack mountain.

Thank you Ginger Kurtz, Kristina Koontz

**From:** V H
**To:** Anthony M Grande
**Subject:** Parcel at Black Mtn and Deer Valley
**Date:** Thursday, August 17, 2023 2:47:26 PM

---

Hi Mr. Grande,

I want to express my opposition to the proposed rezoning of the parcel on the Southwest corner of Black Mountain and Deer Valley. It is being proposed that the land be rezoned from residential to commercial. This is a terrible idea for many reasons. I am a full time resident in Sky Crossing and below are just a few potential issues that will be created by commercial zoning.

Violence, as experienced at Desert Ridge shopping area
Increased noise
Predators/sex trafficking
Light pollution
Increased burnouts - burnouts are currently in every intersection in the area
Increased traffic in an already crowded area
Safety - speeding is rampant in the area and there was a death on Deer Valley last year
High school pedestrian safety
High school drop off and pick up is already severely congested
Increased wear and tear on roads from commercial vehicles
Increased commercial vehicles - brakes, horns, noise

There is zero need for a gas station, grocery store, or any other commercial property on this land. Those services are already conveniently located 2-3 miles in either direction.

Please don't make a decision to rezone the parcel. The future cannot be undone when issues arise. It's not always about money. Sometimes - in this case for instance - it's about keeping a neighborhood a neighborhood with residential properties as initially zoned. Home owners in Sky Crossing were sold on the idea of residential and not commercial across the street. No commercial zoning nearby was a huge selling point for property owners. Don't go back on this commitment.

Please don't rezone the parcel at Black Mountain and Deer Valley north of Pinnacle High School. Be proactive and put residents first.

Thank you for your time.

Vicki

**From:** Wendy Piermarini
**To:** Anthony M Grande
**Subject:** Do Not Change Residential Lot into Commercial
**Date:** Friday, August 18, 2023 9:05:36 AM

---

Anthony,
We built in Desert Ridge back in 1997 and studied the Master Plan. It **DID NOT** include commercial inside the Desert Ridge Community. It is the worst idea to change the residential property into commercial. It will only bring crime, homelessness and more congestion to an already very congested area. Trying to navigate around Pinnacle High School is already ridiculous and any changes to the navigating that problem has not helped. . This was never the plan and it should not be a new plan in order to profit a few. Keep our area beautiful!!!!

**From:** wroodenburg@cox.net
**To:** Anthony M Grande; David Urbinato
**Cc:** Laura Farrell; Council District 2 PCC; Sarah Stockham; bgeorge@pvschools.net; nwilcox@pvschools.net; PDD Desert View VPC
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero
**Date:** Friday, August 18, 2023 4:00:29 PM
**Attachments:** image003.png
image005.png
image006.png

---

Thanks everyone for your input.

What strikes me in general is that it seems a very reactive process to "wait and see" who comes up with a plan for the vacant land.

There is :

1. already a master plan for Desert Ridge,
2. the land is owned by the Arizona State Land Department, beneficiaries include the k-12 schools,
3. there is a Vision Zero plan and budget to reduce casualties,
4. there is a federal program regarding infrastructure.

On top of that,

1. the school was build in 2000 during a time when Fireside/Aviano/SkyCrossing/DesertRidge marketplace were not even there yet.
2. The school was build in 2000 whilst the freeways like 101 were not build yet, etc, etc
3. During curriculum night at the Pinnacle High School, this topic was brought up and the principal re-iterated that he was 100% against the commercial proposal – this is not what came across in the meeting and I would love to see the exact wording used that night.
4. Pinnacle High school is further expanding the number of students every year and it should be able to get the infrastructure and parking capabilities for students to get to school safely.
5. Student Drivers are mixed with in with people that need to get to work in time and this creates a recipe for disaster for these drivers and the students crossing the intersection.

Adding up all these before mentioned items and elements of existing/approved budgets, would we (as a community) be wrong to assume that there is somebody at City or State level working with the school district to alleviate the pressures that now exist in this neighborhood, proactively.
We have escalated the issue, discussions and actions have taken place between the school and the city, but this year the dropoff and pickup is in exactly the same state of chaos around the school and we're all just waiting for 1 child to get run over.
This doesn't seem in line with the Vision Zero.

My main question is this;
Does the city planner and the village planning committee have the ability to – themselves - create a proposal for this vacant land, recognizing that the area has grown tremendously over the last decade and that improvements to the infrastructure, traffic patterns, school safety, etc are now needed.

Here are the benefits:

1. The biggest benefit is the fact that Pinnacle Highschool is one of the few lucky schools that has vacant land around it to still expand and address the issues.
2. Both committees are experts in State and City guidelines and laws
3. Both committees can invite other necessary parties to the table that they know are required to make a good plan and include people from the school districts and the department of education.
4. You have inside knowledge of budget and grant opportunities at State and Federal level to plan for funding
5. Vision Zero survey results are available in more detail then what the public gets to see and it should have been highlighted by the participation of the community in Aviano and Fireside.
6. State Land should benefit the school – so why not expand the footprint for this high school directly (and not selling the land for proceeds)

I'm no expert in what it is people on this email can do or not – but I would strongly urge all of you to take my points into consideration and NOT approve the vestar proposal in any shape or form, because it is NOT what the area needs and it is NOT in the best interest of student safety.
We can only decide ONCE what will happen to this piece of land and it was already decided to NOT be commercial.
We have a great community, they have engaged with surveys and shown up at meetings. We love where we live and it's mainly because of the master plan that is already in place.

If you require further input and or participation of our community and/or have any suggestions to have this proposal stopped, please let us know.
Much appreciated if this can be added to the proposal as feedback.

Kind regards,
Wouter Roodenburg
4805672716

---

**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Friday, August 11, 2023 4:00 PM
**To:** David Urbinato <david.urbinato@phoenix.gov>; wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Hi all,

I want to add some information here. Vestar has filed an application to rezone the property for commercial use. The Desert View VPC heard an informational presentation on August 1 and took public comments. I know Mr. Roodenburg, you were there and provided input on the rezoning proposal. As was discussed at the meeting, the case is still under review and won't have a formal staff recommendation until it returns to the VPC in October for public hearing and recommendation. In the meantime, we are reviewing all comments received, which will be made part of the case file and included in the staff report for the case.

Please feel free to reach out with any additional questions or comments.

Thanks,
Anthony

**Anthony Grande**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

**From:** David Urbinato <david.urbinato@phoenix.gov>
**Sent:** Friday, August 11, 2023 12:37 PM
**To:** wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** FW: Pinnacle High School - Traffic flow / Vision Zero

Mr. Roodenburg, Street Transportation Department staff forwarded your question about development plans for the circled parcel below. This parcel of land is owned by the Arizona State Land Department. They submitted a request for a pre-application review (PAPP 2206799) of a site plan and potential rezoning that proposed a shopping center on the property. At this time, the owner has not submitted any additional documents beyond the pre-application stage. Please note that details of proposed plans can change somewhat as they move past the early pre-application stage.

I have copied the village planner for that area, Anthony Grande, if you have any questions about how the rezoning process would play out from here should the applicant choose to proceed.

The State Land Department sells parcels based on guidelines in state law. Whether they legally could donate the land to the school district would be a question to address directly with the Land Department. I've included a link to their home page as a place to start. Home | Arizona State Land Department (az.gov) [land.az.gov]




**David Urbinato**
Economic Development Program Manager
Ombudsman Section
Phone: 602-534-3630
City of Phoenix
► Planning & Development Department
Ombudsman Section
200 West Washington St., 3rd Floor
Phoenix, AZ 85003
pdd.ombudsman@phoenix.gov

**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, August 1, 2023 1:48 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>; bgeorge@pvschools.net; nwilcox@pvschools.net
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Following our previous conversations, it seems that Pinnacle high school and the city have worked together on a better drop off procedure for this year by changing the drop off route to be going around the school.
There also seem to have been an investment in more signs everywhere and a reduction in speed at Mayo boulevard, but it won't stop the students being dropped off on the corner of mayo from where they literally cross this junction in anyway they can (no longer following the crossings). It actually has gotten worse in the last year.

Although these previous mentioned actions are positive signs, they do not seem to address the rootcauses of the traffic issue and doesn't directly help the safety of the students, nor provide extra capacity for drop off locations.
Only the land north of the school would be able to provide this with some development.

However, residents have noticed that the city is considering an application for rezoning the land North of the school with commercial intentions. ( Black Mountain Village / Superblock 12 - Gammage & Burnham | Attorneys at LawGammage & Burnham | Attorneys at Law (gblaw.com) [gblaw.com] ). See Zoning hearings sign attached.
I have copied some board members of the PV school district and hope they are aware of this rezoning application, impacting Pinnacle high school student safety.

After the Fireside residents have tried to communicate our concerns with the safety of this area with the City and our participation in the Road Safety surveys, I find it very surprising that the City is considering to add yet more traffic to this junction where a lot of high school students are and more new student drivers are going to be this year.

Are you able to share the information you have gathered last year that prompted some of the changes with this Planning commission to take into consideration?
Would you be able to advise us about the options, procedures needed to rezone/donate this exact piece of land to be of future use for Paradise Valley School district and expansion of the highschool?

Looking forward to further information on this topic.

Kind Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Thursday, August 11, 2022 11:09 AM
**To:** Wouter <wroodenburg@cox.net>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Wouter,

I apologize for not getting back to you Monday, but I was unexpectedly out. I did leave you a voicemail yesterday afternoon, and I promised to follow up with an email today.

Staff analyzed the traffic count data and have been monitoring the two traffic signals near Pinnacle High School, especially the one at Black Mountain and Mayo boulevards, this week as school started. They determined that an adjustment to the signal at Black Mountain and Mayo was needed to allow for more green times when the signal detects an increase in vehicles. However, while the adjustment has helped some, the amount of traffic present during school pick-up and drop-off times is still causing congestion, which signal adjustment cannot remediate.

Staff also noticed some issues with the way students/pedestrians are crossing at this intersection. Therefore, staff will contact the school to work with them on safety education. Staff will also see if they can make some suggestions to the school regarding their pick-up/drop-off plans.

Unfortunately, there is no street engineering solution we can offer to solve this issue. The traffic congestion at Pinnacle High School is not unique; all high schools in the City have similar congestion issues during the peak morning and afternoon hours, which dissipate once those peak hours are over. We do have a school safety coordinator who works with schools on their pick-up and drop-off plans to minimize traffic impacts as much as possible, while also educating them on safety. However, we can only make suggestions as the City does not have the authority to force schools to change their plans. Arizona State Law exempts them from having to comply with zoning ordinance requirements as other businesses and property owners must do within the City. Schools are governed by the locally elected school district or the Department of Education at the state level.

I do understand that safety is of utmost concern to you and the other parents as it is for us, too. We will continue to provide as much assistance as we can by monitoring the signals and communicating with the school. I also urge you to contact the school board or district to solicit their assistance with your concerns.

I also want to thank you for participating in the Road Safety Action Plan Phase I survey. The results are available at phoenix.gov/streets/roadsafety. Another survey for Phase II is now open through August 31 if you'd like to take that one as well. Please keep checking the website for other community engagement opportunities and plan updates.

I do hope this information is helpful. Please feel free to call me if you have other questions or concerns.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
**laura.farrell@phoenix.gov**
Follow us on Twitter **@StreetsPHX** [twitter.com]




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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Monday, August 8, 2022 7:47 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Laura,

Hope you also had some time off this summer.
We're ready to have the kids go back to school and was wondering whether any changes will be made to the traffic light timing of the various lights.

As a community we continue to participate in the questionnaires that came out, etc but hope there is something the city is willing to do now to make the situation safer.

Kind regards
Wouter Roodenburg
480-567-2716

Sent from my iPhone

> On May 20, 2022, at 4:00 PM, Laura Farrell <laura.farrell@phoenix.gov> wrote:
>
> Hi Wouter,
>
> Thank you for your email, and I appreciate the chance to speak with you on the phone today.
>
> Just to reiterate our conversation, we are monitoring the two traffic signals near Pinnacle High School, and we are finalizing traffic counts before school is out next week. We will analyze the data to see if there are any adjustments we can make. During our monitoring, we did note the school ingress/egress pattern, so our school safety coordinator is going to review and reach out to the school to see if we can provide some assistance.
>
> I know school is out next week, but we will continue to work with the school and monitor the traffic signals especially when school is back in session in August. I've noted that one of your main concerns is with vehicles getting backed up on Mayo Blvd when turning onto Black Mountain (both turning left with the arrow going west then southbound onto Black Mountain and turning right when going east then southbound onto Black Mountain from Mayo) as they wait for students to cross. I have forwarded your concern to the traffic management center, so they can be sure to monitor this especially. I will let you know if there are any adjustments we can make.
>
> I also let you know that the results of the Road Safety Action Plan (RSAP) public survey should be published on the RSAP website at phoenix.gov/streets/roadsafety in early to mid-June. I'll make sure to keep this on my radar to update you once it's available.
>
> I do appreciate you letting us know of your safety concerns as we are dedicated to working on improving the safety of our roadways as much as possible.
>
> Please feel free to reach out to me again if you have other concerns. In the meantime, I'll make sure to provide you with updates as I have them.
>
> Have a wonderful weekend!
>
> Thank you,
> Laura Farrell
> Management Assistant II
> City of Phoenix Street Transportation Department
> 200 W. Washington St., 5th Floor
> Phoenix, AZ 85003
> (602) 495-2047
> laura.farrell@phoenix.gov
> Follow us on Twitter @StreetsPHX [twitter.com]
>
> Streets PHX
> STREET TRANSPORTATION DEPARTMENT

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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Friday, May 20, 2022 7:33 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Good morning
I wanted to follow up on the traffic light evaluation. Has it occurred yet?

There really should be some adjustments to make it safer for the kids

Will the results of the questionnaire be published ?

Much appreciate an update

Regards
Wouter

Sent from my iPhone

On Feb 17, 2022, at 7:46 AM, Laura Farrell <laura.farrell@phoenix.gov> wrote:

Good morning Mr. Roodenburg,

Thank you so much for sharing the survey with your neighbors and submitting your feedback.

I have requested the two signals be evaluated, and I'll follow up once they have been completed. Staff is also evaluating the area for any pedestrian crossing issues and looking into options.

We do appreciate your willingness to help. We can certainly let you know if there are any opportunities for neighborhood feedback. I'm copying Tricia Quiroz to be your future contact person. She is my counterpart in our Traffic Services Division, which is the division that handles traffic signals, pedestrian crossings, and school safety.

One of us will follow up with you with the results of the signal timing evaluations. Let me know if you have any other questions.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, February 15, 2022 2:47 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Thank you for the information. I will take this up with the school district as well.
I did post your survey on our community facebook page and you should see multiple submissions already from me and my neighbors.

I hope that traffic around schools gets prioritized appropriately in your plan.

Please start the process required to get the timing of traffic signals around that intersection reviewed again and adjusted accordingly.
The cross walk lights should be isolated and run separately from the cars to avoid accidents between the kids and cars making last minute turns.
The light from Mayo turning onto black mountain south - should be isolated and run longer to clear up the lines.

Again – there is a large group of parents in Fireside that wish to participate in any effort to make that area safer for our kids and ideally allow them to walk/bicycle more to school.
Let us know how we can help or who our contact is at the Transportation department.

Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Tuesday, February 15, 2022 9:02 AM
**To:** wroodenburg@cox.net
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Mr. Roodenburg,

Councilman Waring's office sent your email to the Street Transportation Department for investigation.

Thank you for contacting the City of Phoenix with your concerns. Unfortunately, the Street Transportation Department has no authority over your proposals for parking ingress/egress for the school. We also have no jurisdiction over the state land parcel. We suggest taking your proposal directly to the school district first to see if they can accommodate any of your parking proposals.

What the city can offer at this time is to review the timing of the traffics signals at Black Mountain and Mayo boulevards, and Black Mountain Boulevard and Deer Valley Road to ensure they are timed appropriately for the traffic volumes.

Regarding Vision Zero, Phoenix City Council did just recently approve adopting Vision Zero with the goal of eliminating all traffic fatalities on Phoenix roadways. We are also developing a comprehensive Road Safety Action Plan (RSAP) for the city and will be incorporating

Vision Zero goals into the RSAP. We are currently requesting public input to help shape the plan, so I highly encourage you and your neighbors to visit phoenix.gov/streets/roadsafety for information on the RSAP and to take the survey.

I do hope this information is helpful and thank you again for contacting the City of Phoenix. Please let me know if I can be of any further assistance.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 4:10 PM
**To:** Council District 2 PCC
**Subject:** Pinnacle High School - Traffic flow / Vision Zero

Dear Councilman Waring,
We are living in Fireside Community near Pinnacle High School. Every morning dropping our kids off has turned into a nightmare.
A lot of traffic is building up around this area. Lot of frustrated drivers that I have filmed going through red lights and near collisions, mixed in with student drivers trying to park their car at the school.
Currently I'm not aware of any fatalities on this highschool junction, but we would hope the city will be pro-active in this case preventing any accidents before they happen.

Please find below a request to the city with regards to the traffic situation around Pinnacle High School.
Parents are getting very concerned about the safety of our kids.
A lot has changed in this part of phoenix, with big new housing divisions going in and black mountain blvd connecting to the 51 freeway.
The way this new road was build did not consider the kind of traffic that we're dealing with currently. A bridge to cross Black mountain blvd was build 500 feet away from the junction which is causing nobody to use it.
Available State land on the corner – highlighted below in picture - is staying vacant and would be the perfect addition to repurpose for the safety of our kids and increase the parking capacity of the school.

I have seen articles regarding "Vision Zero" and new funding being available to reduce the number of accidents and fatalities in Phoenix and would very much hope that his will be a timely request to consider by the city council.

We would very much like to understand how we can work with the city to address this dangerous situation.
Much appreciate your feedback on the matter.

Kind regards,
Wouter Roodenburg
480-567-2716

---

**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 3:42 PM
**To:** 'patrick.presley@phoenix.gov' <patrick.presley@phoenix.gov>
**Subject:** Pinnacle High School - Traffic flow questions

I'm trying to find out who to speak with regarding the traffic situation at Pinnacle High school.
Most parents in our Fireside community are very concerned about the junction our kids have to cross and cars that are driving through that intersection.
I've got some video's from just 1 random day and captured a lot of dangerous driving through red lights and almost collisions.
A lot of traffic is going down the same roads trying to reach the school or get onto the 51 freeway causing a massive traffic jam every day.

We would very much like to know if we could work with the City to resolve these situations to increase the safety of our kids.
The plot of state land highlighted in light blue should ideally become part of the highschool to have additional parking for a fast growing highschool.
Closing the entrance from black mountain blvd, forcing students to go via Deer Valley instead.

I've included the situation and also some possible solutions to consider.
When the State land becomes part of PV district - Then you could have much needed additional parking and also incorporate a safe drop off and bridge to have them enter the school.
Traffic will then be diverted away from Mayo Blvd and Black mountain blvd

Much appreciate your feedback.




Kind regards,
Wouter Roodenburg
480-567-2716

*******

## Anthony M Grande

**From:** Chris Hanley <c3hanley@gmail.com>
**Sent:** Saturday, August 19, 2023 4:16 PM
**To:** Anthony M Grande
**Subject:** Black Mountain and Deer Valley Village

Hello Anthony,

My name is Chris Hanley and I live in the Sky Crossing community. I moved into this neighborhood in March 2020 and am the original owner of my home.

I understand there is a zoning hearing for the parcel of land on Deer Valley, West of Pinnacle High School. I also understand that a commercial developer wishes to buy the land to develop a shopping center and needs the land to be rezoned from residential to commercial.

I am opposed to this rezoning.

Sky Crossing is a new neighborhood. Many of us bought here in the last few years with the knowledge of the open land to our south being other homes, not a grocery store, gas station, and other retail. This isn't an old neighborhood where things have changed over the decades, we're less than 5 years into this.

As you know, Deer Valley is a 3 lane road in each direction. It is heavily travelled. The high school contributes to the traffic load at certain times of day. WIth Black Canyon as a feeder onto SR 51, there is high traffic already.

While I understand how that would appeal to a commercial developer, the community is highly concerned about the added traffic and congestion a shopping center would bring. In addition, the shopping center would add light pollution and added noise pollution.

As you also know, shopping centers draw in pan handling, the homeless, and additional trash. We don't need that in a family community, next to a high school and close to Sky Crossing Elementary.

Cave creek road to our West has 2 gas stations on it (north of the 101) and plenty of retail. We have an Albertsons at Tatum and Deer Valley, with a gas station, and again lots of retail at Desert Ridge. There is also a Safeway and Frys north of us at Tatum and Cave Creek. We don't need any more grocery stores and there are plenty of gas stations.

Please do not approve the rezoning. Thank you for your consideration on this matter and please reach out if you would like to discuss.

Chris Hanley
3118 E. Herrera Dr
Phoenix AZ 85050
c3hanley@gmail.com

## Anthony M Grande

**From:** Justin M <justinmeyers20@yahoo.com>
**Sent:** Sunday, August 20, 2023 9:44 AM
**To:** Anthony M Grande
**Subject:** Opposition to Vestar Development Group's Plans for Northwest Corner Deer Valley and Black Mountain

Dear Anthony Grande,

I hope this messages finds you well. I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Northwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale, the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Northwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

Sincerely,

Justin M.
(602)-481-8143

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:30:19 PM

---

**Name**

Rebecca Eldridge

**Email**

rebecca.n.eldridge@gmail.com

**Address / Neighborhood (Optional)**

Fireside Desert Ridge

**Support Comments**

I do NOT support a shopping center at this location. It's already too congested as it is at that intersection and south toward the 101. This is not a prime location for something like this right near the high school and between so many large neighborhoods. Maybe great for the businesses but terrible for neighbors!

The design of our roads and infrastructure in our area was not designed and is not currently conducive for more high traffic areas. The roads will become a nightmare - even more so (esp in black mountain) than they are now.

It's relatively quiet in our area too - aside from the chaos on Tatum in Desert Ridge. Let's not bring that chaos west a few blocks!

I will not support a shopping center at this location and aside from those reasons shared above, I have a list full of others.

If anything, make parking and traffic easier on Pinnacle students and families so they don't have to block intersections, slow traffic, or bring their traffic for pick up and drop off into neighborhood streets. If anything, that high school and its community need support for better access before, during, and after school.

I guarantee if you put a shopping center in, that parking lot will be filled with student parking M-F. Make decisions that are to the benefit of the community, not for making money hungry investors richer.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 3:51:41 PM

---

**Name**

Jennifer Francyk

**Email**

jfrancyk@me.com

**Address / Neighborhood (Optional)**

Fireside

**Support Comments**

Please do not allow a gas station on that corner. How about a public library? A park? A community center? Do we really need to put junk food outlets and hang outs so close to the high school? Property values won't be the same if this is not done properly. If anything a small grocer like sprouts or Trader Joe's might be ok. Prefer it was just housing.

JAMES W. TUFFIN
21214 N. 36th Pl
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(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
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**24/7 Customer Care Center: 855.333.5149**
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FirstService RESIDENTIAL

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

| | |
|---|---|
| **From:** | Rajesh Gadde |
| **To:** | Anthony M Grande |
| **Subject:** | Fireside resident - regarding black mountain village |
| **Date:** | Wednesday, August 23, 2023 9:37:38 PM |

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Hello Anthony,

I am Rajesh Gadde live in fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village , I think it's going to make our safe neighborhood area into commercial area thus causing danger to kids , we don't want this at all. Please help us om this matter.

Thanks
Rajesh

**From:** Julia Levene
**To:** Anthony M Grande
**Subject:** Desert View, rezoning application
**Date:** Wednesday, August 23, 2023 4:45:07 PM

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HI Anthony:

I attended the recent board meeting regarding case GPA-DSTV-2-23-2 regarding the rezoning of the 20.5 acres located on the corner of Deer Valley and Black Mountain in the Desert Ridge area.

I currently live in the Fireside neighborhood, and was taken back by plans to change this lot from residential use to commercial use. I would like to see that land developed for residential as it was originally intended; or given to Pinnacle High School, as they need additional parking for their students.

In no way would I want a gas station or large grocery store to be located in that area. Not only would the light pollution from the gas station be bothersome, and the noise from delivery trucks at early hours, but the added traffic to the area as well! This is already a busy corner!

Please take the residents, the high school students, and the neighborhoods into consideration before changing this lot from residential to commercial.

Thank you,

Julia

Julia Levene, CMP
CEO
Go West Destinations, Inc.
DBA: APP, Association Planner Partners
3734 E. Ringtail Way
Phoenix, AZ 85050
Phone: 602 320-8323
www.associationplannerpartners.com [associationplannerpartners.com]

| | |
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| **From:** | Andrea Remke |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Eric Molenaar |
| **Subject:** | Proposed land development at Mayo/black mtn |
| **Date:** | Sunday, August 27, 2023 9:29:11 AM |

Mr Grande, city officials, etc,

Assuming you are the proper representatives to contact regarding this matter, I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

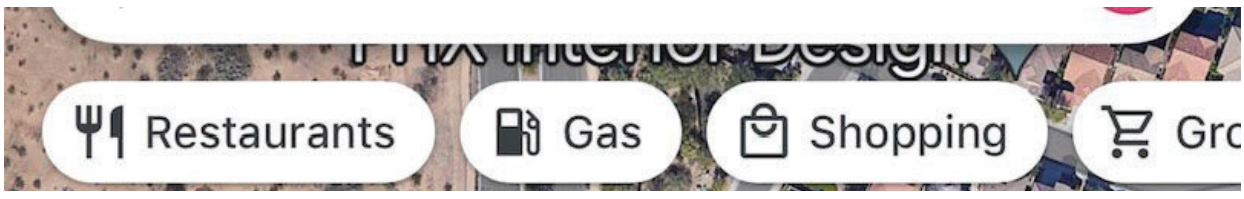
City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,
Andrea Remke,
Phoenix resident of Fireside Desert Ridge




problem intersection
Blvd
E Mayo Blvd
N 36th St
Cloud Reflexol
Black Mountain Blvd
current bridge
200 ft
50 m
Google

**From:** T R
**To:** Anthony M Grande
**Subject:** Southwest corner of Deer Valley and Black Mountain
**Date:** Monday, August 28, 2023 10:28:56 AM

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Hello Mr. Grande,

We are Desert Ridge community members. We have lived here for almost 15 years and in that time, we've seen many changes. Some are good, some not so good.
We are very concerned about the proposal to convert the property from residential to commercial at the corner of Black Mountain and Deer Valley. That corner is active all day, especially during school and sports hours. It's grown from 2 lanes into the large vein that cuts through Desert Ridge connecting Cave Creek to 56th and possibly in the future, Scottsdale Road. Added traffic and distractions could be disastrous for all drivers on the road. Traffic will become heavier (shoppers coming and going, drive-through lines, delivery trucks, etc.) creating an even more congested intersection. We would honestly love to see a traffic survey done as this is such a busy intersection and we all need to get a full idea of usage and traffic patterns.
There are 3 schools within walking distance of this area. We are very concerned about inviting strangers to the heart of our neighborhood for a quick stop. Security and issues at DR Marketplace have been escalating and we don't feel we need to invite more people into our neighborhood for some Chick-fil-A or to gas up their vehicles. We don't have the resources to handle disturbances in DR Marketplace. Why would this be any different?
We also don't believe stores and convenience markets should have the ability to sell alcohol and tobacco products that close to a high school. It will just bring issues to law enforcement that is stretched unbearably thin.
Our children are still young, but we've heard there isn't enough parking at the high school so this will just entice kids to park there and create issues with parents, the high school, and business owners. We've heard that the developer won't limit the store sizes so parking could be inadequate for the project which would add an additional level of stress for shoppers and drivers trying to find parking spots and exit or enter the center.
We feel converting this land will come with a whole host of issues that will outweigh the benefits to DR citizens. We in no way think the land developers have the community's best interest in mind. They, as many before them, build and leave. They never give a second thought to what impact they add to the communities they have worked within. Honestly, with all the new builds going up in Desert Ridge, we feel we need to proceed slower than we are to make sure the roads and area can handle all this growth. We have several big projects currently in different stages (clearing land on Deer Valley for 882 new apartments, a whole new community going in off 56th and the massive plans for City North) the added fallout including the number of new community members, additional cars on our already congested roads without an option for expansion and added pressure on the school district, etc., is yet to be seen.

Thank you for your time,
Adam and Timari Rusak

**From:** Jason Tininenko
**To:** Anthony M Grande
**Subject:** planning committee
**Date:** Monday, August 28, 2023 7:13:35 PM

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We have lived here in Aviano for 7 years. It's a great neighborhood with easy access to Fireside, Explorer, Wildfire and Pinnacle. If you allow a gas station and other stores to be built next to Pinnacle - the traffic will increase, the crime will increase, the traffic accidents will increase and our properties will devalue. Please vote against building in this area. thank you.

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| **From:** | Brad Burnes |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Black Mountain marketplace - NO |
| **Date:** | Tuesday, August 29, 2023 5:03:20 PM |

Hello, my name is Brad Burnes, and my family and I moved to 36th St in Fireside a little over 10 years ago. I can unequivocally say the idea of a shopping center at Deer Valley and Black Mountain is an awful idea, and only a play for cash.

Have you witnessed the traffic during school dropoff and pickup? It's a disaster. Can you provide details of home values in other neighborhoods where a shopping center was allowed to be built after a re-zoning?

We moved to this area because of the vision and community aspect. If the city proceeds with this development against the majority of Desert Ridge residents, how does that value the voice of the residents?

There's plenty of land north of Pinnacle Peak. Please use common sense and do not allow this to happen.

A very concerned voter and resident,
Brad Burnes

**From:** Micheal Copeland
**To:** Council District 2 PCC; Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, August 29, 2023 9:43:47 PM

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Hi Anthony,

My name is Micheal Copeland and I'm a resident in Fireside. I would like to express my deep concern and opposition to the proposed rezoning by Vestar of the parcel located at the SW of Deer Valley and Black Mountain High.

Potential uses including gas stations and quick service retail with drive would have quite a negative impact on the neighborhood. It would also increase the risk to high school students next door given the already existing issues with traffic and parking.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

I'd also point to the City's "Vision Zero" (zero traffic casualties) plan to highlight my concerns with regards to the traffic situation and student safety around Pinnacle High School. I have not seen anything from Vestar that would ameliorate these concerns.

Furthermore, Vestar could easily develop what they want under the existing plan on pre identified commercial zones. Given the proximity to over 600,000 square feet of retail within a mile, there simply is not a need to add additional retail on this parcel.

Sincerely,

Micheal Copeland

Sent from my iPhone
Quick reminder to everyone that tonight at 6pm is the Fireside HOA meeting. The attorneys from Vestar will be doing their presentation and answer any questions you may have.

Goto zoom.com and use meeting ID: 811-9962-3685 and Passcode : 997589

I attended the Desert Ridge Community HOA meeting last week and my conclusion was that nobody in the HOA's, nor the Village Planning Committee for our area will stop this proposal.

It will take all surrounding communities to attend all the meetings and at least write their views on the proposal and submit them to our councilman ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov) ) and the City Planner ([anthony.grande@phoenix.gov](mailto:anthony.grande@phoenix.gov) ). Reference : GPA-DSTV-2-23-2

They should know that it needs their attention instead of making a quick buck by selling the land. We need to separate the school traffic from the work traffic to ease the congestion around that area and we should be adding safer drop off areas behind the school and away from Blackmountain boulevard and point out that this Highschool still has vacant land available to address the situation.

Once this is sold and a big box grocery, gas station, big trucks, etc, etc are put their instead, the community will have to live with the consequences. Everyone should also be concerned about the impact of Grocery/Gas stations on the students behavior and attendance of classes. Other folks from the community have brought up other concerns as well.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because

Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

The school will be there for a long time – so we should make an effort now to keep Desert Ridge communities desirable and family friendly.

We should put student safety before anything else whilst we still can.

Please email your views!!

Let us know your thoughts on this at the meeting or on this post.

| | |
|---|---|
| **From:** | Andy M |
| **To:** | Anthony M Grande |
| **Subject:** | Black mountain village plan - no vote |
| **Date:** | Tuesday, August 29, 2023 10:50:35 PM |

Hi Anthony,

I'm strongly against the Black Mountain Village plan and zoning changes (cases are GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

It feels like a bait and switch for our community (especially us in the cooper view sub-community on black mountain and deer valley who would feel this impact the hardest).

There is plenty of land closer to cave creek available and already designated for commercial purchase.

Thank you,
Andy Mesecher

**From:** Sara Millett
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Strongly Oppose
**Date:** Tuesday, August 29, 2023 10:11:20 AM

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Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of an 8th grader and a 5th grader in the community.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle High School is already dangerous and adding a commercial building would surely lead to additional traffic issues and potential accidents.

Desert Ridge Marketplace and High Street already offer plenty of shopping and restaurants and we are have plenty of convenient options being so close to the freeway.

Please halt plans for the Black Mountain Village shopping center.

Thank you for your time and consideration.

Sara Millett
3845 E Cat Balue Drive
Phoenix, AZ 85050

**From:** Marisa OConnor
**To:** Anthony M Grande
**Subject:** Black mountain village - strongly oppose
**Date:** Tuesday, August 29, 2023 8:59:01 AM

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Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of a freshman at the nearby Pinnacle High School and a 5th grader at Fireside Elementary.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle high school is already horrible and adding a commercial building would surely lead to additional traffic issues and potential accidents.

There is plenty of shopping nearby with Desert Ridge Marketplace and High street.

Please help keep the children of our community safe!

Thank you for your time and consideration!

Marisa O'Connor
3905 E Half Hitch Pl
Phoenix AZ 85050

| | |
|---|---|
| **From:** | Peter Feldman |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Reference : GPA-DSTV-2-23-2 - Proposed development at deer Valley and Black Mountain |
| **Date:** | Wednesday, August 30, 2023 10:09:02 AM |

I am a resident of Fireside and my children attend the local schools. I am writing to tell you that I am completely opposed to the rezoning of land for commercial development at the corner or Black Mountain Pkwy and Deer Valley Rd.

The proposed development will make an already difficult traffic situation dramatically worse. Student safety crossing Black Mountain is already compromised by the lack of crossing guards and / or police presence. Cars are parked on Black Mountain and Mayo Blvd at dropoff and pickup times, already blocking normal traffic flow. Eastbound traffic on Deer Valley already gets backed up for hundreds of yards on school days during pickup and dropoff times. This new development would make it significantly worse and dangerous for pedestrians.

The property in question was previously earmarked for public space, like a park. Why is that plan being dropped?

There are other plots of land nearby (Cave Creek / Pinnacle Peak) which are already approved for the type of development being proposed. There should be no changes of the use of the property at Deer Valley and Black Mtn, until that already approved plots are sold and developed.

-Peter Feldman

| | |
|---|---|
| **From:** | Alexandra Hyszczak |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village / Superblock 12 |
| **Date:** | Wednesday, August 30, 2023 11:47:11 AM |

Dear Anthony,

I am writing in regards to the rezoning of the land parcel at the corner of Deer Valley Rd and Black Mountain Boulevard ("Black Mountain Village / Superblock 12"). As a resident of Sky Crossing, across Deer Valley from this parcel, my family and I, along with 1220 homeowners, will be directly impacted by this proposed development.

I would like to bring to your attention some concerns that I have relevant to this rezoning.

Traffic is already high on these two streets – at morning drop-off, cars line up from the school around the corner onto Deer Valley all the way to 32nd St. The addition of a large shopping center will greatly increase this traffic, bringing more inconvenience, noise and pollution, especially so if a gas station is built. A gas station is not something we need in this location, as there are a number of gas stations nearby on Cave Creek and on Tatum, all within 2 to 3 miles from this area.

Additionally, the proposal contains multiple access/egress points with no provision for safe crossing or pedestrian/bike safety. A proposal that has the potential to create roughly double the traffic should be required to address these impacts, especially when located across from residential areas and next to a school.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are, frankly, unproven and unsupported by the conceptual design, given the proposed rezoning contains no description of how the commercial center will cater to walking and biking.

Light Pollution is another major concern. Nobody wants to see bright lights on all night that will disrupt the tranquility of our lives and interrupt our sleep.

We chose to build our home in Sky Crossing due to its location, being *between* two retail areas (Desert Ridge and Cave Creek Rd) and not directly adjacent to those busy areas. Creating a commercial zone in this community greatly reduces the value of this location.

Thank you for your time and attention to this important matter.

Alexandra Hyszczak

3144 E Tina Dr

Phoenix 85050

| | |
|---|---|
| **From:** | Kelly Davis |
| **To:** | Anthony M Grande |
| **Cc:** | msantoro@gblaw.com |
| **Subject:** | Black Mountain Village Development GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, August 31, 2023 1:43:39 PM |

To whom it may concern,

I appreciate the opportunity to have my voice heard. I am a homeowner in Fireside and I absolutely love our neighborhood. I love it how it is. I am extremely concerned for the future of our neighborhood and the other surrounding areas if this project is allowed to commence.

I absolutely do not support this development. Desert Ridge Marketplace is bad enough with all the fights, theft, and sketchy people that it draws to the area! I refuse to allow my kids to go to Desert Ridge without an adult present, and my oldest is 16! There are too many homeless panhandlers, and unsavory people that are drawn to shopping centers. To have a development right next to the high school and elementary school than my kids attend is not what we were promised when we bought our home. My kids walk to school, that's a primary reason for buying our house. I would not feel comfortable with my kids walking to/from school if it was right next to a shopping center like Desert Ridge Marketplace, I see the type of people that shopping centers draw in. Even this one, being a more high end area brings in distasteful people.

This area is residential, and it needs to stay that way. The increased traffic alone, is a huge concern. Have you ever tried to come through the area in the morning or afternoon when kids are arriving or leaving school? I pray the day NEVER comes that an impatient or inexperienced driver strikes and kills a student, but this area is like a ticking time bomb. Too many cars on too few streets. The area cannot support more traffic. Does the bottom line only come down to money? What about our kids and their safety? We bought our home here to have a safe place for our kids to grow up…this was NOT a part of the plan for this community. The safety issue comes down to more than just cars. Do you realize how easy it is for a kid to be abducted in/around a shopping center or for kids to be lured into trying drugs or alcohol as they pass by on their way home? I am not in support of this development and I truly hope that this will not just be pushed through without the consent of the taxpayers living in the surrounding neighborhoods.

Kelly Davis
Fireside Homeowner

**From:** Zak House
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Thursday, August 31, 2023 11:57:07 AM

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Hello Anthony,
I am reaching out to voice my displeasure and to ask for your support with ensuring that Vestar/other corporations are blocked from rezoning from “residential” to “commercial” for the proposed Black Mountain Village in Desert Ridge. The *residential* zoning was absolutely a key factor when we purchased our home and would be devastating to our community if rezoning is allowed. There seems to be plenty of commercial zoning between High Street, Tatum and Cave Creek Roads.

Regards,
Zak House

**From:** Sam
**To:** Anthony M Grande
**Subject:** Black Mountain Village/Superblock 12
**Date:** Thursday, August 31, 2023 5:06:20 AM

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Sam Zytcer and Marlene Zytcer are totally against this commercial development project monstrosity. It will bring excess traffic and crime to an already over crowded area. My neighbors are also in concurrence with me.
There will be major resistance from your constituents to this commercial project as proposed. Remember, we vote.
Sincerely,
Sam Zytcer

Sent from Mail [go.microsoft.com] for Windows

| | |
|---|---|
| **From:** | Matthew D. Chitwood |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Anne Chitwood |
| **Subject:** | land at Black Mountain and Deer Valley Road - rezone consideration |
| **Date:** | Friday, September 1, 2023 12:51:36 PM |

re: Black Mountain Village plan and zoning changes cases GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2/Z-39-23-2

Mr Grande -

Writing as a concerned resident of Desert Ridge in the Fireside neighborhood. I moved here in 2007 and have watched this neighborhood grow. Love it. Raised 3 children here, two of which are at Pinnacle High School and another starting next year.

My wife and I are quite concerned with the proposed re-zoning of the property north of Pinnacle High School at the corner of Black Mountain Blvd and Deer Valley Road. This property is smack dab in the middle of other residentially zoned homes, Thousands. There are sufficient commercially zoned properties in the Desert View Village to support future resident growth of this beautiful area... not to mention a wonderful village core in and around Desert Ridge Marketplace.

There is the issue of commercial traffic conflicting with the Pinnacle traffic which is already a safety issue. I am aware of the fact that Pinnacle High School leadership is NOT supportive of this re-zoning even though that was misrepresented by the developer at the 8/1/23 village meeting. Adding commercial traffic to this area that is not familiar with the daily high school traffic patterns (as residential traffic would be) is IRRESPONSIBLE. This issue in and of itself should be enough for the Committee to reject this re-zoning request.

On top of this are the hundreds of neighbors of mine who invested in property thinking this land would be used for future residential use.

I don't intend to hop on the NIMBY train; I just don't think this request of Vestar is in alignment with what the General Plan originally intended this land be used for and I specifically request the Committee REJECT the developer's case.

Thanks for listening -

Matt Chitwood
21625 N 39th Place Phoenix 85050

| | |
|---|---|
| **From:** | Steven Deacon |
| **To:** | Anthony M Grande; msantoro@gblaw.com |
| **Cc:** | Metty, Cody; emolenaar@associatedasset.com; Steven Deacon |
| **Subject:** | Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 - Opposed |
| **Date:** | Friday, September 1, 2023 10:58:13 AM |
| **Attachments:** | image004.png<br>image005.png<br>image006.png<br>image007.png<br>image008.png<br>image009.png |

Anthony,

I also live adjacent to the project at Black Mountain Village proposal. From an outsider's opinion, I can see why the idea of more commercial real estate would monetarily benefit the city of Phoenix, Vestar and their attorneys Gammage & Burnham. However, **what is heavily being overlooked is the safety of our community and our children** with the rezoning from residential to commercial.

**Safety of our children:**
Our section in the Fireside community called Copper View sits adjacent to the proposed land at the southeast corner of Black Mountain and Deer Valley. Since 2012 our section has been a cut through for the aggressive drivers both parents and children of Pinnacle High School. On my street alone (Cat Balue Dr.) there are 27 children under the age of 10 years old that walk to the elementary school and play in our neighborhood. This doesn't include the other 4 streets with 50 additional homes to consider. We have seen too many close calls where our children were almost hit by these aggressive drivers! Imagine living in a community where you do not feel safe letting your kids play out front.

Additionally, Stephen, the attorney for Gammage & Burnham, said on our Fireside community call this Tuesday that the new traffic would be "counter cyclical patterns" around school hours during the week and weekend. This means to me that not only do we have to deal with aggressive drivers from Pinnacle High School, but now we must deal with aggressive drivers all day and on the weekends! We cannot live in a community where our children are at a greater risk of being hit by a car while walking to school or playing in their neighborhood.

Secondly, I am concerned that a commercial zone would bring a bus stop right at the corner of Copper View (Black Mountain & Deer Valley). There are numerous amounts of homeless people that sleep on the bus stops at Tatum & Deer Valley. I see them at all hours of the day starting at 5am when I go to Mountainside Fitness and in the evening. We do not want to attract nor give reason for more homeless to encroach our family neighborhoods with a commercial zone. This is not only a safety concern for our families but will also impact our property values. PLEASE keep our neighborhoods (Fireside, Aviano, Sky Crossing) a family suburb of Phoenix. **I am asking as a concerned parent of 3 little kids that you help us protect our children and the safety of our community by putting a stop to this project.**

I appreciate your time and commitment to keeping Desert Ridge a GREAT, family friendly community in Phoenix.

Steve Deacon & Family

3625 E Cat Balue Dr.
Phoenix, AZ 85050

3654 E Cat Balue Dr.
Phoenix, AZ 85050

Best,

Steve Deacon, CFP®, CIMA®, *Private Wealth Advisor*
CA Insurance License #0H03830
***Five Point Wealth Advisors***
*8925 E Pima Center Pkwy, Suite 135*
*Scottsdale, AZ 85258*
***Phone: 480-948-2416***
***FAX: 480-291-8643***
**www.fivepointwealth.com** [fivepointwealth.com]

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**2023 Forbes Best In State Wealth Advisors**, created by SHOOK Research. Presented in April 2023 based on data gathered from June 2021 to June 2022. 22,243 were considered, 7,321 advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

**2022 Forbes Top Next-Gen Wealth Advisors Best in State**, created by SHOOK Research. Presented in Aug 2022 based on data gathered from March 2021 to March 2022. 3513 Advisors were considered, 1000 Advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

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**From:** Metty, Cody <CodyMetty@rocketmortgage.com>
**Sent:** Friday, September 1, 2023 8:40 AM
**To:** anthony.grande@phoenix.gov
**Cc:** Steven Deacon <sdeacon@fivepointwealth.com>
**Subject:** RE: Black Mountain Village- Please NO commercial development

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
Triple Crown Banker
Rocket Mortgage

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| | |
|---|---|
| **From:** | Metty, Cody |
| **To:** | Anthony M Grande |
| **Cc:** | sdeacon@fivepointwealth.com |
| **Subject:** | RE: Black Mountain Village- Please NO commercial development |
| **Date:** | Friday, September 1, 2023 8:40:01 AM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png |

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
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**F** (877) 380-8287
**NMLS# 26912**







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| | |
|---|---|
| **From:** | Neeraj Chandak |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Cc:** | Neeraj Chandak; Emolenaar@AssociatedAsset.com |
| **Subject:** | Desert Ridge Superblock 12 rezoning |
| **Date:** | Sunday, September 3, 2023 9:57:47 AM |
| **Importance:** | High |

Hi,

I am a long-time resident of Fireside at Desert Ridge and am very concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

We moved here 10+ years back with an explicit understanding that this was a residential area, with high quality living and low crime rates. Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Connection to Hwy 51 has significantly increased vehicular traffic and noise levels at all times for the neighborhood
- It is a nightmare getting out near Pinnacle High school in the morning, traffic back up in all directions and is a nuisance to the Fireside neighborhood. I have to go around it to drop my daughter to PVHS at that same time.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

If the rezoning and the development project is approved, here is what I foresee happening :

- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby areas
- Property value will take a dip

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I would urge you to strongly oppose this change, and save the serenity and quality of the neighborhood that we all love and like so much. It would be shame to have money-grab development destroy the character of the community.

Regards,
Neeraj Chandak
623-203-9583

| | |
|---|---|
| **From:** | Kavita Chandak |
| **To:** | Council District 2 PCC; Emolenaar@AssociatedAsset.com; Anthony M Grande |
| **Cc:** | Kavita Chandak |
| **Subject:** | Desert Ridge Superblock 12 rezoning- Opposing Vestar"s Balck Mountain Village proposal |
| **Date:** | Sunday, September 3, 2023 10:36:21 AM |

Hello,

As a long-time resident of Fireside at Desert Ridge I am deeply concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

I moved here back in 2013 with my family and 2 young daughters to be part of this beautiful neighborhood with great community feel and low crime rates.
Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Increased traffic and noise level due to Connection to Hwy 51.
- Dis-respect and abusing of our neighborhood by Pinnancle High School drop off and pick up crowd. Our Neighborhood has become a parking spot for Pinnacle parent drop off and pick up making it extremely difficult for residents to walk or even take their cars out for morning and afternoon commute.
- Getting out of the copper view subdivision is at nightmare due to backed up traffic for Pinnacle High school in the morning, It back up in all directions and is a nuisance to the Fireside neighborhood. I fear for my teenage daughter's safety as she drives to her high school amidst this crazy traffic.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

This is what I dear with the rezoning and the development project is approved.

- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby area
- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Our property values will dip considerably

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I strongly oppose this change and request you to not zone this as a commercial zone to save the serenity and quality of the neighborhood that we all love and like so much. I would hate to see this beautiful neighborhood being destroyed by few folks who are looking at it for mere financial gains into their pockets.

Thanks,
Kavita Chandak

**From:** Lori Tininenko
**To:** Anthony M Grande
**Subject:** Proposed Shopping Center
**Date:** Monday, September 4, 2023 7:06:39 PM

---

I am 13+ year resident of Desert Ridge and strongly oppose the proposal to build a shopping center at the corner of Black Mountain and Deer Valley. It will increase traffic tremendously at an already congested intersection, endanger kids walking in the area, increase crime, increase noise & light pollution, and serve as an overall eyesore.

PLEASE keep our residential area residential!

Lori Tininenko

Sent from my iPhone

Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

September 1, 2023

Dear Members of the Desert View Village Planning Committee,

Paradise Valley Unified School District appreciates the opportunity to provide input regarding the potential retail development on the southwest corner of Black Mountain Blvd. and E. Deer Valley Dr. We understand the importance of responsible and thoughtful planning in our community, and we want to share our concerns regarding the proposed development.

In a holistic evaluation, it appears that the proposed development may not be optimally situated, given the potential challenges it could pose to Pinnacle High School. In the event that the committee decides to approve the development, we respectfully request that the following considerations be taken into account as a minimum requirement.

**1. Student Safety with Crossing Mayo to Enter the Shopping Center:**
Our primary concern is the safety of our students when crossing Mayo Blvd. to access the shopping center. This may pose a significant risk, especially during peak traffic hours. If this development is approved, we urge the committee to consider safety measures such as pedestrian crosswalks, traffic signals, or other infrastructure improvements to ensure the well-being of our students.

**2. Increase in Traffic along Black Mountain and Mayo Blvds:**
The proposed retail development is likely to lead to an increase in traffic along Black Mountain Blvd., which is already a busy thoroughfare, and Mayo Blvd. The additional traffic congestion could have a detrimental impact on the flow of school buses and the safety of our students. If this development is approved, we recommend a comprehensive traffic impact analysis to assess potential congestion and to explore mitigation strategies.

**3. Parent/Student Parking at the Shopping Center:**
The existing parking capacity at Pinnacle High School is currently quite constrained, and it is highly likely that some students will opt to utilize the parking facilities within the proposed retail development. It is important to acknowledge that the school lacks the necessary staffing and resources to effectively manage or mitigate this parking issue.

**4. Shoppers Parking Along Mayo Blvd. or on School Grounds:**
Without sufficient parking spaces within the shopping center, there is a risk that shoppers may resort to parking along Mayo Blvd. or, worse, on school grounds. This could lead to disruptions and safety concerns for our educational environment. We urge you to require the developer to provide ample parking options within the development.

**5. Increase in Tardy/Truancy due to Shopping Center Services:**
We are concerned that the proximity of the shopping center to our school may lead to an increase in tardiness and truancy. Students might be tempted to leave campus to access the services provided by the shopping center, causing disruptions to their education. We recommend working with the developer to establish guidelines that minimize these distractions during school hours.

In conclusion, we have serious reservations about the impact this project will have to the safety of our students. If the development is approved, we believe it is essential to address these concerns proactively to ensure the safety and well-being of our students and maintain the quality of our educational environment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,



Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

| | |
|---|---|
| **From:** | Bill Smith |
| **To:** | Anthony M Grande |
| **Subject:** | Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar |
| **Date:** | Tuesday, September 5, 2023 6:52:27 AM |
| **Attachments:** | GPA-DSTV-2-23-2-App2Amend.pdf |

September 5, 2023

Greetings,

I'm writing you today regarding a rezoning request made here by Vestar application No. **GPA-DSTV-2-23-2** and some comments heard by residents resulting from a recent HOA board meeting held by Desert Ridge Community Association.

My name is William Smith and I am a resident of Regalia Bear Subdivision which is located just off Tatum Blvd and North of Marriott Drive in Desert Ridge for 13.5 years. Formally a resident in Vista Norte located at Dynamite and 57th Streets for 14 years. I've been a resident in Arizona since 1969 and have lived the majority of my life in North Scottsdale / North Phoenix 25 miles or more from downtown.

When my wife and I moved to Desert Ridge I began participating in many of the community HOA meetings assisting mostly on the Awareness Committee. I believe it's important we continue to live in a safe and healthy community. The many challenges I've witnessed over the past 13.5 years have been noise pollution, traffic congestion and bottle neck due to lack of arteries (roads), vandalism and crimes committed by an increase number of teenagers.

Noise pollution continues from above with fly overs; also truck deliveries made during overnight or early morning hours are heard by vehicles creating those loud safety warning beeps when backing up. With the increase of home deliveries since the pandemic we've seen an more delays within our Desert Ridge community and about. Thankfully a great deal of the air traffic above was reduced after our Desert Ridge community associates worked with the aviation department to reverse a decision that was made several years ago that allowed commercial places to fly directly over Desert Ridge using a new flight path. We still have a few non commercial planes and helicopters that don't always follow the appropriate flight path, but we are thankful the majority of commercial planes are no longer constantly flying low overhead. In addition, we reported to the Marriott about the noise issue from trucks backing up that could be heard for a mile in the silence of the early morning hours and that has stopped. Our voices are being heard!

As far as vehicle noise issues we continue to hear traffic due to the type of road surface and proximity of both Tatum Blvd and Marriot Drive. Everyone is racing to be first coming in both

directions cutting through our community because as we all know there aren't enough arteries (roads) that allow traffic to flow around the heart of Desert Ridge. Traffic on Tatum Blvd has met it's maximum capacity 5 years ago and its only getting worse. ***Deer Valley road is starting to show signs of stress unless we start now and think forward***.

Let's talk a little about Desert Ridge planning and how Vestar was originally involved in the design and planning of this community. I believe just 13.5 years ago when we moved here I heard mention Desert Ridge was just over 40 percent built out. Since then we seem to continue cramming more and more condos, apartments, schools, single family homes in addition to the huge development along the 101 from 56th to Tatum Blvd. There seems to be this need to fill up every inch of both Super Blocks along the 101 from 56th through to Black Canyon Blvd. We all know growth brings congestion and headaches.

Listening to representation by Vestar at community planning meetings they talk about building another marketplace in an area of Desert Ridge that is zoned **low** residential. I'm writing you here today to provide my opinion about why we ***shouldn't*** change this residential parcel as this application suggest to commercial and that we should consider looking for a location that has better access to the 101 and has the ability to get vehicles in and out of the area from all four directions without impeding traffic and causing delays. For the past 8 years or so all I've brought up to anyone that would listen that the City of Phoenix must work on a plan that will open up more arteries (roads) that allow traffic to flow more around Desert Ridge Market Place and through our community as well.

***We can not continue to build both up and out; allowing thousands of more residents, merchants, delivery vehicles and visitors to move about and not have additional access roads and arteries (roads) that will provide additional alternatives to Tatum Blvd and Deer Valley Road.***

Everyone knows it will be expensive and we need it; an access road along the 101 that will allow traffic to access both super blocks from 56th street to as far as Cave Creek Road if we have too. The idea is to take excess traffic away from Tatum Blvd and Deer Valley Road when everyone is either trying to get to and from their residence in Desert Ridge, pass through it to get home in Tatum Ranch or visit Desert Ridge Market Place to enjoy all the shops, restaurants and planned activities Vestar an their business partners plan throughout the year. Additional roads that could help the flow of traffic could be at 40th street, Black Mountain Blvd, 56th street and any additional roads developed during the super block expansion phases which should include access roads along the 101 freeway. **We can't even head east or west using Black Mountain Blvd at the 101 to help avoid using Tatum Blvd at the 101?**

We understand change is necessary and some people believe we need more growth and there is no stopping it. However, the reason Desert Ridge has lasted as long as it has being in the

spotlight a community most desirable for its amenities and location is because we live in a place beyond the boundaries of the City. ***A place between Rural and the big City life; simply a suburban experience like no other.***

If we allow another marketplace with a gas station at the location of Southwest Corner of Black Mountain Boulevard and Deer Valley Drive we are going to have big disappointment with additional traffic, noise, crime, vandalism not only during the day, ***but all night as well.*** We don't want or need any more attention drawn to close to existing residential community during the overnight hours. If you have to rezone **which I'm not for**, bring in medical therapy centers, Dental, Vision, Day Care Centers, Animal Veterinarians businesses that will bring value to the investment and more in line with education and health without attracting any negative impact we currently have going on at Desert Ridge Market Place and our Community City Parks by individuals that hang out in groups in public places with no regard for others property. There is so much open space in super block there where the fitness center is and the hotels are located that if Vestar thinks Desert Ridge needs another grocery store well go big and ***put a Walmart there along the 101***; build the access road along the 101 and make it easy to visit the store without impeding any more traffic delays on Tatum Blvd and Deer Valley Road and push the traffic away from our beautiful neighborhoods.

***Final thoughts that come to mind you can all think about …***

Observation #1 – The traffic gets so bad moving North and South on Tatum sometimes it takes 3 minutes just to exit out of my subdivision from Williams Drive onto Tatum. The traffic gets backed up so bad the distance on Tatum between Deer Valley and the 101 one can spend 6 minutes waiting for lights going in any direction. When there is construction, emergency vehicles or an accident forget being on time for any scheduled appointment. **This is not right**!

Observation #2 – Recently in the past 4 years after the completion of this new condos and new single family subdivisions we noticed in addition to Vestar bringing live entertainment along with Sip and Stroll attractions among other big events, that traffic delays have now extended everywhere including Tatum Blvd to 56$^{th}$ street going North or South along Deer Valley road. Drivers are in such a big hurry they speed illegally North on 56$^{th}$ to Pinnacle and in addition there is so much traffic during rush hours on Deer Valley from 56$^{th}$ all the way to Cave Creek and beyond due to the 101 bottlenecks experienced when approaching the 51 freeway from either direction. Drivers are not only using Deer Valley, but they are using Pinnacle Peak from Scottsdale all the way to Cave Creek Road to escape the 101 traffic debacle during rush hours.

Observation #3 -

Recently we've seen a huge increase in teenagers committing crimes and they seem to like

hanging out at Desert Ridge Marketplace. This was brought up at our meetings and Vestar did speak out regarding our community concerns about the lack of security and care anyone we would expect to be responsible for managing issues of this nature. Concerns about Target, Albertsons, In&Out Burger and Panda Express have been going on for as long as I can remember brought up at Community gatherings with our neighbors for coffee and other meetings. It's been on the news this summer about a gang of teenagers sucker punching a teenager from another group causing 15,000 worth of dental work needed. Teenagers hang out at Target and act like the sports department is there personal playground. Teens stealing a cell phone right out of another teenagers hand who was picking up a take out order from Panda Express and too often homeless people coming up to you for money in front of and in the parking lot of Albertsons. These attractions that are enticing young people to party drink and get high not only occur in the marketplace, now we are seeing these young people come into the neighborhoods within Desert Ridge causing quite a bit of damage. Our Cashman park has been vandalized at least 3 times within the last couple years that I've heard about.

**Conclusion**:

Please consider another location for this grocery store and gas station to be developed. Lets choose a location away from existing residential and try to develop existing locations already designated residential and take the idea of bringing another grocery store and gas station to already designated commercial zones.

We don't need any **24 hour a day business** on Deer Valley and Black Mountain Blvd. We already have Desert Ridge Market place a gas station on the intersection at Tatum Blvd and Deer Valley Road. Take this proposed plan and build on 20.5 acres closer to the 101 and Black Mountain Blvd. Even if you were to propose moving this development to 40th Street and Deer Valley Road my suggestion would be to insure there are enough roads leading away from Tatum and Deer Valley for vehicles to maneuver towards the 101 without impacting the already congested traffic flow on Tatum and Deer Valley.

We should consider bringing in a large super center like Walmart along the 101 in the super block between Tatum and Black Mountain Blvd's. Get the City of Phoenix and the Army Core of Engineers to build functional access roads and lets see how well traffic flows around Desert Ridge. Spread things out a bit, petition for business to build on one of the two corners on the north side of Pinnacle Peak Road.

Leave the corner next to the high school open for **residential** or if you really think businesses deserve to come in an take over that property; like I said before consider those businesses that would help families with their children's education, day care, health services (mental health services), vision and dental care along with considering Veterinarian services.

Look I could write a book on how if think about all this push for growth here in Desert Ridge, but I'm sure in the end people that have the most funding will win. In the past whenever there was a decision made about something that didn't entirely make good sense and I would later bring up my thoughts I was told where were you when during the planning stages and why didn't you speak up then. Well I decided maybe its time I did.

Thanks so much for the opportunity to speak my thought and for listening.

As Ever,

Bill Smith

CITY OF PHOENIX

SEP 05 2023

Planning & Development
Department

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

City of Phoenix Planning Case Nos:
Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

Dear. Mr. Grande:

This letter is regarding the proposed rezoning of the Parcel **212-38-023B** and the application by Vestar Development to develop it as a C-2 medium intensity commercial property. The current proposals for Minor General Plan and Specific Plan Amendments, as well as Rezoning to C-2 commercial development are out of step with the character of the area and should be rejected.

The intersection of Black Mountain Boulevard and Deer Valley Drive is surrounded by a unique residential area with preserved natural desert spaces and carefully integrated bike and pedestrian paths. It is unlike the majority of Phoenix neighborhoods and honors the physical geography immediately around it. Socially, it is an active, engaged community full of care for the landscape and protective of the safety of people living there. With such a significant change in land use, the proposed zoning amendment and subsequent commercial development would result in considerable new traffic to the subject site, resulting in more traffic congestion, potential car-pedestrian-bike safety conflicts, added emissions, and light and noise pollution.

Further, there are a number of disconnects with the application itself. The developers have attempted to justify their zoning amendment proposal by saying that the nearby Desert Ridge Marketplace experiences traffic congestion and parking issues. This point is unsubstantiated in their application and from a resident's point of view, completely unsupported by the experience of living in the area and regularly visiting the shopping center. There is more than enough (much more!) parking at Desert Ridge and circulation in and around the site runs smoothly. The retail offerings are substantial and do <u>not</u> leave a gap in market offerings that would be improved by adding medium-intensity commercial at Black Mountain Boulevard and Deer Valley Drive.

The conceptual site plan put forth by the developers is also incongruous with their explanation letter. They attempt to claim community benefit from "a reduction in transportation burdens, increased opportunities for exercise and a cleaner environment." However, there is nothing to support their mention of transportation burdens on the residential area surrounding the subject parcel, nor anything in the conceptual site plan to suggest it would be safe for area residents to

walk or bike to the subject site if developed as a commercial property. Further, the explanation letter states that provision has been made for 580 parking spaces (well beyond the code requirement), while the conceptual design includes 533 spaces, which is still more parking than is required by code. This will not create a cleaner environment, as the developers claim, but will create increased emissions in a sensitive area where residents would like to keep emissions to a minimum. Worse still, the conceptual plan calls out opportunity for a fueling center, yet no designated space for electric vehicle charging (which would be far more helpful in the area, given a pronounced lack of public charging). As such, increased emissions will become a core characteristic of this shopping center if built as presented. It would not result in the "connected oasis" the City hopes to achieve, nor the "village" concept the developer is attempting to sell. What it achieves is what Phoenix already sees too much of—islands of unspectacular commercial offerings drowning in a sea of parking.

The subject parcel for proposed rezoning also lies immediately north of Pinnacle High School, which sees students regularly walking and biking to school, but the concept site design does nothing to ensure student and faculty safety or effective circulation around the school. To the contrary, the conceptual site plan shows 3 access/egress points just off Mayo immediately across from the high school with no provision for safe crossing by pedestrians and bicyclists. To put the greatest number of access points to the site directly across the road from the school shows a serious lack of awareness about school zone safety, as does proposing a site plan that does not incorporate effective circulation by pedestrians and bikes (as the surrounding neighborhoods do through extensive trail systems), but to cars. And the related traffic study does nothing to elevate hope for improved traffic circulation or safety. Instead, it reflects lower levels of service on streets that already experience diminished capacity.

While the concept of community commercial may have some potential if explored at a C-1 neighborhood level, the current applications for Minor General Plan Amendment GPA-DSTV-2-23-2, Specific Plan Amendment GPA-DSTV-3-23-2, and Rezone Z-39-23 to C-2 commercial do nothing to improve livability in the area and should be rejected in the interest of public safety, as well as public health.

Thank you for your consideration,

Ellen Kennedy

**From:** Richards, Dan
**To:** Anthony M Grande
**Cc:** Council District 2 PCC
**Subject:** Black Mountain Village - Superblock 12 Opposition
**Date:** Tuesday, September 5, 2023 4:24:56 PM
**Attachments:** image001.png

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Hello Mr. Grande and Councilman Waring,

I wanted to formally write to you both to express my opposition to Vestar Development's push to rezone the Property known as a portion of Parcel 12.L, within Superblock 12 of the Desert Ridge Specific Plan. My wife and I did a lot of research about the area prior to purchasing and building our home 10 years ago, located at 21618 N 36th Street. I've attached a map with the proposed development layered on it. You can see the yellow star located on the East side of Black Mountain Boulevard showing the location of our house. I have been very vocal at each of the previous two meetings expressing my opposition to this development from happening.

As mentioned, my wife and I did our research prior to building the home we wanted to raise our three boys in. We understood we would have a roadway in our backyard that would create some noise, and that was fine because that meant we wouldn't have another house directly behind our backyard. We love the location, being across the street from Pinnacle High School. One of our boys is currently a sophomore with our other two boys being 8th graders. When they were younger, they could walk the opposite direction to Fireside grade school, so we figured this was a perfect location for our family. If you aren't aware of this yet, Pulte homes sold the West side of 36th Street as premium lots with view fences in our backyard. We all paid extra to have a view of the wash behind our homes. We all paid this knowing that the only thing going in across the street in the future would likely be an exterior block wall of another residential development. That's what the Desert Ridge Specific Plan called for so why would anyone think differently? The news of this commercial development potentially getting built across the street has made every one of these homeowners sick to their stomachs. Talk about a bait and switch!!!!! Pulte probably wouldn't have built these lots as view fences if there was commercial development zoned for directly across the street. Serious question to Mr. Grande - Would the City even sign off on a residential development having view fences directly across the street from a commercial development if it was built after the commercial was already there?

One major concern from the residents of Copper View (36th Street from Mayo to Deer Valley) is the decrease in safety for all our families and our properties due to a commercial development being directly across the street. Shopping centers bring loiterers. Gas Stations are even worse. The increase in homelessness in the Desert Ridge area can't be ignored. If this development happens, this will make Deer Valley a main thoroughfare for these homeless people to walk down between Desert Ridge Marketplace to Black Mountain Village. Nobody wants the potential for this to happen. Several years ago, a group of neighborhood kids found a homeless encampment with mattresses in the wash near Mayo and Black Mountain Boulevard. It was in the storm sewer, under Mayo. We fear more of this will happen if you move forward with this project. None of us with a view fence, just across Black Mountain Boulevard, signed up to live across the street from this sort of development. I enjoy my backyard having a view fence. It makes these tiny yards feel a little larger. Now I will be fearing someone might jump my back fence because they see something they like.

Another major concern that Copper View resident have is light pollution. Nobody wants to live across the street from a lit up commercial development. If Vestar moves forward with plans to include a gas station with this proposal, I would imagine this would be right on the corner, where they have PAD C is shown on the map I included. That will be my new view from my backyard. A lit-up gas station. Can you even begin to imagine how upset we all were when we heard not only are we going to have a commercial development, but also a gas station? Nobody wants a bright gas station directly across the street from them. Every gas station has loiterers. No place attracts more loitering than a gas station. Copper View residents are not interested in having this across the street from us. Not to mention the constant smell of gasoline. Mr. Grande - Would the City sign off on a residential development having view fences directly across the street from a gas station if it was built after the gas station was already there? The argument for needing more gas stations within Desert Ridge is garbage. Replace Jacksons with a Circle K and I'm guessing you'll see a much higher volume of people using that gas station. Nobody uses that place because the prices are too high. I go to either Costco or Circle K on Union Hills because they're cheaper. Most people with half of a brain do the same.

A 20-acre commercial property in a mostly residential area wouldn't just be making a minor tweak to the Desert Ridge Specific Plan (DRSP). This commercial development would be taking the DRSP and completely throwing it out the window. The DRSP called for commercial development within the residential superblocks to be limited to neighborhood convenience commercial centers with a maximum of 3 net acres. During Mr. Anderson's presentation to the Desert Ridge committee, he mentioned there were 6 previous developments that could have included a neighborhood convenience commercial center but decided against adding them. These 18-acres of commercial development not getting added throughout Desert Ridge are being used to justify Vestar developing 20-acres in one location. Just because other developments decided against adding 3-acre neighborhood convenience commercial centers doesn't justify adding them all together and asking to rezone this area just because Vestar thinks it would be a good investment.

Please take into consideration the families that built around this area that thought they were moving close to commercial development, but not directly across the street from it. I know you have been contacted by several other residents expressing their concerns about the traffic impacts and proximity to the high school. I am 100% in agreement with all other concerns you have heard pertaining to these two topics. This development needs to be stopped. It's just not the right fit for this location. There are a growing number of residents that share this sentiment. We will be at the next OCT 3 Desert Village Planning Committee meeting as well as the NOV 2 City of Phoenix Planning Commission meeting to express our opposition.

Thanks,

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052

STRAND ASSOCIATES®
[strand.com]

dan.richards@strand.com | www.strand.com [strand.com]

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| | |
|---|---|
| **From:** | paul dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Wednesday, September 6, 2023 6:01:06 AM |
| **Importance:** | High |

It is indisputable that the area affected by Vestar's proposal already has a traffic problem. The 366-page October 2022 Traffic Impact Analysis commissioned by Vestar acknowledges this existing problem. Please note the following excerpt from that Analysis:

> *The results of the existing conditions analysis indicate that all study intersections operate with acceptable levels of service (LOS D or better) with the exception of the northbound approach at the intersection of Black Mountain Boulevard & Deer Valley Drive and the northbound and southbound left at the intersection of Aviano Way & Deer Valley Drive.*

This same Traffic Impact Analysis also reveals the extent to which Vestar's proposal would exacerbate this existing problem. The Analysis describes this impact as follows:

> *The Black Mountain Village proposes to rezone approximately 16-acres of undeveloped land from existing R-2 (residential) to C-2 (commercial) to consists of approximately 76,200 square feet (SF) of grocery supermarket, 41,500-SF of various commercial shops each under 40,000 SF, and 19,700-SF of fast-food restaurants with drive through window. The proposed developed is located on the southwest corner of Black Mountain Boulevard and Deer Valley Drive in the City of Phoenix, Arizona. The site is planned to provide a total of eight (8) access points, of which five (5) are planned for full movement access and the remaining three (3) are proposed restricted right-in/right-out driveways.*

This Traffic Impact Analysis does not mention that Vestar's proposal also includes a gas station. Moreover, this Traffic Impact Analysis does not analyze the traffic impact of the nearby Garden Communities 882-unit apartment complex currently underway at the northeast corner of Tatum Blvd and Deer Valley. It also does not analyze the impact of the planned development of the 410-acre parcel at the southeastern corner of Deer Valley and 40th Street purchased by Taylor Morrison and Pulte Homes for a 1,200-lot master planned community. Because the west boundary of this parcel directly abuts Mayo Blvd, traffic from this planned community would likely use Mayo Blvd for ingress and egress. Moreover, the vehicular traffic entering and exiting the community would also increase the traffic on 40th Street and Deer Valley.

Vestar's description of its proposal is disingenuous. It describes its proposal as a

"low-impact" commercial development. Their description of the proposed project mentions a "neighborhood grocery store and inline retail opportunities." However, omitted from their description is a gas station that they have acknowledged is part of their plan. Also omitted is the "19,700-SF of fast-food restaurants with drive through window" described in their Traffic Impact Analysis. How can anyone honestly describe grocery stores, gas stations, and fast food restaurants with drive through windows as "low impact" uses? Each of these operations would result in increased vehicular traffic entering the proposed site from all four bordering streets. In addition to the increased private passenger vehicular traffic, other traffic entering and exiting the proposed site would include gas tanker trucks and commercial delivery trucks. This increased traffic would be in addition to the traffic already generated by 2,600 students and their parents entering and exiting the Pinnacle High School parking lots twice daily during the school year. Also not to be overlooked are the evening activities at the school that result in numerous vehicles exiting onto Black Mountain Blvd and Mayo Blvd. Even now there are not enough traffic lanes on Mayo Blvd to efficiently handle the vehicular traffic exiting the high school parking lots.

Pinnacle High School is not the only school affected by Vestar's proposed rezoning request. The Fireside Elementary School, with 775 enrolled students, is only a short block away from Superblock 12. Vestar's rezoning request would also impact the traffic to and from this elementary school.

The Arizona State Land Department agrees with Vestar's C-2 rezoning request because it wants to sell this parcel for the highest possible price. The Land Department's position is understandable. However, in this instance, it represents a grave injustice to those homeowners who purchased their homes (many with their life savings) in this neighborhood. They justifiably believed their homes would never border a commercial development because this area was zoned **Residential**. These homeowners should not have their legitimate expectations sacrificed on an altar of money.

For the foregoing reasons, I respectfully request that Vestar's proposal **not** be approved.

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | James Tuffin |
| **To:** | Anthony M Grande |
| **Cc:** | dan.richards@strand.com; "Wouter Roodenburg"; cvanek@arizonarepublic.com; akwok@azcentral.com; Council District 2 PCC; Mayor Gallego |
| **Subject:** | RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Wednesday, September 6, 2023 6:49:55 AM |

Dear Mr. Grande:

An unidentified party is running a sponsored ad on Facebook directing viewers to an online "petition" for a new grocery store in Desert Ridge. The online petition page can be seen at https://chng.it/6L8mkBrdDq [chng.it] . It identifies the promoter of the petition as "New Grocer". It makes no reference to the ongoing zoning and plan amendment cases. It fails to mention, as Vestar's counsel has publicly admitted on more than one occasion, that Vestar cannot say what kind of grocery might ultimately go in. And needless to say, there is no reference to the 20 acres of drive through junk food and gas station also included in Vestar's conceptual plan for the site right next to the high school.

These deceptive tactics are unworthy of any responsible business. City staff should give no weight whatsoever to the results of this patently misleading petition drive.

Thank you for your attention to this matter.

James W Tuffin
21214 N 36th Pl
Phoenix, AZ 85050
James.tuffin@tuffinlaw.com (retired attorney not offering services to the public).

**From:** Treye Elzenga
**To:** Anthony M Grande
**Subject:** Desert View Zoning Feedback - Black Mountain Village Project
**Date:** Thursday, September 7, 2023 11:09:28 AM

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Hello Anthony,

As you and constituents consider the proposed Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23), I wanted to express my strong opposition to this project. City Planners got this right the first time in the General Plan. Schools, dog parks, walking trails, community soccer fields, and four housing developments adjoin this property. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.

Living in this community, safety should always be our number one concern as residents. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children under the age of five. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. Increasing transient traffic flow, especially off the high-speed HWY 51 into this area, greatly increases risks for residents, especially our younger children. Simply there is no compelling argument for this project and only increased risk.

While traffic studies were completed, the analysis and land schematics fail to demonstrate any reference to Fireside Elementary School which is within four hundred yards of this project. How can we consider no traffic turning Left or Right from or onto Mayo Boulevard. This lack of detail shows severe disregard for our pre-school and elementary age children. In the analysis, they also fail to reference when the study was completed other than November 2022. In November, we have slower traffic patterns based on holidays, people traveling outside of Phoenix to visit family, and winter residents not yet arriving to the area. While the necessary paperwork was completed, beyond the abundance of words in the report where is the holistic detail that considers an elementary school within yards of this project.

In 2022, the Arizona Department of Housing identified shortages of over 270,000 housing units across our state. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks. Approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates not the community.

While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, Vestar project and along Cave Creek Road, and HWY 51 south. In addition, all these commercial properties have clearly defined borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. Within Desert View we have an abundance of services of all commercial types within one mile. Making the argument that driving one mile creates hardship is unsubstantiated, unless data is provided on how many cars each household owns in village. Desert View is not the same as an urban core, such as downtown Phoenix. Lack of concrete detail is consistent throughout the rezoning application, while there is an abundance of words and feelings including 'potentially' and 'we feel' it fails to acknowledge key considerations as I have outlined.

We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this rezoning request.

Treye Elzenga

Resident City of Phoenix - Desert Ridge

| | |
|---|---|
| **From:** | Lesley Anderson |
| **To:** | Anthony M Grande; msantoro@gblaw.com; PDD Desert View VPC |
| **Subject:** | Open Letter to the Desert View Village Planning Committee re: REZONING LAND NEAR PINNACLE HS |
| **Date:** | Friday, September 8, 2023 6:47:42 AM |

Dear Anthony Grande, Michelle Santoro, ad the Desert View Village Planning Committee,

I am one of the many **Sky Crossing residents** who found out about the **rezoning of the 20.52 acres on the SW corner of Black Mountain Blvd and Deer Valley Drive** from an article posted on a Facebook group and **not from the City of Phoenix**. I am obviously disappointed that Vestar and the City of Phoenix failed to notify about 95% of the Sky Crossing residents of this potential zoning change that will deeply affect our neighborhood.

**I personally attended the meeting on August 1, 2023** in order to get more information about the potential gas station, grocery store, and restaurants/shops that will affect neighborhood traffic as well as my property value in the near future. My hopes were high as I listened to the presentation by Gammage & Burnham. I was actually in favor of some sort of small commercial property before the meeting.

I waited for details as to the type and size of grocery store, types of restaurants, and of course a solution to the traffic problem that haunts that corner of Desert Ridge, but sadly none of that happened. **It felt like no solutions were given**. Very general information was shared on the slides. No 3D rendering of what it would look like. Will the grocery and gas station lights be on all night? What about the noise from semi trucks dropping off 3 am deliveries at the grocery store? Will the stores blend with the desert landscape like in Fountain Hills or stick out like a sore thumb? Residents were simply left with more questions than answers.

**With this in mind, I am writing to you all to express my opposition to rezoning this land from RESIDENTIAL to COMMERCIAL which would allow for a commercial shopping center.**

I think Sky Crossing residents would be more supportive of a project if it answered the questions above, and somehow solved the traffic mayhem. Perhaps Vestar could have proposed to help the school and the community by building Pinnacle High School a parking garage? **Traffic literally comes to a standstill in the morning hours** and prevents area residents from accessing the Black Canyon Road heading south in order to get on the HWY 51 on-ramp. Apparently because there is not enough parking for students, so parents have to drop their kids off every morning. Which is ridiculous. **If you live in this area, you know about the problem. The high school and the Phoenix Police are well aware of the problem.** This strip center will only add to the traffic issue.

I am but one of the many voices who oppose the rezoning of this land and the potential traffic issues it will cause. **I am asking the members of the Desert View Village Planning Committee to please vote NO when voting for the rezoning of this parcel of land. There are too many unanswered questions.**

Thank you for your time and for reading this. Much appreciation.

Regards,
**Lesley Anderson**
**22413 N. 30th Street, Phoenix**

Sky Crossing resident

**Realtor®** with **HomeSmart**



Email: AZAndersonRealEstate@gmail.com
**Direct: 480-390-6297**

**From:** Jamie Bauschka
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 12:36:27 PM

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Dear Mr. Grande-

This message is in regards to GPA-DSTV-2-23-2
GPA-DSTV-3-23-3
Z-39-23-2

I live in the neighborhood in Fireside that is directly across Black Mtn from this currently vacant land. While we understood this to be slated as residential, it seems now someone is trying to change that.

While we are not in favor of this changing to commercial, there is a much more pressing issue for this area that should be addressed prior to any development on that land. The drop off/pick up/ and parking for students at PVHS. The current situation there is unsafe and terribly inconvenient. The fact that there is not a sufficient amount of parking for students attending the school has got to be expanded prior to anything else being developed there. The kids crossing this major intersection (Black Mtn & Mayo) to get to their awaiting rides, is a tragedy waiting to happen.

Please consider working with the school district & community before it's too late to address these issues.

And, no thank you to changing the zoning from residential to commercial.

Thank you for your time & consideration!

Jamie Bauschka

Sent from my iPhone

**From:** Yatharth Chowdhary
**To:** Anthony M Grande
**Subject:** Opposing Black Mountain Village
**Date:** Friday, September 8, 2023 10:29:24 PM

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Hi Anthony,

I am current resident of desert ridge area and regarding GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 i don't want Black Mountain Village.

Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

I would like to oppose the rezoning of this area.

Thanks
Yatharth

**From:** Diana Dichter
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 9:56:56 AM

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Please consider my vote AGAINST the Black Mountain Village Commercial development sought after by Vestar. My family, including two children, live in Fireside Desert Ridge and plan to stay here for the next 10-20 years, at least.

We would like to keep Fireside and the overall Desert Ridge community, as originally planned - residential.
The lot across from the Pinnacle High School could be made into a community park, perhaps with some additional parking to relieve the already horrific traffic conditions for the schools in the area. We do not need more traffic in the neighborhood or even worse - though it.

Hope our voices carry some value in these determinations.

Thank you,

Diana Dichter
310-912-2790

**From:** SCOTT ELLEFSON
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 8:34:28 AM

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Anthony,

Please note, I am Opposed to the Black Mountain Village Plan.

Case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Sincerely,
Scott Ellefson
Fireside at Desert Ridge

**From:** Joe Haglund
**To:** Anthony M Grande
**Cc:** Joe Haglund
**Subject:** Black Mountain Village Proposed Development
**Date:** Friday, September 8, 2023 11:06:40 AM

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Hello Anthony,

I am resident in Aviano in Desert Ridge in Phoenix and I wanted to reach out to you about the proposed Black Mountain Village Development that is up for rezoning. Unfortunately I will not be able to be present at the meeting on October 3rd and wanted to reach out on this.

I have lived in Desert Ridge since 2012 and there have been several great changes over the past 10+years including access to the 51 and widening Black Mountain. I strongly feel that the rezoning of this area would be a major mistake for several reasons.

1.) Currently Pinnacle High School has a large amount of traffic that creates a backup onto Black Mountain and sometimes Deer Valley as well which makes this area extremely difficult to get through during the week from 7-8:30am, between 3-5, and also when there are sporting and other events held at the school. Adding this development will bring increased traffic and and chaos for many new drivers that attend the high school and residents and guests of the area.

2.) Parking is a major issue at Pinnacle and students will end up parking in this new development which will create issues with the property manager/owner and tenants as well

3.) As a resident I am all about convenience and the thought of a grocery store and other stores close by my home sounds great initially, but I think there are a lot more negatives than positives for this one and the most important one is the safety of the kids and residents of the area.

Thank you for your help with this and please feel free to contact me with any questions

Joe Haglund
22116 N 36th Way
Phoenix, AZ 85050
480-650-1873-cell
joehaglund1@gmail.com

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Joe Haglund
480-650-1873-cell
NMLS ID: 24351

**From:** April Justman
**To:** Anthony M Grande; Rob A. Justman
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 4:38:15 PM

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Hello Anthony,

We are residents of Fireside and parents of Pinnacle High School children. We are strongly opposed to th Black Mountain Village.

When we purchased our home, Fireside was advertised as a clean, quiet, and safe neighborhood oriented towards families with children. It is our understanding that commercial activities within the superblocks adjacent to Fireside are to be limited to minor conveniences of three (3) acres or less. Vestar is proposing a twenty (20) acre shopping center directly adjacent to Pinnacle High School; that, as you know, includes drive thrus (which are also prohibited commercial activities in the superblocks adjacent to Fireside).

Not only is our family concerned about what may become a falsity of how Fireside was advertised when we purchased our home seven (7) years ago, should Vestar succeed with this initiative, we are also concerned about the associated crime, noise, pollution, and traffic that will no doubt plague our residential community. We already have an issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Street, as commuters travel to Interstate 51. Vestar's initiative will only heighten this problem, and create a more dangerous situation for our children including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration.

Thank you for your time.
April and Rob Justman
3713 E. Huett Lane
Phoenix, AZ 85050
480-904-1560

**From:** rmarranca ourfiresidedesertridge.net
**To:** Anthony M Grande
**Subject:** Case #GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 11:07:18 AM

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Good Morning,
We have bought into our community at Fireside with the zoning of all residential. We are NOT in favor of changing the zoing and the plan to put in a 20 acre shopping center right across from Pinnacle High.
the Black Mountain Village

I hope you can respectfully reconsider this change in which we did NOT buy into
Thank you,

With Warmest Regards,

*Rita Marranca*
*Administrative Assistant*
*and Front Desk Manager*

Fireside at Desert Ridge
480-203-2166

**From:** Chintan Patel
**To:** Anthony M Grande
**Subject:** CASE # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 8:49:37 PM

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Good evening Mr. Grande:
My name is Dr Chintan Patel and I am a cardiologist at our local, Thompson Peak hospital and resident within the Copper view community in Fireside here at Desert Ridge. I am writing to you in reference to case number GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, also known as Black mountain village.

I know that you may be receiving numerous letters and petitions against this commercial community. I would like to take the opportunity to waste my concerns and join amongst the ranks of those against this proposed commercial shopping area.

The appeal of Desert Ridge and what makes it a unique location is the sense of community that we all feel and try to bring to the various neighborhoods within the Desert Ridge communities. While we may live a different neighborhoods, much of what unites us is the sense of community and safety that we sought when we first moved here. The glue that tends to bind us all here, like most neighborhoods, is our children. Personally I have two young daughters who attend Fireside elementary who are currently six and five. We moved to this community after talking with neighbors and seeing how happy they were raising their kids from elementary to high school in an area that they felt safe enough to have their kids be independent.

I do understand the financial benefits of a commercial property, but the location that is proposed is already in a high traffic area with his own intrinsic problems because of high school traffic and the on/off ramp to route 51. If the point of the shopping plaza is to serve the needs of the community, and the community has spoken that the current Desert Ridge is sufficient then the only thing this could bring are consequences. People moved to this community the way it was designed with the promise of trying to keep it from being a commercial hotspot. Bringing more homes and more families to create more neighbors only makes us stronger, but bringing in businesses that invite more outside traffic, their own self interests, and the potential negative influences only brings down the reputation of Desert Ridge and instills of distrust in the city of Phoenix and it's social responsibility to it's citizens.

I thank the city of Phoenix and representatives like you for making communities like Desert Ridge available to us and keeping it in its current splendor. All we ask is a mutual sense of trust in us to help continue to grow the community while maintaining its integrity and safety.

I appreciate your time and willingness to hear our voices.

Thank you so much,
Chintan Patel.

**From:** Susan Sheroff
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Friday, September 8, 2023 7:04:25 PM

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Dear Mr Grande:

I reside in Desert Ridge at 21214 N 36th Pl

The applications submitted to enable the Black Mountain Village must be denied. I am aware of the comments submitted by other homeowners including Mr. Tuffin, Mr. Richards and Mr Roodenburg. I will not repeat the many reasons why this project is a terrible idea. This attempted betrayal of innocent homeowners who purchased under the existing Specific Plan cannot be justified; the justifications put forward by Vestar are essentially specious and insufficient to destroy the reasonable expectations of innocent home buyers.

Thank you for your attention

Susan Sheroff

Sent from my iPhone

**From:** Taylor Ungerer
**To:** Anthony M Grande
**Subject:** No to Black Mountain Village
**Date:** Friday, September 8, 2023 9:11:33 PM

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Case number-
GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Hello Anthony,
Myself as well as most of the community at black mountain rd. absolutely disagree with Black Mountain Village being rezoned from residential to commercial. If you could please let me know an update after the planning committee meeting with the decision on October 3rd, 2023.

Thank you for your time,
Taylor

**From:** Jeannette
**To:** Anthony M Grande
**Subject:** Case no Z29-23
**Date:** Friday, September 8, 2023 9:05:10 PM

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I am writing to you regarding the request to rezone in our area 85050 Black Mountain Project.

As a resident and homeowner 17 years in this area - Desert Ridge, I have seen a lot of growth in our area. I want to make sure we DO NOT REZONE THIS AREA TO COMMERCIAL. We are currently inundated with traffic from the 51 and all the traffic from the area who avoid the 51. You should be focusing on community not convenience. Save this are for Pinnacle High School. Every morning my kids walk to school and the amount of traffic is massive and congested. The 51 Black Mountain ramp has also increased the congestion and safety of residents and children who live in this area. DO NOT BE MOTIVATED OR SEDUCED BY THE ARROGANCE OF COMMERCIAL BUSINESS In our community!!!!!

Vote NO!!!!
Jeannette Vespalec

| | |
|---|---|
| **From:** | Dan Welker |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mtn Village |
| **Date:** | Friday, September 8, 2023 11:22:38 AM |

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Mr Grande -

I live across the street from the proposed Back Mountain Village Commercial development in the Desert Ridge area. This is a major issue for my family. Traffic is already crazy. The noise from Deer Valley and Black Mtn is already bad (why isn't there a noise ordinance for Harley Davidsons and tuner automobiles, by the way) and it would just get worse. The high school students next door at Pinnacle don't need this. Go to the Walgreens next to PV High School after classes get out if you want a sample of what goes on. I have two kids there right now and my third will be going there in 3 years. This is supposed to be a residential area and is currently zoned that way. The bait and switch that is going on is unacceptable. I will oppose this every way possible. Please stand up and represent your citizens and keep the peace in a neighborhood that is supposed to remain quiet.

Thanks for your help.

Dan Welker
602-821-0262

**From:** Debbie Bolde
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 SW Black Mountain & Deer Valley
**Date:** Saturday, September 9, 2023 4:59:53 PM

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Dear Mr Grande.

We are residents of Sky Crossing and we received notification of the proposed re-zoning at the SW Corner of Black Mountain & Deer Valley roads because we live in close proximity of it. We are opposed to the development and rezoning of this parcel for the following reasons:

1. This project does not fit the neighborhood and it is contradictory to Desert Ridge's original plan for this area to be a low noise, light traffic community. We purchased our home in 2020 with the understanding this parcel would be a residential parcel only. We moved here to get away from the city traffic and noise.
2. The suggested development is not needed in this area because all of these services are available 2 miles in each direction on Tatum blvd and Cave Creek road. Furthermore a gas station and drive thru coffee shop/fast food restaraunt will increase pollution into neighboring communities.
3. Currently PHS turns their lights off at 9pm because of the residential zoning. This provides a quiet serine and tranquil neighborhood for all homeowners. This development would change the entire feel of the neighborhoods which is not at all fair to any homeowner that purchased as described above.
4. With the increasing concerns of rising temperatures, water shortage, high traffic and other issues within the city of Phoenix, it would seem prudent for the city council to preserve open land to insure a better quality of life for it's residents. Our temperature in the area is typically 3-7 degrees lower here than it is at Sky harbor airport where the land has been overdeveloped. We need more trees, bushes and open land and less concrete, blacktop, buildings and traffic. A better use of this land would be a park with walking paths, covered picnic area's and additional parking that could be used for PHS during the week. This would meet the needs of all of these neighborhoods and would alleviate the current problem with people using the private parks in Sky crossing, it would be a win win for everyone.

Thank you for your consideration of these issues above. We hope the city council will find another alternative for this parcel that will be better suited to the neighboring communities than a commercial development.

Mike & Debbie Bolde
3436 E Louise Drive
Phoenix Az 85050
480.419.9385.

**From:** Susan Marshall
**To:** Anthony M Grande
**Subject:** case numbers GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/2-39-23-3
**Date:** Saturday, September 9, 2023 11:14:34 AM

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To All Involved,

I don't want Black Mountain Village at
Deer Valley-Sky Crossing-Black Mountain.
This land is zoned for residential and should remain so. I see no reason to add more commercial businesses to a zoned residential area. It will only bring more, crime, noise, litter, pollution, and traffic nightmares to quiet residential area. This is where very young children through high school ages are in large number playing outdoors in sports and in neighborhoods. This will be monstrosity of various issues. Especially with the exit to Black Mountain-51-101 and intersection of Black Mountain Blvd and Deer Valley. This is easy to predict. Look at the issues of traffic already. Our neighborhoods were built and purchased with this in mind of being residential. We would not have purchased otherwise. It's a promise you are conducting rescinding. To have it be a bait and switch now will only cause more ill will in our communities and with government. Please consider everyone's concerns.

Cordially,
Susan Marshall

| | |
|---|---|
| **From:** | Marty Minzer |
| **To:** | Anthony M Grande |
| **Subject:** | This better never take place. You will have a war on you hands! |
| **Date:** | Saturday, September 9, 2023 1:26:50 PM |

Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.
The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to rake in even more money by changing the zoning, and the plan, to put in a 20 acre shopping center right across from Pinnacle High School. They say it will contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and heaven knows what else.
Many of us are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity. And we are taking action.

Sincerely,

Marty Minzer

**From:** Alan Walstad
**To:** Anthony M Grande
**Subject:** Black Mountain Village proposal
**Date:** Saturday, September 9, 2023 12:36:21 PM

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Anthony Grande
Planner II* Village Planner
City of Phoenix
200 W Washington St
3rd Floor
Phoenix, AZ 85003

Greetings Anthony, I appreciate you taking the time to read my note regarding case number GPA-DSTV-2-23-2 and/or GPA-DSTV-3-23-2 and/or Z-39-23.

My family and I are current residents in the Sky Crossing community, living just northwest of the intersection of Black Mountain Boulevard and Deer Valley Road. We have some concerns about the proposed zoning changes for the parcel at the southwest corner of that intersection.

- We moved to our home in part due to the quiet community surroundings, including the residential neighborhoods of Aviano and Desert Ridge to the east, and Fireside to the southeast. Also, Sky Crossing is bounded by vegetation and city property to the west, the National Memorial Cemetary of Arizona to the north, and the Joni Fitts School of Horsemanship to the northeast.
- The Desert Ridge Specific Plan (in which the parcel in question lies) limits commercial activity in the residential superblocks to no more than 3 acres.
- Pinnacle High School is directly to the south of the proposed zoning change/development.

Our decision to move to this area was predicated on the quiet, residential feel of our neighborhood and surrounding areas. I know that many neighbors in Sky Crossing as well as friends and neighbors in Aviano and Fireside feel the same, and this proposed change to existing zoning conflicts with one of the primary reasons that many families may have selected these neighborhoods.

We find that existing stores and shops (essential and non-essential) as well as medical facilities and outdoor activities are all plentiful within a very reasonable distance (most less than 7 miles) from our existing home. We believe that there are multiple alternative locations in the general vicinity if further development is necessary.

Each morning during the school year, the traffic at the intersection of Deer Valley Road and Black Mountain Boulevard is horrendous. The current combination of Pinnacle High School

traffic coupled with traffic accessing SR-51 southbound from Black Mountain Boulevard creates a backup that can take 15+ minutes to travel less than one mile. This traffic situation will only worsen with any future development north of Pinnacle Peak Road, including the potential extension of Black Mountain Boulevard to connect to I-17/AZ-303 through Sonoran Desert Drive.

Our family is not in support of the proposed zoning changes:

- Adding a retail shopping center will create additional traffic, including commercial trucks and trailers delivering goods at all hours of the day and night.
- Lighting in the parking lots and the stores themselves will shine directly into homes/bedrooms along the north side of Deer Valley Road. The same homes will also have significant noise pollution from the center.
- The addition of a gas station/convenience store will also bring environmental concerns, and even greater light and noise issues.
- Any waivers granted for alcohol purchases in the center would be a significant concern with Pinnacle High School just south of the development.
- Criminal activity, which is currently minimal in our community, will very likely increase with the addition of retail and restaurant businesses directly across the street.
- Traffic at the intersection, already a significant concern each morning during the school year, will be exacerbated with multiple businesses open at that time.

Thank you again Anthony, for reviewing our concerns about the potential zoning changes.

Best regards,
Alan Walstad

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|---|---|
| **From:** | Rajendra |
| **To:** | Anthony M Grande |
| **Subject:** | NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2 |
| **Date:** | Sunday, September 10, 2023 1:13:07 PM |

Hello Anthony,

My name is Rajendra Danda and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Rajendra Danda

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 11:54:31 AM

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Hello Anthony,

I am Rajesh Gadde. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Rajesh

| | |
|---|---|
| **From:** | kay ehrick |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2. ABSOLUTELY NO global international here thanks |
| **Date:** | Sunday, September 10, 2023 7:46:34 AM |

Hi Anthony,

Lived here for 10 years and please tell vestar his partners and the global leaders they hang with to all take their equity BS and play the game in some other county. We have enough crazyness on these roads and riffraff pretty much all around us. We get eniugh traffic from the 51 enough from all the highschool and elementary. So forgive me when I say we don't need anymore traffic around these parts. Not to bright of an idea at all. Maybe the partners can build near their homes or kids schools. Or find another globe to pollute. Stop building new and be the globalist equity folks you claim to be.. let me k iw if you need the buildings that need some fixing since global love screams vestar, and investment of international people who should be maybe building in their own countries and stop bringing in shops that cater to worldly people. We are o lay one country and our language is English. Foreign builders should do the climate a favor and fix the the homes already up. We sure as hell don't need another drive through, hell no to a gas station and really another grocery store? No thanks if we were looking for so much crap around us we all would have moved elsewhere! Sick of these investors coming in and messing with something good. Here's a suggestion vestar can take all their ideas and I don't know maybe FIX ALL THE BUILDINGS CLOSED due some bioweapon plandamic! We don't need anymore corners with the crap we see that has all the crap they bring in! Vestar needs to leave it the way it was zoned for! Absolutely no businesses! Save the planet by using all the empty buildings do to all this equity BS! Hell no to the idea! I wasn't born yesterday and please tell vestar to take their global equity and shove it where the son don't shine! They should not be so money hungry to into our neighborhood and bring in businesses they know aren't needed! Plenty around us within a 3 mile radius. HELL NO TO VESTAR THEIR PARTNERS AND THEIR GLOBAL EQUITY BS! The word these globalists and their partners don't like is Equality cause equity is racist! Maybe vestar should go and build something in south phoenix for all the homeless and OUR VETS

Hell no to vestar in this area! Equity bs doesn't work here I've already lived that time of my life . It's equality and if vestar is a foreign entity would rather they go globalize some other suckers! I've seen what these globalists and their equity has done to Greece first hand! Hell no! Fix the buildings that are up and need a gut job remodel! Don't want nothing from vestar or their desert ridge ideas!

No more businesses around 3 schools! No riff raff needed anywhere close to any of these kids! Globalists OUT and the word is EQUALITY.

No to this build.

Kay E

| | |
|---|---|
| **From:** | Mahitha |
| **To:** | Anthony M Grande |
| **Cc:** | Mahi |
| **Subject:** | NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2 |
| **Date:** | Sunday, September 10, 2023 12:48:25 PM |

Hello Anthony,

I am Mahitha Valluri. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Mahitha

Sent from my iPhone

**From:** Justin Scott
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 8:53:43 PM

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Hi Anthony,

I am reaching out to you with my concern about the Black Mountain Village proposal at the intersection of Black Mountain Road and Deer Valley. I am a current resident of Desert Ridge in the Fireside community. I kindly request that Case Numbers: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 are denied. I have no interest in this property and there is absolutely no need for it. This will only cause significant issues in our community.

I hope you consider the Phoenix residents that will be very negatively affected by this proposal if passed. Thank you for your attention.

Sincerely,
Justin Scott

Justin Scott
Justinscott634@outlook.com
(480) 865-4700
21264 N. 36h Place, Phoenix AZ 85050

**From:** ramya silpa
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:19:47 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** lakshmi alapati
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:24:31 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** Bob Donnelli
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Monday, September 11, 2023 3:05:16 PM

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Hello Anthony,

A topic was brought to my attention re: Black Mountain Village development on the corner of Deer Valley road and Black Mountain freeway. In the communication, it stated a plan to develop the area commercially.

As a resident homeowner in the Desert Ridge Aviano community, I would be opposed to such development. The expression ‘convenience has its costs’ is not a mantra that would garner local resident support.

As you are aware, with the implementation of such comes an impact on the local community. These external, non-controllable influences would add additional burden to the traffic flow, already very challenged with the high school across the street; an esthetic decline of the local neighborhood housing; an invitation to non-resident commuters; and the potential for a parabolic change of public safety in the local community.

I understand business well. The location would embrace a single family residential development, a logical option for the land. This area is a much sought after residential community and the ability to pre-sell any number of residences would be accomplished with little effort.

Albeit one email, this topic was brought to my attention by a host of local homeowners. I look forward to your consideration.

Sincerely,

Robert Donnelli
602.708.1250

Sent from my iPhone

| | |
|---|---|
| **From:** | Praveen Mahadevaiah |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village (case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2) |
| **Date:** | Monday, September 11, 2023 9:13:42 AM |

Dear Sir,

This is Praveen Mahadevaiah a resident of Fireside in Desert Ridge, Phoenix. I am writing this email to express our opposition to the proposed Black mountain village with case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2.

Our homes were built under the Desert ridge specific plan. The plan promised us a clean, quiet and safe neighbourhood because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited. The land at deer valley and black mountain is designated residential under the plan, Vestar, the developer of the Desert ridge marketplace, now wants to rake in more money by changing the zoning and the plan, to put in a 20 acre shopping center right across from Pinnacle high school. They say it will contain a drive through fast food, drive through coffee, a gas station and grocery of unknown name and type.

Many of us were baffled by this rezone proposal and worried about the noise, crime, litter and pollution and traffic nightmares. As state route 51 route ends at the Black mountain blvd, there is already a lot of traffic and congestion in this intersection of Deer valley and black mountain, especially during peak hours. With the proposed rezone for a commercial property, this will make matters even worse.

Our house backs up to the black mountain blvd and we are really worried about the rezone proposal and the effect it will have on our beautiful community.

We request you to consider our opposition to this proposed rezone of the residential block and we don't want the black mountain village.

Regards
Praveen

| | |
|---|---|
| **From:** | Yasmin Rivera-Klein |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2 |
| **Date:** | Monday, September 11, 2023 8:46:51 PM |

Dear Anthony,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Yasmin Rivera

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|---|---|
| **From:** | Susan Ze |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Black Mountain village - Superblock 12 Oppostion |
| **Date:** | Monday, September 11, 2023 3:24:52 PM |

Mr. Grande and Councilman Waring. Greetings.

As residents of Copperview Neighborhood in Fireside - Desert Ridge, my husband and I are adamantly opposed to the proposed rezoning of the property known as a portion of Parcel 12.L within Superblock 12 of the Desert Ridge Specific Plan. We realize you have probably received many letters expressing such opposition, so I will briefly list our concerns. We moved from northern California about seven years ago to be closer to two of our daughters and their families and have found a pleasant home in Copperview but already see some negative activity and really fear how the proposed Black Mountain Village Project will escalate those negative incidents. Many of the younger families in the neighborhood may have already expressed their opinions, but I feel that we older folk should also have a voice.

We live on E Abraham Lane, just off of Mayo and very close to the Black Mountain/Mayo corner where large numbers of high school students congregate at the lights waiting to cross and cars wait in long lines to either turn left to access AZ 51 or drop off their children in the right lane. We also have long lines of cars on Abraham Lane itself as well as N 36th Street during drop off and pick up times and many cars exceeding the speed limit and/or making U turns. A commercial property on Black Mountain Blvd across from the high school will add more traffic problems to all parts of the Fireside neighborhood, not just Copperview. In addition, the safety of our students going to Pinnacle High School will be adversely affected.

We have watched over the past few years as vandalism and criminal incidents have increased at Desert Ridge Shopping Center. Putting a commercial center right next to a high school is only inviting more of such behavior.

The noise and light pollution will certainly increase and woe to those neighbors whose houses back up to Black Mountain Blvd directly across from the proposed commercial project. In addition, the amount of litter produced will surely spread over into the adjoining neighborhoods.

Of course, there is a master plan for Desert Ridge, and a commercial center next to the high school was not included, for very good reasons. We realize that the land is owned by the Arizona State Land Department and proceeds from the sale of such lands is to benefit the schools, but what better way to benefit Pinnacle High School (as well as the surrounding neighborhoods, including Fireside, Aviano, and Sky Crossing) than to provide additional student parking and/or a well designed drop off/ pick up area which would alleviate and not add to current traffic problems.

If you truly feel in your heart the need to vote for rezoning, despite the very logical and well researched objections, my husband and I hope that you will fight to incorporate absolute requirements, such as including community resources (a library and funding for it would be a fantastic addition!), covered parking with solar panels to reduce electricity needs, location requirements that reduce traffic problems and light pollution, prohibiting any gas station or any all night business, to mention just a few ideas.

I hope that you will truly take the concern of your fellow citizens to heart and not just rubber stamp the rezoning request in order to replenish the city or the school districts coffers. While we may be only a small neighborhood compared to the number of people living in Phoenix, we should be respected for our opinions and needs. Please realize the adding a commercial center right next to the school and directly across from a residential area does not meet OUR needs and certainly does not show any respect for us.

Sincerely,

Susan Ze

**From:** barbara bass
**To:** Anthony M Grande
**Subject:** Rezoning for commercial shopping center
**Date:** Tuesday, September 12, 2023 2:49:39 PM

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No NO I know Money Talks But so does the residents of out neighboring communities! We DONT WANT THIS ! (Protecting the safety of our children with a high school right next door! For the safety of all the homes, for the additional traffic, NO NO)We have a beautiful shopping center with All the amenities we need and Crimes have increased WE DONT NEED THIS IN OUR BACK YARDS! I'm not sure this can be stopped because it's all about $$$ But we can try!!!!

Sent from my iPhone

| | |
|---|---|
| **From:** | Eliza Bozzelli |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Michael Bozzelli |
| **Subject:** | STRONGLY OPPOSED to Black Mountain Village |
| **Date:** | Tuesday, September 12, 2023 10:03:11 AM |

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To Whom it May Concern,

We are new residents are Fireside with 3 small children, two of which attend Fireside Elementary School. We bought our home under the pretenses that we were raising our family in a safe, quiet neighborhood and that the land around us had VERY MINIMAL commercial zoning.

This suggested rezoning is going to have such a great impact on our community, our safety, and our already overwhelmed streets. Especially Mayo, which we walk along every day to bring our kids to school. Mayo is a complete nightmare during school dropoff and pickup hours already.

Furthermore, the threat of a gas station, or drive through will bring fumes, loitering and crime to our community.

I am STRONGLY OPPOSED to this rezoning and I feel that I was sold a lie when I bought my house. Our children and our community deserve better than this.

Eliza Bozzelli

**From:** Jen
**To:** Anthony M Grande
**Subject:** Opposed to Re zoning
**Date:** Tuesday, September 12, 2023 7:11:39 PM

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I read that Bestar is looking to redone near Deer Valley and Blk Mtn Rd.

I want to state that I am opposed to this Re-zoning.

Let me know if I need to sign anything .

Thank you-

Jen Cakebread
Long Realty Unlimited

**From:** Jason Epstein
**To:** Anthony M Grande
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.
**Date:** Tuesday, September 12, 2023 11:58:46 AM

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Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

**From:** J
**To:** Anthony M Grande
**Cc:** PDD Desert View VPC
**Subject:** Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 12, 2023 9:47:22 PM

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In reference to Cases:
GPA-DSTV-2-23-2
GPA-DSTV-3-23-2
Z-39-23

Hi Anthony,

I just ended a community meeting with the representatives from Vestar (Gammage & Burnham) and my local community where the conceptual plan for black mountain village was discussed. I have to say I am deeply disappointed with this proposal, that includes a request for amending the districting of the land from residential to commercial and the build out of a 20 acre shopping center. From the call itself, many other community members were equally disappointed and voiced their concerns.

I've read through the plan and the commentary as provided by the representatives of this build out, that includes notes such as that this is to the benefit of the community in limiting drive time and is intended to cater to the local area residents. I am a local resident and my current shopping drive time is 5 minutes to the desert ridge shopping center. I do not agree that bringing traffic, crime, pollution, litter, noise, and light are worth the benefit of saving me 5 minutes of drive time to do my regular shopping.

I originally purchased my home in the sky crossing community as a part of the desert ridge specific plan, with the understanding that commercial placements would stay near the commercial core of the desert ridge area. Should the concept be built, it is difficult to say that the city did not intend to lure high income residents such as myself into the community with intention to later change the zoning to benefit builders and local revenues over the safety and peace of mind of it's residents. The city planners believed that this location would best serve the community as residential zoning as per the Desert Ridge Specific Plan 6-44 under section 'Superblock 12'.

It is inarguable that commercial districts bring new types of crime to residential communities. It is inarguable that commercial districts bring more traffic to local communities. The benefit of building this shopping center, right next to current homes and a large high-school, must outweigh the traffic, safety concerns, pollution, and noise that such a district would bring. Since as written by representatives of the build that this shopping center would be to our benefit, I fail to see what benefit that is that outweighs the safety of our local students and peace of mind of residents of the local communities. When asked during tonight's phone call about prioritizing pedestrian bridges for students and locals, the answers were that the associated costs were prohibitive, likely indicating that the priority is not on benefit of residents, but on revenue. Perhaps you can share the value-add that outweighs the risks of commercial traffic near a school zone?

Should this build go through, my wife and I will likely leave the community. I've personally experienced commercial districts being built next to otherwise quiet, residential locales, and have heard the song and dance of attorneys who have promised minimal impacts and benefits

to the community. This was intended to be our forever home, and should we have to contend with the risk of a large shopping center such as this one and the risks that shopping centers bring, we will find ourselves residents of a new community and will encourage the multitude of other community members who are equally disappointed to leave as well.

I ask that commercial districting stay within the current confines of existing commercial districts, that we refrain from re-zoning residential districts to commercial districts found in the desert ridge specific plan, and that the land we use keeps as planned by the original authors of the desert ridge specific plan, unless and as agreed to, by residents of the community, not builders seeking profit.

Thank you for your time and your consideration,
Josh

**From:** Barb Melsek
**To:** Anthony M Grande
**Subject:** Rezoning on Black Mountain
**Date:** Tuesday, September 12, 2023 8:58:15 PM

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I am opposed to the rezoning from residential to commercial on Black Mountain Blvd and Deer Valley. This will not be safe for the 100's of children and staff that go to Pinnacle High School

Thanks,
Barb Melsek

Sent from my iPhone

**From:** Kenneth Miller
**To:** Anthony M Grande
**Subject:** Opposition to rezone
**Date:** Tuesday, September 12, 2023 2:56:45 PM

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Hi Anthony,
As a 17 year resident of Aviano and living near deer valley I vehemently oppose the rezoning of The parcel of land near pinnacle high school. I have had 3 kids go thru that school. The traffic is horrendous, the lure of a gas station to buy tobacco and alcohol and generally hang out will be a detrimental to the kids and our nice quite pocket away from all shopping and industry will be depleted. I feel, as a real estate agent that this will lower property values and become a beacon for crime near our homes. Please reconsider. We will all be there at the October meeting. Thank you
Debbie Miller
22008 north 36th way

Sent from my iPhone

| | |
|---|---|
| **From:** | C. Taylor Morgan |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village |
| **Date:** | Tuesday, September 12, 2023 9:27:15 AM |

Hello Mr. Grande,

My name is Christine Taylor Morgan and I am a resident of Scarlet Ridge in the Fireside subdivision in Desert Ridge.

Over recent months I have become aware of the recent efforts by Vestar to rezone land nearby my home to create a large shopping complex. I just want to add my deep concern and opposition to such a development. I bought my house in 2011 and was comforted by the lack of commercial development nearby. Desert Ridge shopping center is close enough (only a few blocks away!) for all my shopping needs and Costco gas station is not far either and much cheaper alternative to Jacksons. I worry about the increased traffic off the 51 and on Mayo (interfering with my exiting my neighborhood), the danger to schoolchildren walking back and forth from school, the crime and loitering that will inevitably follow, the negative impact this will have on the health and safety of Pinnacle High School students, the increased light pollution and car exhaust pollution, and yes, sadly, the increase in homeless near my home. My house backs up to a wash near Black Mountain Blvd and I can foresee a future where homeless could possibly make an encampment behind my house. It makes me feel like I may need to move for my own peace of mind and safety. Honestly, I was hoping that a portion of the empty land in front of Pinnacle High School would have been turned into a parking lot for the students or parents for pick-up and drop-off. It is absolutely chaotic around the area for drop-offs and pick-ups. But of course, there is no profit in that.

I feel this development is completely unnecessary and would like to add my name to those who are vehemently opposed to it. Thank you for your consideration and involvement in this matter.

Regards,

C. Taylor Morgan

**From:** julie richards
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, September 12, 2023 11:54:23 AM

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My family has lived in Aviano for the past 17 years. We have loved our quiet community and do not need or want a shopping center close by. We strongly oppose Black Mountain Village.

Case number: GPA-DSTV 2-23-2 GPA-DSTV-3-23-2/z-39-23-2

Sent from my iPhone

**From:** Jodie Abrams
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 13, 2023 9:27:02 AM

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Re: cases GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

To whom It May Concern:
I want to register my strong opposition to the proposed Black Mountain Village at Deer Valley and Black Mountain. As residents we chose to live in Fireside at Desert Ridge for a clean, quiet and safe neighborhood which was built under the Desert Ridge Specific Plan. To rezone for Vestar's commercial purposes is a complete betrayal to this community. Furthermore, this would drastically increase the traffic around the high school area and potentially put the kids at risk for traffic accidents and crime. Please DO NOT allow the zoning to be changed.

Jodie Abrams
3872 E. Melinda Dr.
Phoenix, AZ 85050

**From:** JAYNE BAHOURA
**To:** Anthony M Grande
**Subject:** No to vestar on deer valley and black mountain blvd.
**Date:** Wednesday, September 13, 2023 7:24:07 AM

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Hello
You may not live in the area, but this is a super bad idea. The location is in the middle of neighborhoods. Nobody wants the traffic or the noise this would create. We have desert ridge around the corner and cave creek rd. Both of have plenty of gas stations and food options. Please do not consider this ludicrous idea. Its not an added value location, it would be a community disrupter.
Thank you
Jayne Bahoura

Sent from Jayne

**From:** Cindy Bennette
**To:** Anthony M Grande
**Subject:** Vestar Rezoning
**Date:** Wednesday, September 13, 2023 1:20:27 PM

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I am writing to inform you that I am extremely opposed to the Vestar plan to change the zoning from residential to commercial at Deer Valley and Black Mountain Boulevard. There is already a major traffic issue on that corner, children walk through that area and I am concerned that this will become an extreme hazard for them. Additionally, it does not fit within the desert ridge master plan, and will create chaos for homeowners across the street. We specifically moved to this area to avoid heavy commercial areas.

Thank you for your consideration, Cynthia Bennette

Sent from my iPhone

**From:** lburdett
**To:** Anthony M Grande; lburdett@q.com
**Subject:** Apposed to Rezoning Black Mountain Pkwy
**Date:** Wednesday, September 13, 2023 5:58:46 PM

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Hi Anthony

I am writing to you to let you know I absolutely oppose the rezoning of Black Mountain Parkway Blvd and Deer Valley Rd where they want to put in commercial zoning. Please don't do this. Phoenix is developing every inch of land Arizona has!

Thank you
Laura Burdett

Sent from my Verizon, Samsung Galaxy smartphone

**From:** Diane Cash
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Wednesday, September 13, 2023 10:34:10 PM

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Anthony
I received the email talking about the rezoning of the area off of Deer Valley/Black Mountain putting in grocery store, gas station, coffee shop etc.
I am opposed to this . Traffic in that area is always congested and busy with the high school.
We have plenty of stores and gas station at Desert Ridge
Is there a petition that I need to fill out?
Thank you
Diane

Sent from my iPhone

**From:** Bryant De Piazza
**To:** Anthony M Grande
**Subject:** I oppose Black Mountain Blvd reasoning proposal for Vestar
**Date:** Wednesday, September 13, 2023 2:31:23 PM
**Attachments:** image001.png

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Please do not approve the Vestar requested rezoning for Deer Valley and Black Mountain rd. We already have too many cars and population clogging Tatum and Cave Creek roads and now they want to do that next to the high school. This will also cause more danger for our young youth around the high school and clog up that area. Please oppose.

Thank you




Bryant De Piazza | CEO
E: bryant.depiazza@dpgemelli.com
www.gemellihome.com [gemellihome.com]

| | |
|---|---|
| **From:** | Shelley Flecky |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fwd: Resident of Fireside - against rezone Black Mountain Village |
| **Date:** | Thursday, September 14, 2023 6:53:13 AM |

Begin forwarded message:

**From:** Shelley Flecky <shelleyflecky@gmail.com>
**Date:** September 13, 2023 at 9:44:03 PM MST
**To:** anthony.grande@phoenix.gov, council.district.2@phoenix.gov
**Subject: Resident of Fireside - against rezone Black Mountain Village**

Hello,

I have been a resident of Fireside Desert Ridge since 2011. I now have a son at Pinnacle High School. I am strongly against re-zoning the area by his school to commercial. This was not the original plan and definitely after all the growth in this area should not be the new plan. Traffic on Black Mountain Blvd is horrendous and downright dangerous during school hours. I don't think it is a safe place to add more congestion. Please do not re-zone! The community does not want this.

Thank you,
Shelley Flecky
Referencing case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

**From:** Dana Hurwitz
**To:** Anthony M Grande
**Subject:** Oppose Rezoning Black Mtn Blvd and Deer Valley/Mayo
**Date:** Wednesday, September 13, 2023 6:59:25 PM

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Hi Anthony

I am OPPOSED TO REZONING the residential area off Mayo and Black Mountain Blvd.

I have living in AZ my entire life. Up the street in Aviano community from Pinnacle High School now for about 12 years. We opposed the freeway outlet onto BLack Mountian Blvd when it is being proposed due to the high school and the ineffective bridge that was built over Black Mountain Boulevard. Every day I watch highschoolers cut across the lanes near the roundabout versus using the pedestrian bridge. That bridge was a huge waste of money as the kids who live across the street do not use it. Duh teenagers many will find path of learnt resistance/ effort. so this was a huge waste of our tax dollars and money and makes it very dangerous for the kids. So not good planning there. Another negative is the traffic at PHS during rush hour traffic. Great planning to clog up the very narrow street and bring 2k+ kids to school during rush hour and adjacent to the freeway entrance. An entrance could have been built near a less busy entrance or on the west side of the school or off 40th street where there is no school.

I guess what I am saying is there seems to be little thought on what happens after things are built out and how it actually impacts the folks who use it everyday. Safety in this first example was and IS huge concern.

The principal at PHS opposes the rezoning. Many residents in nearby neighborhood and families that attend PHS oppose the rezoning. The high school has very limited parking and should be expanded to allow for the increase volume of students that attend the school. The school grows more every year. I guess if this becomes commercial where do you think all the sophomores will be parking or the kids who cannot get permits to park on campus?

I feel like Arizona for so long been inept at planning what is proper for communities, families etc. I am good with not needing a grocery store two blocks from my home. There is a ton of WOS off 40th street for development and seems more appropriate. Rezoning to commercial will be an absolute headache for the school, parking, anyone trying to use business in the proposed area. If you have not please drive though the area on a busy school morning and tell me how you feel. Or maybe attend an event at the high school. The parents who attend the school for event have to park in the fields off Mayo as there is just not enough space. I think if any change is to come it should be parking.

I am opposed to the businesses to be clear. Fast food etc is the wrong thing to put in. This will make community unhealthy, have too many More kids crossing BMB and very busy Deer Valley from neighborhoods across the way. No control of pedestrian traffic, even if you try to they are kids and may not abide. The heavily populated (family friendly)neighborhoods do not need these businesses in their vicinity as there are plenty around and better if you have to seek it out to ruin your health. Any entrance for business would be dangerous off Mayo or BMB… Further down deer valley would be better, but not at or near the corner or DV and BMB or mayo and BMB. There is just so many kids out walking and I don't think adding any congestion or entrance for business make sense.

I think desert, some parking for that area make the most sense for the community. Please help our community this time to make the right decision and hold safety, what is logical for the community, growth of the highschool at the forefront vs profits.

Thank you for your time and attention. I am OPPOSED TO REZONING TO COMMERCIAL.

Dana Hurwitz

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:18:37 PM

**Name**

John N

**Email**

Jcsiiajdis@proton.me

**Support Comments**

I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Southwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale,

the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Southwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

**From:** ELONIA LASKU
**To:** Anthony M Grande
**Subject:** Oppose rezoning
**Date:** Wednesday, September 13, 2023 3:49:09 PM

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To whom it may concern!

My family absolutely opposes the rezoning on Black Mountain Blvd.

Thank you!
Elonia Lasku DDS
Aviano resident

Sent from my iPhone

**From:** Heather Magill
**To:** Anthony M Grande
**Subject:** rezoning on Black Mountain Blvd and Mayo Blvd
**Date:** Wednesday, September 13, 2023 2:36:11 PM

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Mr. Grande,

My daughter attended Fireside, currently attends Mountain Trail Middle School and will most likely go to Pinnacle HS next year. I am extremely opposed to rezoning the SW Corner of Black Mountain Blvd and Mayo Blvd into a commercial area.

This was intended to be a residential area not a commercial area.

People purchased their homes with the understanding they were in a residential neighborhood. Allowing a developer to come in a rezone for the developers financial benefit is a slap the neighbors face.

Neither Black Mountain Blvd nor Mayo were intended to be major commercial thorough fairs and there are plenty of businesses within 1 to 3 miles that provide these proposed services. Those areas are in commercially zoned areas and are major roads.

There are 5000+ students at this school. The area is congested enough during school drop off and pick up hours and adding more congestion to the area will create an even bigger risk of accidents especially with student pedestrians and new drivers. We currently have a jaywalking problem at that very intersection twice a day. Along with many cars parking along the road for student pickup.

Rezoning the area to commercial appears to be a ploy for businesses to target students who are still learning to manage impulse control and money management. In addition, it increases the opportunities for student truancy, loitering, littering, purchasing questionable products such as vapes/alcohol they can easily hide and take directly into school.

Because the businesses will be overwhelmed with students and students will try to park their to attend school rather than the school parking lot, I suspect many signs will be posted ... "customer parking only", no loitering, only "3 students the store at a time", "cars will be towed after two hours", "no student drop off/pickup". They might even have to higher a security service to prevent these activities creating a negative environment at the business center and the neighborhood.

Based on on those items I believe commercial area will not benefit the neighborhood but make it more stressful and unhappy to access.

Please ask yourself, would you want stores and a gas station to be built right next to your home or to your child's school? Its one thing to choose a place where that already exists, its quite another for someone to change the rules after you have already purchased your home and established your family.

Thank you for your attention in this matter.
Heather Magill

| | |
|---|---|
| **From:** | Heather McDonough |
| **To:** | Anthony M Grande |
| **Subject:** | Concerns for proposed land development |
| **Date:** | Wednesday, September 13, 2023 2:39:23 PM |

Hi Anthony,
I'd like to voice my concerns about having such a large commercial development so close to the high school. I know that this area is underserved with things like grocery stores, but I have some safety concerns. I'm concerned for a few of these reasons:

1. It will bring a bus stop to the area right outside the high school. Possibly opening it up to panhandlers and homeless individuals that we have seen on the rise in Desert Ridge. Posing safety risks to those who walk to and from school.

2. The traffic is already very bad in that area, and will likely cause more congestion and traffic.

3. Loitering after school by the high school kids, causing safety concerns, also kids from the high school parking in the shopping parking lots.

4. Noise and light pollution for those homes surrounding this area that has been proposed.

Thank you for your time and consideration in this matter.
Heather McDonough

| | |
|---|---|
| **From:** | Eugene |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Applications to Amend the General Plan and Zoning Ordinance for Desert Ridge |
| **Date:** | Wednesday, September 13, 2023 9:45:37 AM |

As you are aware, there are pending City of Phoenix Planning and Development Department applications (GPA-DSTV-3-23-2 and Z-39-23), to amend the Desert Ridge Master Plan and zoning ordinance to allow building a commercial shopping center in the middle of our residential community! This level of over-development needs to stop NOW, and I request your support to deny this change. Vestar is not interested in the quality of life in our community. This commercial center would transform the neighborhood to absorb increased traffic, noise, lighting, pollution, and even crime. What possible benefit can another neighborhood retail grocery store, gas station or restaurant add to the abundance of retail shopping and dining at the Desert Ridge Mall and surrounding areas?

Instead, I would ask that you consider developing this 20.5 acre site owned by the people of Arizona (through the Arizona State Land Department) by planting trees and green landscaping for the use and pleasure of your District 2 voters and their children rather than the profits for the Vestar investors!

Sincerely,

Eugene F. Montgomery, PE

Sent from Mail [go.microsoft.com] for Windows

| | |
|---|---|
| **From:** | Camille Nassif |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2 |
| **Date:** | Wednesday, September 13, 2023 1:33:44 PM |

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2
Project located at the corner of Deer Valley Road and Black Mountain

Please do not move forward with this re-zoning. We want to keep this area commercial free as was originally planned and sold to us. There are commercial areas only a few blocks west on Tatum Blvd and a few blocks east on Cave Creek - we do not need additional commercially designated zones with ones already so close.
There is already too much congestion at that same corner during the mornings and afternoons due to the adjacent school and this will not only make it worse but also more dangerous for these students and for the neighboring residents.

Thank you for your time and attention, Camille Nassif

**From:** Peggy Polito
**To:** Anthony M Grande
**Subject:** Oppose!!!!
**Date:** Wednesday, September 13, 2023 9:02:48 AM

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Anthony Grande,

I'm letting you know, I  absolutely oppose the rezoning on Black Mountain Blvd. When is enough….enough!

Peggy Polito

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Stop the Rezoning change on Parcel 212-38-023B (Black Mountain Village) |
| **Date:** | Wednesday, September 13, 2023 2:16:00 PM |
| **Attachments:** | image001.png<br>image002.png |

Hello Mr. Grande and councilman Waring,

I wanted to bring this to your attention that people in the Desert Ridge area have paid ads popping up on their Facebook page requesting people to sign their petition in support of the Vestar's Black Mountain Village Devlopement. If this advertisement is sponsored by Gammage and Burnham, is this even legal? This advertisement is very misleading, in a matter that could sway the outcome of the legal representation that they're providing to Vestar.

A major concern residents that live around this development have is that there is no way of knowing what is being considered as part of this development. Once this is approved to be rezoned, Vestar can do whatever they want with this land. The survey at the bottom of this page asks people to take a survey of which grocery store people would like to see in this development. Below are the options that people can choose from:

- Trader Joe's = Between 10,000 and 15,000 square feet
- Sprouts = 28,500 square feet
- Whole Foods = Between 21,000 - 38,000 square feet
- Safeway = 46,000 square feet
- Fry's = Between 80,000-105,000 square feet

I would say there's a massive difference between the stores they are discussing in that online survey. We need to know if they are discussing something smaller like a Trader Joe's or something massive like a Fry's. There is a huge difference between these. There is no sense of connection or community if you're planning on adding a Fry's to this development. This is also not catering to just the Desert Ridge community. Take a couple minutes to jump on the Nextdoor website/app and you'll see an incredible amount of people who live south of the 101 excited to see this development. This would allow them to stay off the 101 and just exit directly off the 51, onto Black Mountain Boulevard. This is not at all what Vestar is trying to promote with this project! They're promoting a sense of community and providing convenience for grocery stores and gas stations to Desert Ridge residents.

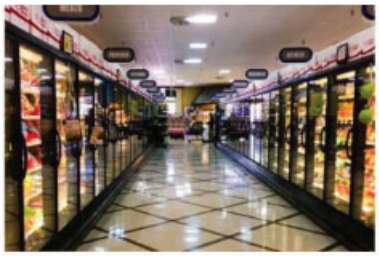
If you open up google and type in GAS STATION you will find that there are **11 gas stations within 3 miles of this intersection**. Additionally, within **3 miles of this intersection you have a Costco, Fry's, Albertsons, and Target**. I can't easily count the number of restaurants in that 3 mile range, but you have over a 20 alone near Desert Ridge and including High Street. There is absolutely no reason Vestar should be even considering a gas station at this location. The families that built either directly across the street, or very close to this development, are being punished for no reason. We were told that this is a residential superblock. The families that built in this area did so knowing that they would have a safe, quiet, area for their children to grow up around. This is not what I want directly across the street from my young family. Fireside residents, Sky Crossing resident, as well as the Estate at Ridgeview are uniting and we need to know we are being heard. This development can not just be a formality, because of the auction price is too lucrative.

I sincerely hope you take my concerns into consideration when deciding the fate of this rezoning vote. I look forward to speaking with both or you, in person, at the remaining council meetings.

Thanks,
Dan Richards
21618 N 36th Street

# BRING A NEW GROCER TO DESERT RIDGE

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would **provide us with convenient access to fresh and affordable food options**. As we continue to grow and evolve as a community, having a neighborhood shopping center will not only contribute to our convenience but also provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.


**IF YOU AGREE, PLEASE SIGN OUR PETITION »**

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center that will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

Additionally, a shopping center of this nature can serve as a hub for social interaction, creating a sense of place and fostering a stronger sense of community. It can become a gathering spot for neighbors to meet, interact, and support local businesses. **This sense of connection and interaction can contribute to a more vibrant and tightly knit neighborhood.**




A well-planned and community-oriented development of this kind can add significant value to our neighborhood without compromising its unique character.

**Please consider supporting the development of a neighborhood grocery-anchored shopping center.**

**PLEASE SIGN OUR PETITION HERE »**

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If you have any questions, please email us at NewGrocer2023@gmail.com

For questions or to provide comments regarding this project that will be made part of the public record, please contact:

Michelle Santoro
Senior Land Use Planner
Gammage & Burnham, PLC
msantoro@gblaw.com
(602) 256-4486

The City of Phoenix project contact is Anthony Grande, Desert View Village Planner. Mr. Grande may be reached at anthony.grande@phoenix.gov.

**From:** Dorie Sanders
**To:** Anthony M Grande
**Subject:** Rezoning proposal
**Date:** Wednesday, September 13, 2023 7:09:51 PM

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Please DO NOT permit changed zoning on Deer Valley Rd and Black Mountain. You are ruining our desert. We don't want it or need it for all the reasons you've already heard. The traffic density is already saturated and our community will suffer the consequences. We don't want or need additional commercial development.

Sent from my iPhone

**From:** Tonia Schwartz
**To:** Anthony M Grande
**Subject:** Rezoning at Deer Valley & Black Mountain
**Date:** Wednesday, September 13, 2023 8:44:22 PM

---

Please do not rezone commercial! Maintain the family neighborhood and protect the area from congestion and increased traffic.

Tonia Schwartz

Sent from Mail [go.microsoft.com] for Windows

**From:** Joanna Stockford
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Oppose rezoning on Black Mountain
**Date:** Wednesday, September 13, 2023 8:01:34 AM

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To whom it may concern:
I strongly opposed the development of property at Deer Valley and Black Mountain. The traffic in this area is already unmanageable and adding commercial property is only going to exacerbate this issue. It already takes an extraordinary amount of time to get children to and from Pinnacle High School. And yes, we live in district for that school. It will also create a safety hazard for students walking to and from school from the surrounding neighborhoods. There is already a shortage of parking at the school- this parcel is used for special event parking when the lot is full (football, etc.). This could lead to overflow parking now occurring in the nearby neighborhoods.

Desert Ridge Marketplace is 3 miles from this location and has everything anyone could need so the development of this small parcel in the middle of a neighborhood right next to a school (also increasing the risk of crime) is completely unnecessary. It should remained zoned for residential.

Thank you,
Joanna Stockford

Sent from my iPhone

**From:** Carol Ticgelaor
**To:** Anthony M Grande
**Subject:** Zoning on Black Mountain Parkway/ Deer Valley Road
**Date:** Wednesday, September 13, 2023 4:33:16 PM

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Dear Sir,

I am writing to express my opposition to the proposed re-zoning effort by Vestar. There are two schools very nearby, and I am concerned about the increased level of traffic in that area with a commercial project.

My daughter and her young family live in the subdivision directly across from this proposed area. I believe it is currently zoned for residential construction, which I believe to be the best use.

I appreciate your taking the time to consider my viewpoint.

Most respectfully,

Carol Fortune Ticgelaor

Sent from Mail [go.microsoft.com] for Windows

**From:** Marci Gluck-Stewart
**To:** Anthony M Grande
**Subject:** No rezoning!
**Date:** Thursday, September 14, 2023 7:54:00 AM

---

I oppose the rezoning on black mountain Blvd near pinnacle high school. Please don't allow this!!

Marci Gluck
Resident

Sent from my iPhone

**From:** Matt Gunty
**To:** Anthony M Grande
**Subject:** Oppose reZoning by Vestar
**Date:** Thursday, September 14, 2023 7:10:34 AM

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As a long time resident of this area I oppose the reZoning petition by Vestar to move the Deer Valley/Black Canyon freeway at Pinnacle peak from residential to commercial- this area has been over saturated with expansion and the particular location will encroach in an area near a high school that already sees and influx of young drivers, pedestrian and vehicular traffic.
Please support the constituency and not big business. Put your efforts towards getting bonds approved to construct a much needed new high school in the Norterra area for an already over burdened system.
Sincerely,
Matthew Gunty
1005 w Remuda Dr
Phoenix AZ 85085

Sent from my iPhone

**From:** Dana Huether
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Thursday, September 14, 2023 7:27:32 AM

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I am very much opposed to rezoning of the corner of Deer Valley Road and Black Mt. Blvd.

My grandchildren are high school age (Pinnacle High).

Velstar Development's plan is not conducive to a family neighborhood It will bring excessive traffic, noise and late night business into an area intended for family life.

Dana Huether
Phoenix AZ

**From:** Sharon Lee-Peters
**To:** Anthony M Grande
**Subject:** OPPOSE VESTAR REZONING
**Date:** Thursday, September 14, 2023 5:35:41 AM

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We absolutely oppose the rezoning on Black Mountain Blvd for a grocery store, a gas station, either/and/or a chic fil a, chipotle, dutch bros, etc. on that little corner of space next to Pinnacle High School.

PLEASE DON'T ALLOW THIS TO HAPPEN! A gas station would be a disaster!

Thank you,
Sharon

*Sharon Lee-Peters*
*Interior Designer*

*Anthony Peters*
*Contractor*
https://www.facebook.com/sharon.lee.peters/ [facebook.com]

*Style By Design LLC*
*21001 N Tatum Blvd*
*Suite 1630-160*
*Phoenix AZ 85050*
*602-788-1216*

*"I'm going to make everything around me beautiful—that will be my life." - Elsie De Wolfe*

| | |
|---|---|
| **From:** | Carefree Builders |
| **To:** | Anthony M Grande |
| **Subject:** | Stop the redone |
| **Date:** | Thursday, September 14, 2023 11:18:33 PM |

Hi Anthony ,

I live is SkyCrossing .
I would like to voice my opinion in this redone at black Mnt and deer Valley.

This does not seem like a good fit right next to a high school.
And it very close to the residential areas.
We all wish this would stay Residential land.
I do think this could devalue our home.
Thank you for your time .

# Best Regards,

Mike Paluscio,

602.499.5955
Carefree Builders LLC
100 Easy St. #5607
Carefree, AZ 85377
ROC: 342992

**From:** Dee Willis
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain Blvd
**Date:** Thursday, September 14, 2023 4:56:38 PM

---

I object to the rezoning of Black Mountain near Mayo.

Sent from my iPhone

**From:** Michael Bozzelli
**To:** PDD Long Range Planning
**Subject:** Fwd: Strong opposition to the proposed rezoning in Desert Ridge
**Date:** Friday, September 15, 2023 12:05:50 PM

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---------- Forwarded message ---------
From: **Michael Bozzelli** <mikeboz175@gmail.com>
Date: Fri, Sep 15, 2023 at 12:04 PM
Subject: Strong opposition to the proposed rezoning in Desert Ridge
To: <council.district.2@phoenix.gov>, <Anthony.Grande@phoenix.gov>

Mr. Grande and Mr. Waring,

I am a resident of Desert Ridge and a father of three young children. Our family moved here this year for the distinct purpose of enjoying a quiet, safe neighborhood for our kids to grow up in. I am very upset to learn that the land on Black Mountain is being considered for rezoning as we already have so much traffic on our overwhelmed streets. Furthermore, we have two schools filled with children within a block of each other that is very burdensome to Black Mountain and Mayo.

Bringing in commercial development will further burden our streets, increase noise and pollution, lower property values, raise safety issues, and put more of our neighborhood at further risk of to commercial rezoning. I am strongly against this proposal, we moved here specifically to escape this type of living.

Respectfully,
Mike Bozzelli

In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

| | |
|---|---|
| **From:** | ME Dahl |
| **To:** | Anthony M Grande |
| **Subject:** | Proposed rezoning on Black Mountain Blvd & Deer Valley Road |
| **Date:** | Friday, September 15, 2023 2:27:19 PM |

Good afternoon Mr. Grande,

As a long time Phoenix resident and taxpayer, it has come to my attention that there is a proposal to rezone the area of southwest Black Mountain Blvd and Deer Valley Road on the plot of land that is shared with Pinnacle High School.

Even with the widening of Deer Valley Road, the traffic in this area has grown exponentially over the last four years with the addition of a thousand new homes. The traffic at Pinnacle High School any given time of day, but especially during the morning drop off and afternoon pick up, creates gridlock. The Friday night football games, with the shortage of parking spaces, creates a foot and vehicle traffic nightmare with attendees parking wherever there is a spot on and off campus, and having to walk in the dark to and from their cars presents a danger.

Considering a rezone on this corner to add a commercial element that serves food and/or gas, whose only purpose is to serve the developers, would not only be careless and irresponsible from a safety standpoint, but inherently negligent at any number of possible detriments to our neighbors.

Your taxpayers in this area are vehemently opposed to this idea. I hope that you and your fellow city planners as well as the city council make the right decision.

Thank you for your consideration.

M.E. Dahl

Sent from Mail [go.microsoft.com] for Windows

Virus-free.www.avg.com [avg.com]
[avg.com]

**From:** Jia Zeng
**To:** Anthony M Grande
**Subject:** Keep Our Kids Safe - Oppose Rezoning at Black Mountain Blvd/Deer Valley
**Date:** Saturday, September 16, 2023 2:58:53 PM

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Dear Mr. Grande,

I am reaching out as a worried resident at Fireside Desert Ridge, deeply concerned about the safety of the students and the families of those who are attending Fireside Elementary and Pinnacle High School. The rezoning proposed in cases GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 will severely increase traffic in our quiet community.

Every day, we see numerous students walking and bicycling to school, a sight that warms our hearts and speaks of a safe, close-knit community. Introducing a commercial hub will put these innocent lives at risk, disrupting the safety and tranquility that currently envelopes our neighborhood.

I urge you to consider the peace of mind of countless parents and guardians, and reject this rezoning proposal. Let's keep our neighborhood safe and conducive for our children's growth.

Thank you for your consideration.

Regards,
Jia Zeng

**From:** Nikki Branstiter
**To:** Anthony M Grande
**Subject:** Oppose Commercial build near Pinnacle High School
**Date:** Sunday, September 17, 2023 7:45:06 PM

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Hi Anthony,
I oppose building anything commercial near Pinnacle High School. It would bring so much more traffic to an already congested area and more crime. Not a good place to put it. Highly oppose the idea.

Nikki Branstiter

**From:** Maripat"s
**To:** Anthony M Grande
**Subject:** Fireside zoning
**Date:** Sunday, September 17, 2023 8:30:00 PM

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Dear Mr Grande,
I am a resident of the Fireside Community and I am concerned about the potential action to change the zoning at Black Mountain and Deer Valley from residential to commercial. Most importantly is the proximity to Pinnacle High School. Looking at high schools in both Paradise Valley & Scottsdale school districts most of them, if not all, are set within the community, surrounded by homes, parks, churches and other schools. This provides easy, safer accessibility and safety for students and families within the community, and it is how the community was designed. Changing to a commercial development at that particular location is not a wise functional or safety decision for our community. I hope we can have your support to maintain the residential zoning as designed.
Respectfully,
Mary Burrell
Fireside resident Zachary Dr

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 9:07:20 PM

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| **Name** |
| --- |
| Christine Cowley |
| **Email** |
| christine.cowley@abbvie.com |
| **Support Comments** |
| I ABSOlUTELY do NOT support this project! Do not put a commercial property across from pinnacle HS- what a traffic and safety NIGHTMARE! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:26 PM

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| **Name** |
| --- |
| Patrick Gaylor |
| **Email** |
| patrick_gaylor@yahoo.com |
| **Support Comments** |
| I live in one of these neighborhoods. This area is littered with kids riding bikes and people walking their pets. The area does not have the roads/streets to support this growth. |

**From:** Nancy Jones
**To:** Anthony M Grande
**Subject:** Oppose Vestar Desert Ridge Request
**Date:** Sunday, September 17, 2023 9:52:40 PM

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I am writing to register my opposition to the request to develop the parcel at Black Mountain Parkway and Deer Valley:

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

This is an incompatible use and will create more congestion in an already high traffic area. We already have plenty of shopping in Desert Ridge Marketplace.

Thank you.
Nancy Jones
4029 E Via Montoya Dr
Phoenix AZ 85050

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:44:15 PM

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**Name**

Dawn Martinez

**Email**

dawnalexm@yahoo.com

**Support Comments**

I do not, I repeat, I do not support this development. This will cause the traffic to be even worse than it is, especially by the high school.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:01:27 PM

| **Name** |
| --- |
| Jody Wilmes |
| **Email** |
| jody.wilmes@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing. |
| **Support Comments** |
| I DO NOT SUPPORT FOR MANY REASONS. |

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar"s Proposal for Superblock 12 |
| **Date:** | Monday, September 18, 2023 12:27:22 PM |

To All Concerned With This Issue:

Unless you have personally been involved with transporting students to and from Pinnacle High School, as I have for the last three years, you cannot appreciate the traffic challenges that occur on a daily basis. Much like a horse race, vehicles jockey for the best position to beat the clock. We have vehicles traveling east and west on Mayo Blvd. We have vehicles traveling north and south on Black Mountain Blvd. We have vehicles traveling north and south on 34th Street. We even have vehicles from both directions turning onto Black Mountain Blvd from Deer Valley. All converge at the major intersection of Black Mountain Blvd and Mayo Blvd directly in front of the high school. Then, as each vehicle maneuvers into the correct lane for left turns, right turns, U-turns, and even the occasional illegal turn, the students gather en masse in the middle of the intersection, awaiting the signal to cross. The old adage that there is safety in numbers definitely applies here. But even under the best of conditions, some students can be seen darting across traffic, crossing against the light, and jaywalking. Add to that a plethora of parents anxious to get their students to school on time, inexperienced student drivers, and the crush of daily traffic --- and you have nothing less than a recipe for disaster.

With the high school located at the intersection of Black Mountain and Mayo Boulevards and with the never-ending vehicular traffic at that intersection, we will always have traffic congestion at this location. However, we can definitely avoid compounding these already existing traffic issues by prohibiting commercial developments in this area. Vestar's proposal promises round-the-clock businesses with round-the-clock traffic. If Vestar’s proposal were to be approved, the result would be nothing less than a first-class disaster.

Please DO NOT approve Vestar's proposal.

Carolyn Dunn
3752 E Covey Ln
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | Anthony M Grande |
| **Subject:** | Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Monday, September 18, 2023 9:35:30 PM |

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing,

most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003




**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Bob Giammarco |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Do not let Vestar re-zone in Desert Ridge |
| **Date:** | Monday, September 18, 2023 7:14:34 AM |
| **Importance:** | High |

Mr. Grande, Councilmen Warring,

Please note my strong objection to the rezoning of Superblock 12 in Desert Ridge, the property at the corner of Black Mountain Blvd. and Deer Valley Road.

This project is ill-conceived and unnecessary. The safety and traffic concerns are enormous next door to a high school and across the street from an elementary school. There's no need for another grocery store in the area, and there are a number of other commercially zoned parcels in the area if a developer wants to risk their capital. There's no reason to re-zone this parcel beyond Vestar's desire to make more money and Gamage and Burnham to generate more fees.

I urge you to reject this re-zoning and any future attempts to do so.

Sincerely,

Bob Giammarco (480) 540-0644
https://linktr.ee/bobgiammarco [linktr.ee]

**From:** Michael Coppola
**To:** PDD Long Range Planning
**Subject:** GPA-DSTV-2-23-2
**Date:** Tuesday, September 19, 2023 6:43:33 AM
**Attachments:** IMG-3094.PNG
IMG-3095.PNG
IMG-3098.PNG
IMG-3097.PNG
IMG-3096.PNG
IMG-3099.PNG
IMG-3100.PNG

---

Residents are opposed to this development to rezone this parcel to commercial. The developer's lawyer was less than truthful when presenting to the Sky Crossing residents and failed to show what was available South of the 101 in his 5-mile radius from the site. Nobody wants increased traffic, light, noise and air pollution.

8:52 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

**jeankantaros** 3h
Yes please
Reply

**11islouder** 13h
No No No No. takes 30 min already to drop off and pick up my kids from Pinnacle. A woman came to my door last night saying she represented the developer and asked my opinion. I said I do not support it. Use that land for more parking or more High School space.
2 likes Reply

**crazedmomx2** 23h

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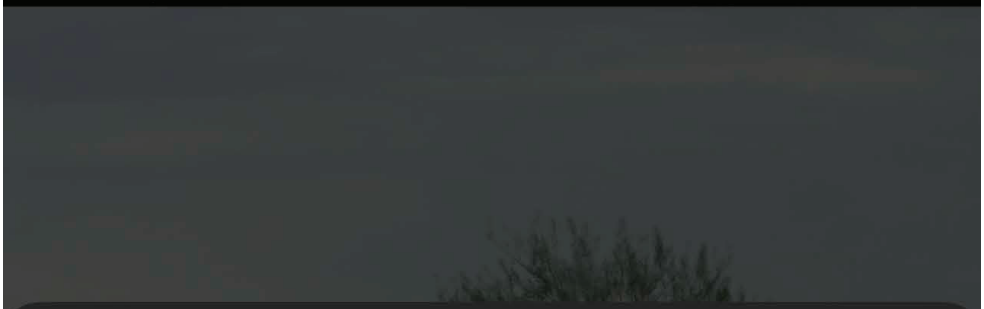
Add a comment for bringane... GIF

8:52 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored



## Comments

crazedmomx2 23h
Nope. This is absolutely ridiculous. We don't need this.
3 likes Reply

praveen.mahadevaiah 1d
Stop this
2 likes Reply

fitpapa66 1d
There is a petition to stop this or you can email Anthony.grande@phoenix.gov this law firm has taken to social media for Vestar the developer makes me

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commercial get the word out to stop

Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

**cpcorso** 1d
Hard pass at this intersection.
2 likes Reply

**adampolson18** 1d
Yes please.
Reply

**adamtark** 1d
Pass....no thank you
2 likes Reply

**iroll.81** 1d
Ridiculous scam. We don't need more traffic, and we absolutely do

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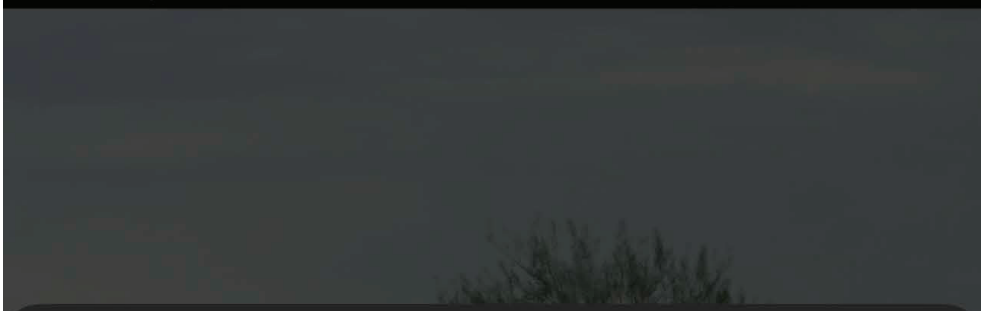
bet, is exactly what this about.

Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored



## Comments

**iroll.81** 1d
Ridiculous scam. We don't need more traffic, and we absolutely do not need a grocery store at Deer Vally and Black Mountain. Which, I'd bet, is exactly what this about.
4 likes Reply

**shaycade1** 1d
NOT in this location!!!! It's already impossible and dangerous for students to get access to the school. PLEASE do not make it worse!!!
3 likes Reply

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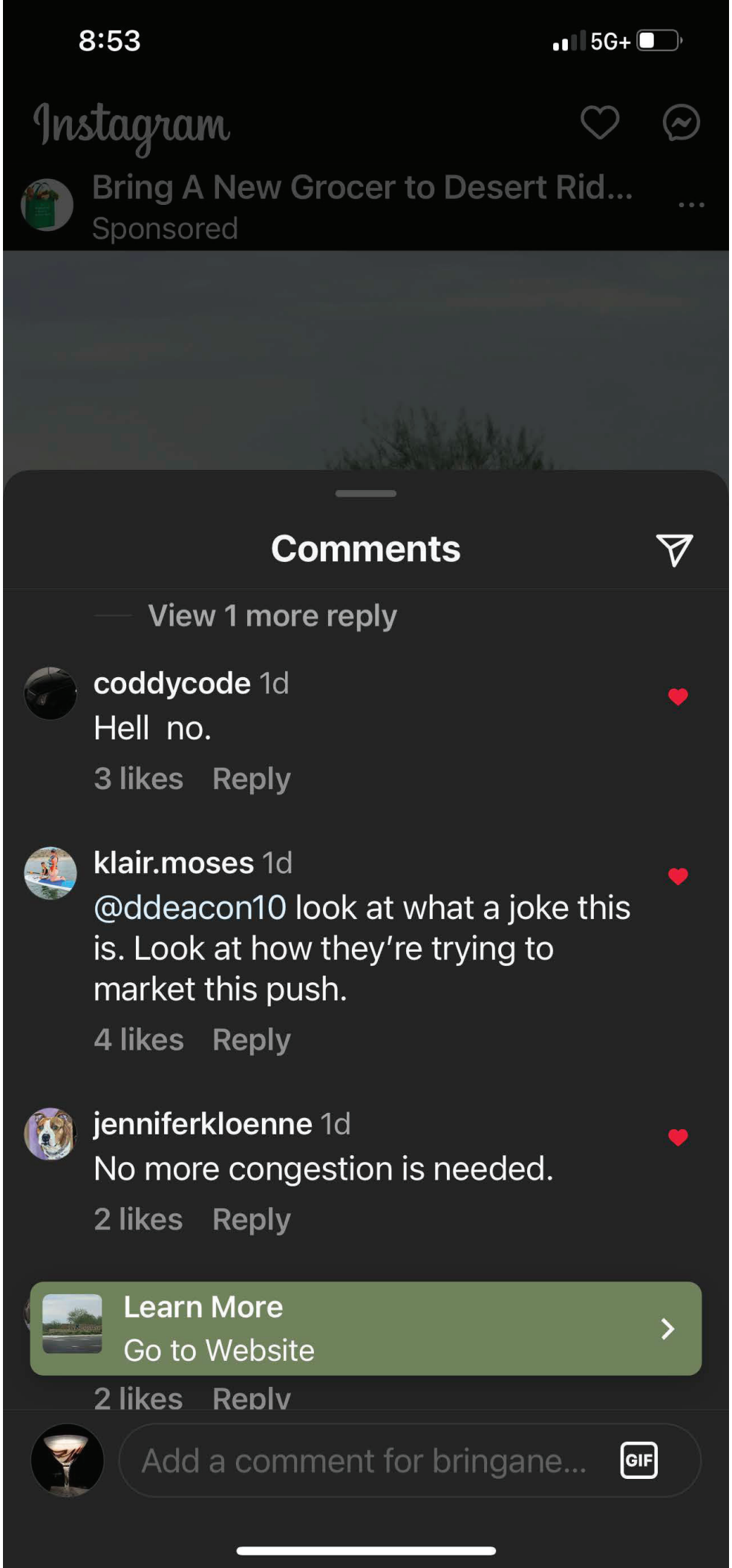
**coddycode** 1d

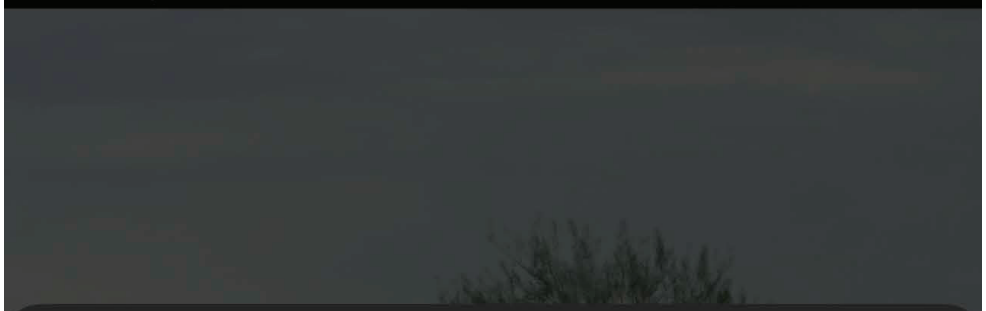
Add a comment for bringane... GIF


8:53
5G+
Instagram
Bring A New Grocer to Desert Rid...
Sponsored
Comments
View 1 more reply
coddycode 1d
Hell no.
3 likes Reply
klair.moses 1d
@ddeacon10 look at what a joke this is. Look at how they're trying to market this push.
4 likes Reply
jenniferkloenne 1d
No more congestion is needed.
2 likes Reply
Learn More
Go to Website
2 likes Reply
Add a comment for bringane...
GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored



## Comments

Plenty of options already exist. No need for more.
2 likes Reply

**murpheycliff** 1d
No thanks
2 likes Reply

**kristi.moore.phx** 1d
That is a terrible location for it.
5 likes Reply

**nerheimsusan** 1d
@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and

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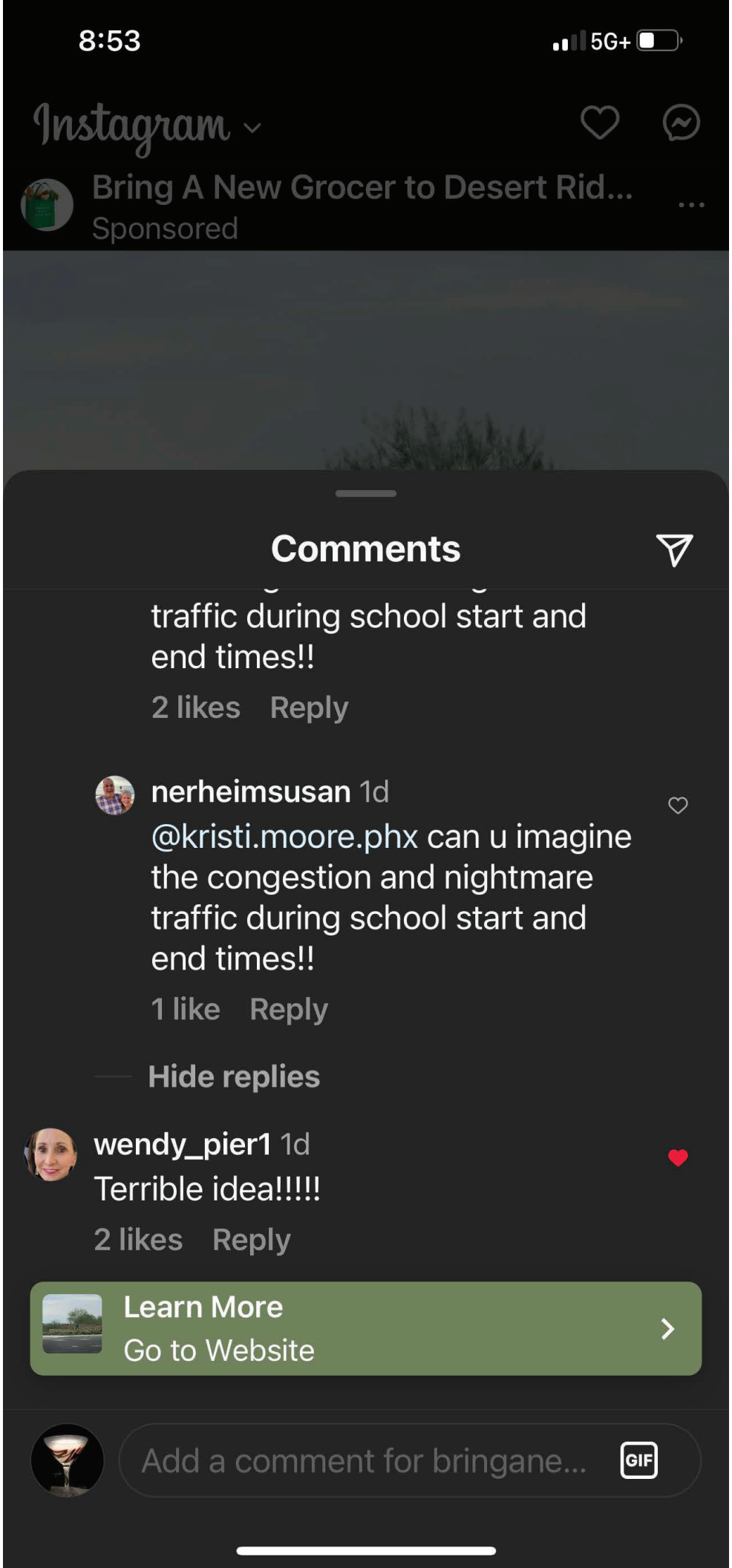
Add a comment for bringane... GIF


8:53
5G+
Instagram
Bring A New Grocer to Desert Rid...
Sponsored
Comments
traffic during school start and end times!!
2 likes Reply
nerheimsusan 1d
@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and end times!!
1 like Reply
Hide replies
wendy_pier1 1d
Terrible idea!!!!!
2 likes Reply
Learn More
Go to Website
Add a comment for bringane...
GIF

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Tuesday, September 19, 2023 8:40:07 AM |

Hello,
I received an out-of-office message from Anthony suggesting I contact this email address instead. I want to make sure my comments on this rezoning proposal are considered as part of the final decision.
I strongly oppose the proposal to rezone this parcel to be commercial. My reasons are in my two emails below.
Thank you for your consideration.

Jason

----- Forwarded Message -----
**From:** Jason Epstein <jepstein88@yahoo.com>
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, September 18, 2023 at 09:35:22 PM MST
**Subject:** Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-

night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing, most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003




---

**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to

achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Michael O"Neil |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Black Mountain Village / Superblock 12 - Opposition |
| **Date:** | Tuesday, September 19, 2023 1:21:17 PM |

Good afternoon Anthony Grande and Jim Waring,

As a current resident of the Sky Crossing Community, I strongly ***oppose*** the rezoning of the parcel of land at the southwest corner of  Deer Valley Drive and Black Mountain Parkway.

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23-2

Thank you,

--
Michael O'Neil
508.769.5886

**From:** allie swanson
**To:** Anthony M Grande
**Subject:** Zoning for area of Black Mountain Rd and Deer Valley Road
**Date:** Tuesday, September 19, 2023 3:19:35 PM

---

Dear Mr. Grande,

We bought our home in Sky Crossing the Fall of 2019. We were told that the vacant land at Black Mountain Rd and Deer Valley Rd was zoned for residential only! Since we have been in our home, we constantly hear of violence, abductions, and drugs at Desert Ridge shopping area (just a couple miles East of our community). The last thing we want is to bring to our area are those type of issues along with more traffic. Also, this vacant land sits right in conjunction with Pinnacle HS. The traffic is already bad and we don't want drugs or violence around our kids.

Please help us ensure this are will remain zoned Residential!!

Sincerely,

Allyson Swanson
Sky Crossing Resident/32nd St

**From:** James Tuffin
**To:** Anthony M Grande; PDD Long Range Planning
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Tuesday, September 19, 2023 11:26:01 AM
**Attachments:** opposition.pdf

---

Dear Mr. Grande:

This email is to supplement my letter of August 23, 2023, a copy of which is attached for ease of reference. The proposed change is not justified and is highly inequitable. The justifications offered for the change are specious. The obvious goal is not to benefit nearby homeowners, but to draw traffic from SR 51 now that the terminal exit is connected to Black Mountain Boulevard.

On or about August 30, 2023, Vestar amended its request for a major amendment to the Desert Ridge Specific Plan ("DRSP"), amending Chapter 6 to state, in part, that:

> "Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL Development parcels may vary in size by 30 percent 25 percent for R1-6 and more dense zoning categories without a minor plan amendment)." [Exhibit A to GPA-DSTV-3-23-2, accessed 08/19/23 at Microsoft Word - GPA-DSTV-3-23-2 Exhibit A-Proposed Language Revised 2023-08-30.docx (gblaw.com) [gblaw.com]]

The proposed change, and the rationale offered for it, flatly contradict a fundamental principle of the DRSP. The DRSP does not accept distance from the commercial core as justification for building a 20-acre shopping center. To the contrary, it specifies that distance from the commercial core should correlate with less intensive land use:

> " . . . Desert Ridge is based on the urban village concept in that **all community and regional commercial uses are located in the Desert Ridge Village Center.** Very small neighborhood convenience commercial uses are appropriately placed internally within neighborhood units. The Desert Ridge Village Center is appropriately the "urban" core of Area C. **Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries.** "[DRSP 3.B. (Goal 1) @ p. 3-1, accessed 09/19/23 at Table of Contents (phoenix.gov) (emphasis supplied)] .

The DRSP acknowledges that residential neighborhoods should be protected from the adverse environmental impacts from commercial development:

> A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. **This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.** [DRSP 5. C.1, @p. 5-5] (emphasis supplied).

The clear intent of the DRSP was to concentrate all significant commercial development in the core. At a community meeting, Vestar's counsel argued that because only one of the allowed commercial conveniences was ever built, a sprawling 20-acre shopping center is now justified. This turns the logic of the DRSP on its' head. The criteria were meant to protect homeowners from the evils of urban sprawl shopping centers, not to promote commercial development outside the core.

Vestar was the original developer of the Desert Ridge Marketplace ("DRM"), and presumably it had a seat at the table in determining the contents of the DRSP before ground was broken. Vestar was no doubt happy to accept the centrality of the core for retail development in Desert Ridge for many years. According to news reports, Vestar extinguished its 99 year lease and took full ownership of DRM as the sole bidder in an auction staged in December of 2022. Its claim that the proposed

change will "not interfere with the development of the Desert Ridge Core" is nothing more than a statement that Vestar does not think it will hurt itself. This cruel irony does not address any of the numerous concerns raised by the community.

I am aware of a social media campaign attempting to induce people to endorse a petition in favor of a "New Grocer" at the location. While I continue to believe that the contents of these posts are misleading, a fundamental point is that the DRSP clearly notified homebuyers that they were not to expect another shopping center in Desert Ridge. There have been no reports of malnutrition or scurvy related to a lack of grocery stores in Desert Ridge. There are grocery stores and plenty of shopping centers of the type proposed by Vestar nearby on Bell Road and other locations. The abstract desire of some residents for a Trader Joe's or AJ's (even though Vestar says it cannot identify any prospective tenant) cannot justify the concrete harm that will be done to the reasonable expectations of nearby homeowners.

The lack of one of these smaller boutique specialty grocers within the existing commercial core must be in large part the result of business decisions made by Vestar. It is widely believed in the community that Albertson's was granted extensive guarantees against competition; if that is true Vestar was surely involved in that decision.

Vestar claims, among other things, that the shopping center will provide a safe place for high schoolers to eat lunch. I have been informed that Pinnacle High School is a closed campus and that only seniors are allowed to exit the school grounds during the school day.

The DRSP acknowledges commercial development imposes adverse consequences on nearby residences. Vestar reaped enormous benefits and was perfectly satisfied to build the marketplace under the plan. Residents were clearly told not to expect a shopping center at Black Mountain and Deer Valley. That Vestar sees opportunity for profit after completion of the SR 51 terminal exit is not reason to make a major amendment to the DRSP and subject innocent homeowners to the inevitable degradation of the neighborhood.

The requested amendments should be denied.

Thank you for your consideration.

James W. Tuffin

James.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

21214 N 36th Pl

Phoenix, AZ 85050

JAMES W. TUFFIN
21214 N. 36th Pl
Phoenix, Arizona 85050
(516) 359-6420
james.tuffin@tuffinlaw.com
(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
Property Fax: 480.551.6000
terrance.smith@fsresidential.com
**desertridgelifestyles.com**

**24/7 Customer Care Center: 855.333.5149**
Facebook | LinkedIn | YouTube

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

**From:** wkelly2000@outlook.com
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Rezoning of land black mtn and deer valley
**Date:** Tuesday, September 19, 2023 11:03:01 AM

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I am not generally opposed to development but putting a shopping center at that location does not make sense.

The issue is every single exit from that planned shopping center will funnel all traffic to the deer valley and black mountain light. Unless the city puts in new lights all those exiting on the north side must turn right and anyone exiting on the east side wanting to go north or west will do a u turn at Mayo or go to the roundabout by the ramp to 51 and u turn there. All traffic heading to the one intersection ( deer valley and black mtn).

This location will drive traffic into the fireside desert ridge and into SkyCrossing Communities to avoid the black mtn and deer valley intersection.

So this is why I am opposed to rezoning this property.

I live in SkyCrossing.

Sent from my iPhone

**From:** Ben W
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 20, 2023 6:30:19 PM

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Hi,

I am a resident in Fireside at Desert Ridge, and I do not want any gas stations or grocery stores built on the lot(s) in question (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

Please acknowledge receipt of this email at your earliest convenience.

Thank you,

Ben

| | |
|---|---|
| **From:** | Bottesch, Karen |
| **To:** | PDD Long Range Planning |
| **Cc:** | Anthony M Grande |
| **Subject:** | Desert Ridge \| Case Numbers GPA - DSTV - 2 - 23 - 2 \| GPA - DSTV - 3 - 23 - 2 \| Z - 39 - 23 - 2 |
| **Date:** | Wednesday, September 20, 2023 6:58:12 AM |
| **Attachments:** | image001.png |

Forwarding due to out of office message.

**From:** Bottesch, Karen
**Sent:** Wednesday, September 20, 2023 6:55 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Desert Ridge | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

Dear Anthony –

RE: Black Mountain Village | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

I am writing about the proposed project called Black Mountain Village at Deer Valley Rd and Black Mountain Rd.

I am 100% AGAINST this project.

I have lived in Fireside at Desert Ridge since 2009 and served on our board for several years.

- I have witnessed the increase in traffic during the school year at Pinnacle, this project only serves to make that a BIGGER mess
- A gas station, conv store, fast food, and whatever else is NOT the project for this site next to a high school, junking up OUR neighborhood, AND making traffic a bigger mess
- We live here for the openness of the area – so far all is in good taste
- The Desert Ridge Specific Plan's intent was to keep commercial activity aligned to a commercial core; commercial activity in the residential superblocks is strictly limited to minor conveniences of no more than 3 acres and drive through operations are prohibited
- We live in an attractive community, not only will a gas station and the other suggested businesses junk it up but the traffic will worsen, there are plenty of other gas stations VERY close by, we do not NEED this project
- The land at Deer Valley and Black Mountain is designated RESIDENTIAL under the plan – I vote NO to change that designation
- We do NOT want or need a 20 acre shopping center next to residential and next to a High School
- Crime, litter, noise, pollution and traffic nightmare is what this project equals

Please listen to the community, we LIVE here. Developers build and move on in continuing to live in 'their' protected neighborhoods. Please stop this corporate action and change, it is NOT wanted.

Thank you,
Karen

Karen M. Bottesch
Senior Vice President | Senior Relationship Manager
Business Banking
Bank of America
AZ3-566-02-50 | 14636 N Scottsdale Rd Ste 250 | Scottsdale AZ 85254
Phone 480.624.0569 Fax 804.264.2040 Cell 602.315.4204
Karen.bottesch@bofa.com

View my professional web page here. [rm.bofaml.com]




*Support Associate:*
**Patty Ruiz**
Phone: 480.624.0648  Fax 804.266.8154
14636 N Scottsdale Rd. Ste 250 | Scottsdale AZ 85254 | AZ3-566-02-50

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This message, and any attachments, is for the intended recipient(s) only, may contain information that is privileged, confidential and/or proprietary and subject to important terms and conditions available at http://www.bankofamerica.com/emaildisclaimer [bankofamerica.com]. If you are not the intended recipient, please delete this message. For more information about how Bank of America protects your privacy, including specific rights that may apply, please visit https://bankofamerica.com/privacynotice [bankofamerica.com].

This email may contain a promotion of products or services. If you would like to unsubscribe from receiving emails like this, please update your Email Preferences here: https://preferences.em.bankofamerica.com/Prefs/emailoptout [preferences.em.bankofamerica.com]. Unsubscribing will not affect delivery of important service messages that we may need to send you or preferences you may have previously set for other email services. Bank of America, 100 North Tryon St., Charlotte, NC 28255.

**From:** Eileen K
**To:** Anthony M Grande
**Cc:** Bill Kelly; Jill Gargano
**Subject:** Desert Ridge Zoning Ammendments
**Date:** Wednesday, September 20, 2023 6:52:16 PM

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Regarding

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

Mr Grande

I oppose the zoning change proposed by Vestar Development and I encourage the board to decline the amendments. I am a homeowner and have lived in Fireside at Desert Ridge since 2013. While many of us who live in Desert Ridge would like to see more grocery options in our neighborhood, the location proposed by Vestar is not appropriate for such a commercial development.

The location is surrounded on 3 sides by single family homes, next to a high school and just blocks from an elementary school. Most of us who bought into this community were very attracted by the Desert Ridge Plan, which limited the location of commercial development. This is a neighborhood with 3 very active HOAs, excellent schools, walkers and runners of every age and kids playing safely in front of their homes while neighbors chat.

A commercial shopping center at the corner of Black Mountain Road and Deer Valley Drive will fundamentally change traffic, lighting, noise, air quality, safety, crime, physical aesthetic and economic value of our beautiful neighborhood.

The corner is not appropriate for a large grocery store, gas station, drive-through, restaurants, and other high traffic commercial activity. Vestar does a fine job managing Desert Ridge mall and should look for a location better suited to the type of development they propose.

Mary Eileen Kelly
3861 E Melinda Drive
Phoenix, AZ 85050

**From:** Mike Kip
**To:** Anthony M Grande
**Subject:** case# GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 20, 2023 5:54:13 PM

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My name is Michael KIperman. I'm a resident of Fireside at Desert Ridge community. I strongly oppose Black Mountain Village project. Due to the fact that such projects attract unwelcomed characters into immediate residential area. Can't help but stress the fact that there are 2 schools in the neighborhood, especially elementary school. We want our kids to be as safe as possible. We don't need additional traffic. It is a nightmare twice a day as it is.

Thank you for understanding. Hopefully this project can be moved elsewhere.

**From:** Stanislava Kuka
**To:** PDD Long Range Planning
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley
**Date:** Wednesday, September 20, 2023 9:56:03 PM

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Good morning,

As a Phoenix resident and tax payer I want to express my disapproval of the proposal of rezoning the area southwest Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

SAFETY
Being next to the high school and walkable distance to 2 elementary school we risk bringing strangers to our community where so many children walk alone to school.

Possible bus station- more strangers coming to our community. Phoenix, as I believe you are well aware has a growing homeless population. Did you drive by Desert Ridge recently? At every stop light you can see panhandlers. Homeless people sleeping on bus stations. Did you know about the psychiatric, and drug abuse problems among the homeless population? I bet you did.

Possible gas station- alcohol, criminal. Enough said. Just driving to Desert Ridge there is one, and even 2 down the road on Cave Creek.

Possible drive through restaurant- if not living in the area you are probably not aware of the ongoing evening trouble In'n'Out has, for example. Not mentioning providing even more unhealthy options to our growing students.

Traffic- I could say well congested area. Traffic has grown over the last few years. I can not get out of my neighborhood due to overwhelming school traffic. But I agreed to that, and wanted to be the closest possible to schools. Adding more traffic to our community is not something we were looking for.

I hope you and your fellow city planners have in mind the wellbeing of our community residents not only the investors that only care about their profit.

Thank you,
Stanislava Kuka
3636 E Covey Ln, Phoenix AZ 85050

Sent from my iPad

Sent from my iPad

> On Sep 20, 2023, at 5:23 PM, PDD Long Range Planning <pdd.longrange@phoenix.gov> wrote:

Hi Stanislava,

Can you please forward your comment? I don't see a message from you, just Anthony's out of office.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov

<image001.jpg>

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**From:** Stanislava Kuka <stanislava.kuka@gmail.com>
**Sent:** Sunday, September 17, 2023 9:22 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>; PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley

Sent from my iPhone

> On Sep 17, 2023, at 3:15 PM, Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> Hello. I am currently out of office and will be returning Monday, September 25, 2023. If you need immediate assistance, please contact pdd.longrange@phoenix.gov.

| | |
|---|---|
| **From:** | Natalie Leitner |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Rezoning Superblock 12 |
| **Date:** | Wednesday, September 20, 2023 8:25:28 PM |

Good Evening,

I would like to express my opposition of the rezoning of Black Mountain Village/Superblock 12 from residential to commercial/retail space. There are several reasons, first and foremost there is an ongoing homelessness issue throughout the perimeter of Desert Ridge. Leaving Mountianside Fitness yesterday at 6:30PM , there was a man laying across the sidewalk sleeping with his shopping cart and garbage laid around him on the corner of Rose Garden and Tatum. I went to pick up my daughter from soccer practice at 8:45PM and he was still there. Not to mention when I go to the gym at 5:00AM and the bus stops are a campground for the homeless. I absolutely do not want this type of activity closer to our neighborhoods and schools and that is exactly what would happen if something like this was to go in this area. You would encourage the homeless to set up encampments around high school to have easy access. Go check out the south/east corner of Tatum along the freeway, there are encampments. Once they're cleared, they just move to another area. Not to mention the trash that is left on the corners from panhandlers. It's ridiculous that it has gotten this bad, but that is another email and I refuse to let this happen closer to my home.

Secondly, if approved, you basically would be providing a parking lot for high schoolers that don't have a parking spot (every junior class
man with a car and license, there is only enough spots for seniors) ask the businesses around Chaparral High School how they feel about that? The traffic is already horrendous on school mornings at all the schools, but with this, you would be adding more traffic and delivery trucks along Deer Valley at all hours of the day and when kids are crossing to go to school.

We have been residents of Fireside for over 10 years and we have raised our 4 kids here. We moved over here for the great schools and great neighborhoods. We have 2 kids at Pinnacle, 1 at Explorer and 1 at Fireside Elementary. We bought in this neighborhood knowing that would be zoned for residential and it should stay the way!

Please take into consideration my opposition for this rezoning plan. We love our neighborhood and schools and want to keep the safe for everyone that lives here!

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Natalie Leitner
21515 N 39th Terrace
562.706.4702

| | |
|---|---|
| **From:** | Andrea Remke |
| **To:** | msantoro@gblaw.com; Anthony M Grande |
| **Subject:** | Zoning issue near Pinnacle HS |
| **Date:** | Wednesday, September 20, 2023 7:02:59 PM |

My previous emailed letter (on 8/27/23) to you did not have these case numbers attached, please note my below correspondence in regards to this zoning decision. It is permissible to read aloud or note in any public record as anyone sees fit. Updated case numbers attached.

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,
I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/ jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

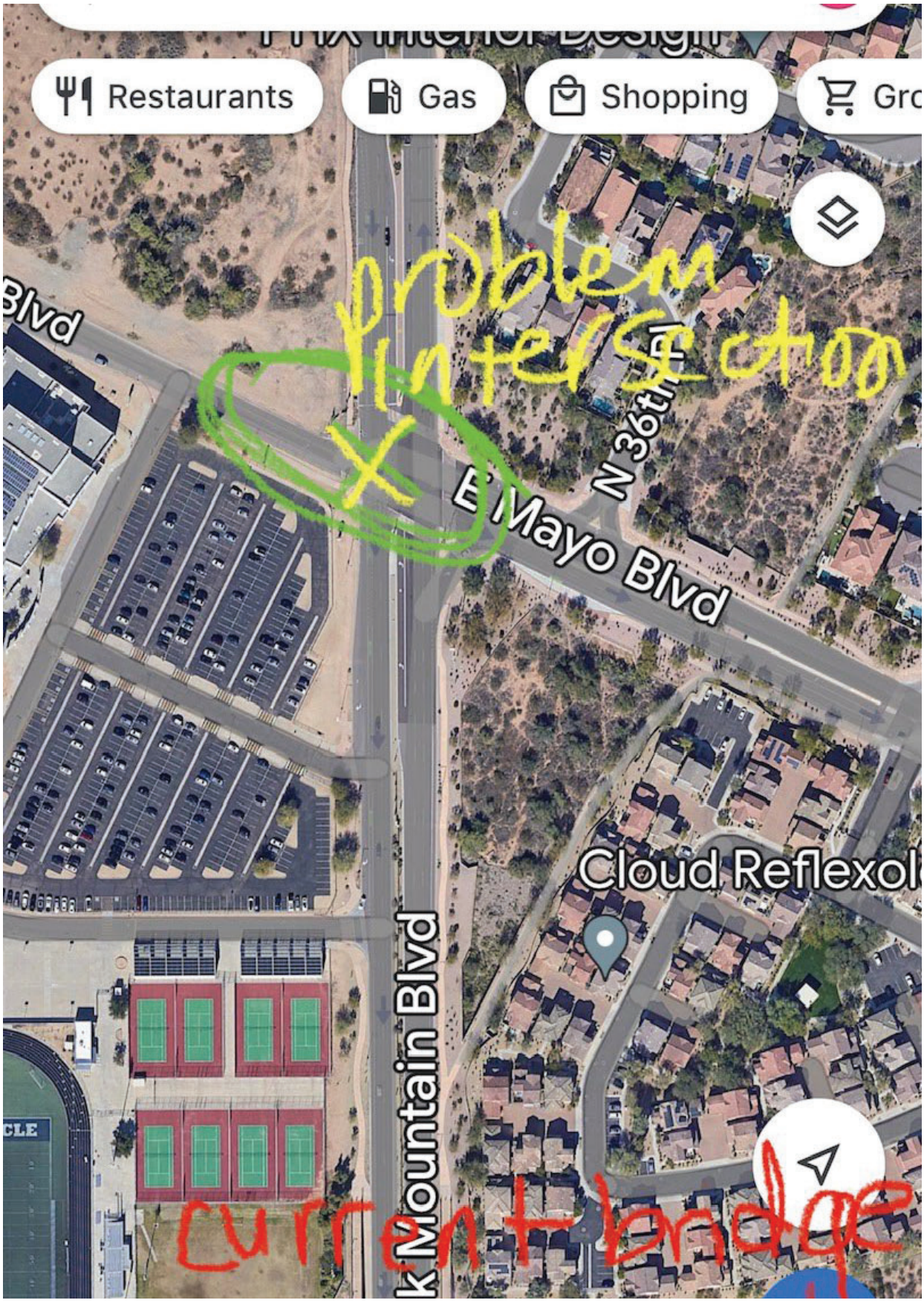
These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge (see attached picture) that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,

Andrea Remke,
Phoenix resident of Fireside at Desert Ridge




Google
200 ft
50 m

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | PDD Long Range Planning; Anthony M Grande; Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village |
| **Date:** | Wednesday, September 20, 2023 9:35:48 AM |
| **Attachments:** | image001.png<br>Grocery Store options.docx |

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

STRAND ASSOCIATES®
[strand.com]

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

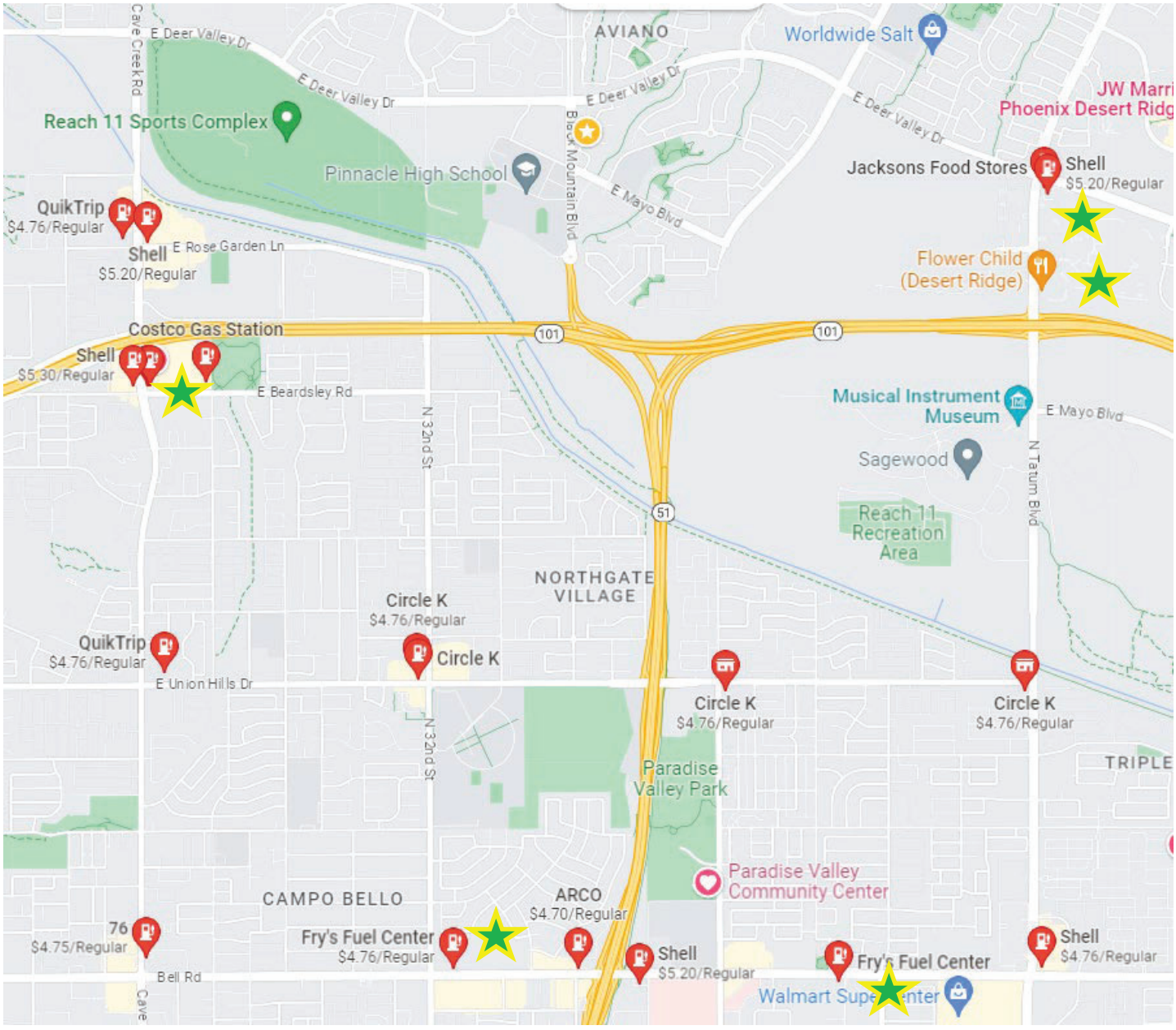
*Excellence in Engineering℠*

Desert Ridge is not lacking grocery and gas station options

**12 gas station within a 3-mile radius** of Deer Valley and Black Mountain Blvd Intersection
**18 gas stations shown within a 4-mile radius** of Deer Valley and Black Mountain Blvd Intersection

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City



**From:** eva rohr
**To:** Anthony M Grande
**Subject:** STOP REZONIBG BLACK MOUNTAIN - PERIOD!!
**Date:** Wednesday, September 20, 2023 9:36:26 PM

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eva rohr
4726 e casey ln
cave creek az 85331

480 363 7967

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:28:45 PM

| **Name** |
| --- |
| Jessica Sconyers |
| **Email** |
| jessicasconyers@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| I work at pinnacle high school. Traffic there is a nightmare and will only get worse with the addition of a shopping center. |

**From:** Ralph Valenzi
**To:** Anthony M Grande
**Subject:** Super Block D Ridge
**Date:** Wednesday, September 20, 2023 10:33:37 PM

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I am very much opposed to rezoning this property to commercial
I am a resident of Fireside and with the school traffic, adding a commercial development would make that worse
In addition, we don't need more development in our area. We already have the Marketplace and that is sufficient for our community

Ralph Valenzi
3629 E Zachary Drive
Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC; ppd.longrange@phoenix.gov |
| **Subject:** | Vestar"s Development Amendment and Zoning Requests for Superblock 12 |
| **Date:** | Thursday, September 21, 2023 10:13:35 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

| | |
|---|---|
| **From:** | Greg Nelson |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 |
| **Date:** | Thursday, September 21, 2023 2:41:45 PM |

RE:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

| | |
|---|---|
| **From:** | Deanna Guttilla |
| **To:** | Anthony M Grande |
| **Subject:** | Regarding rezoning the block at Deer Valley Rd and Black Mountain next to Pinnacle High School. |
| **Date:** | Thursday, September 21, 2023 5:59:51 PM |

Hello Mr Grande,
My name is Deanna Guttilla. I have been a homeowner and resident in Fireside and have happily raised three children here since 2011.
I'm writing in regard to case number GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2.
The block of land at Deer Valley Rd and Black Mountain Rd is up for possible rezoning to commercial land use.

As much as I feel we could use a small grocery such as Trader Joe's, and would love a little upscale outdoor mall area, I'm opposed to rezoning to commercial land. It could have several negative and dangerous consequences for the kids and the traffic flow.

Since the freeway exit was built, the community has seen more accidents on Black Mountain in front of the high school and a daily back up of traffic. People drive very fast. It is already dangerous for the kids crossing the road, at the intersection, to get to school every morning and afternoon.

The proposed plan for rezoning would bring even more traffic to the road in front of the high school. Especially if a grocery with a gas station is built.

In addition, a building complex with a fast food drive thru and gas station could likely bring an increase in crime, such as drug sales, right into an area where there are over a thousand kids every day.

Because of the increased danger to the kids in the neighborhood, and at the high school, I am opposed to rezoning the land to commercial use. It needs to stay residential.

Thank you for your time,
Deanna Guttilla
Resident of Fireside

Sent from my iPhone

**From:** Tracy Kaczmarek
**To:** Anthony M Grande
**Subject:** Re zoning
**Date:** Thursday, September 21, 2023 8:31:40 PM

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Hello,

I would just like to make my opposition to proposed re-zoning of land at Deer Valley/Black Mountain and planned development.

I live in Fireside, and my backyard faces Black Mountain. When building our house, we were told this land was NOT zoned for commercial development. As it stands now, traffic is a huge issue. The area is already extremely busy, with Pinnacle HS traffic and regular flow. Essentially, there is no "flow". I encourage you to observe what the traffic pattern is daily. It is near impossible to get out of my neighborhood some mornings, due to chaotic traffic.

My backyard and even my bedroom face Black Mtn Blvd. We are directly behind the view fence. I cannot imagine the noise, lights, and traffic this would bring to an already congested area!! I am also greatly concerned with safety, as we have both a high school and elementary school nearby. I could go on, listing all the reasons this is a horrible idea….but I am sure you have been informed by other residents. Please— this was NOT the premise and agreement of said parcel, prior to building my house. This is a RESIDENTIAL area!! I will be attending the October 3rd meeting.

Thank you for your time.

Tracy Kaczmarek
Sent from my iPhone

**From:** Amy Kenney
**To:** PDD Long Range Planning; Anthony M Grande
**Subject:** Proposed Desert Ridge Rezoning - OPPOSED
**Date:** Thursday, September 21, 2023 8:31:53 AM

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Anthony,

I am writing to send in my “vote" as I am VEHEMENTLY OPPOSED to the rezoning for a variety of reasons. Please refer to the following:

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

We do NOT need commercial development in our quiet and already “convenient” homes and neighborhood.

There is ample access 1 mile away (or less!) to gas stations, conveniences galore, grocery stores, etc and RETAIL galore.

Traffic, crime, noise, all would increase…..this is not something that is welcome….

Thank you for your consideration.

Amy Kenney
Ringtail Way
Fireside, Desert Ridge
Phoenix, AZ 85050
602-696-2639

**From:** Dessert
**To:** Anthony M Grande; Council District 2 PCC; pad.longrange@phoenix.gov
**Subject:** Black Mountain Village
**Date:** Thursday, September 21, 2023 5:55:52 PM

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Re: GPA-DSTV-
2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

NO! NO! NO!
TO BLACK MOUNTAIN VILLAGE!!!

I bought my house in Scarlet Ridge 13 years ago knowing I would be living in a safe residential area. Trying to put a business right next to my house is wrong in so many ways. And to do a bait and switch with me and all the homeowners is appalling!

We have enough traffic and unfortunately have had accidents with children being injured on the street at at the high school as it is. And there's already been issues with homeless people sleeping under the bridge. Bringing in retail would only add to this on all accounts. And we certainly don't need more of either to ruin our neighborhood and injure our children!

I am hoping you have enough respect your homeowners to put this terrible idea to rest and find another location more suitable for this type of retail. We want to continue to keep our neighborhood safe! Thank you.

Sincerely,
Blythe Lipman

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:52:51 PM

| **Name** |
| --- |
| Suzanne Moon |
| **Email** |
| suzannemoonbear@gmail.com |
| **Address / Neighborhood (Optional)** |
| Paradise Peak West on Pinnacle Peak Rd. 85050 |
| **Support Comments** |
| No! Not necessary. The neighborhood is Residential and we'd like it to stay that way. |

**From:** Andrea Nelson
**To:** PDD Long Range Planning
**Subject:** Proposed Desert Ridge Rezoning
**Date:** Thursday, September 21, 2023 7:12:22 AM

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Dear long range planning committee-

I am writing as a homeowner and resident of the Fireside Community in Desert Ridge. I am opposed and concerned that the proposed Vestar development North of Pinnacle High School would impact the safety of the neighborhood, both in the businesses which are proposed, and in the traffic patterns. Additionally, proposing a gas station so close to several residential neighborhood community homes has its own additional safety and health concerns.

These proposed safety hazards could destroy property values for the homes, and seems redundant based on the other options so close by in Desert Ridge Marketplace- which I understand is already owned by Vestar.

The safety of our families and the neighborhood children is at risk. Please help our community to vote against this project.

Thank you.

Andrea Nelson, SPHR
480-495-5411

**From:** Lisa Newman
**To:** Anthony M Grande
**Subject:** Rezoning Opposition to Superblock 12
**Date:** Thursday, September 21, 2023 8:30:07 AM

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Hi Anthony,

I am a resident of Fireside and am emailing about the proposition to rezone a section of Superblock 12 from residential to commercial property. I would like to voice my opposition to the following amendment requests case numbers:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

I vote to keep this residential.

Thank you,

Lisa Newman

**From:** Rebecca Oakes
**To:** Anthony M Grande
**Subject:** RE: Case No. SPA-DS1 V-2-23-2; Case No. CPA-DSTV-3-23-2; Case No. 1-39-23
**Date:** Thursday, September 21, 2023 6:10:06 PM

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Case No. SPA-DS1 V-2-23-2
Case No. CPA-DSTV-3-23-2
Case No. 1-39-23

I am writing to you to register my strong disapproval of proposed amendments (case numbers listed above) to modify existing zoning from residential to commercial.

Our homes in Fireside at Desert Ridge were built under the Desert Ridge Specific Plan. The plan promised clean, quiet, and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to change this for their own financial gain; if the Desert View Planning Committee and city of Phoenix vote for the change of zoning, and approve the plan to put in a 20-acre shopping center (reported to contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and who knows what else), this will cause great harm to my family and neighbors.

You see, my family lives in the closest section of Fireside to Pinnacle HS, and the proposed shopping center. We already suffer through the pedestrian and vehicle traffic that invades the streets of our neighborhood when school is in session and for other events held at the HS. Students and parents drive at unsafe speeds down 36th Street and Abraham Dr. Additionally, at drop off and pick up times, cars are lined up and/or idling as drivers wait to drop off or pick up their students, blocking our way in and out, causing us to "play chicken" to maneuver down the narrowed streets. Some of these students walk through our desert wash as a short cut to those cars dropping off/waiting to pick up.

This is a neighborhood where many children walk to Fireside Elementary School, located a short distance away. So not only is driving in, through and out of our neighborhood difficult and would most likely become dangerous as traffic increases in an area not planned for such commercial development, it is not safe for small children to safely walk to school.

In addition to the dangerous situations we face within our neighborhood, it can be all but impossible to safely leave our neighborhood at these times - the southern exit, on to Mayo Blvd. is right turn only and is very close to the Mayo/Black Mountain Blvd intersection. The northern exit on to Deer Valley Rd. is hard to turn left onto during high traffic times.

To put it more clearly - leaving our neighborhood becomes even more difficult and dangerous with increased vehicle traffic that comes with commercial development - especially trying to go south onto Black Mountain Blvd AND west onto Deer Valley. We only have two VERY flawed entrances/exits that in the best of times is tricky and not very convenient OR safe. We esentially have to chose to limit leaving our neighborhood or taking the increased risk of attempting to go south or west in less than safe traffic conditions. How does this benefit our residential community?!? I predict that vehicle (and pedestrian) accidents will dramatically

increase if this shopping center is approved.

There is nothing that can be commercially built and nothing beneficial from a retail standpoint that makes this development worth if for my family and residential neighborhood. There are plenty of retail options at Desert Ridge and other close shopping centers.

Relatedly, are the members of the Desert View Planning Committee and Phoenix City Council members aware that the parking lot of the proposed shopping center would in fact become an overflow parking lot for Pinnacle HS students who do not have a parking pass to park at the school? I would imagine prospective tenants would not be pleased to have the parking spaces used by people not spending money at their establishments and making it harder for those who want to spend money to find somewhere to park. Also, just ask security and management about the issues surrounding teens hanging around Desert Ridge Marketplace - it will be much easier for some students to hang out in the same manner at this proposed shopping center.

**Has the city of Phoenix specifically done a traffic study of this area, taking this commercial development into account? How would the council plan to ameliorate the above stated traffic issues? What about environmental studies looking at the increase noise, light and exhaust pollution that will directly impact the surrounding residential neighborhoods?**

We are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity.

Sincerely,

Rebecca J. Oakes
3608 E Salter Dr
Phoenix, 85050

Get Outlook for Android [aka.ms]

**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition
**Date:** Thursday, September 21, 2023 4:53:23 PM
**Attachments:** Fireside Petitions.pdf

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Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of the residents of Fireside Community opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of the residents of Fireside Community, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** The families that built in this area did so knowing that they would have a safe, quiet area for their children to grow up around. In proposing the zoning amendment, the developers would like to change the use from residential (2-5 du per acre) to commercial. We believe this proposed change would result in unacceptable levels of risk to health and safety.

This commercial development proposal suggests parking for 580 cars and contains 3 access/egress points just off Mayo immediately across from Pinnacle High School with no provision for safe crossing or pedestrian/bike safety. Further the traffic in this area is already an issue. In speaking with the Phoenix Police Traffic Bureau, it is clear they have received numerous complaints about existing safety issues experienced at the intersection of Black Mountain and Deer Valley Roads. The proposed rezoning would only exacerbate these issues.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are unproven and unsupported by the conceptual design. While this is being promoted as a much-needed commercial alternative for the residents in Desert Ridge, this will increase the volume of traffic coming from south of the 101, off the 51 exit. This development would **increase transportation burdens and emissions in this area**. Residents who likely would have driven to Desert Ridge are now going to be driving to our neighborhood.

There is no traffic impact or air quality study mentioned. Furthermore, it will increase both light and sound pollution in the area. As such, the Fireside neighbors that have signed the attached petition stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,
Dan Richards

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| April Justman | | 3713 E. Hackett Lane, Phx | (480) 904-1540 |
| JEFF MIKHA | | 21010 N. 37th way Phx | 847 710-3060 |
| Steve Deacon | | 3630 E Cat Balue Dr | 689-248-1398 |
| Danielle Deacon | | 3625 E Cat Balue Dr | 215-266-7662 |
| Greg Nelson | | 3454 E Cat Balue Dr. | 484-390-1401 |
| Tracy Kaczmarek | | 21724 N. 36 ST. | 480-554-0971 |
| Tara Werken | | 21720 N. 36th St. | 602-710-3281 |
| Erick Lovett | | 21716 N 36th St | 602 826-2929 |
| Dan Richards | | 3618 E Half Hitch Pl | 619 865 4303 |
| Leslie Andrew Mesecke | | 21618 N 36th ST | 608 712-1879 |
| | | 3609 E Cat balue | 407-372-4203 |

| Name | Signature | address | Phone |
|---|---|---|---|
| Kristin Evans | [illegible] | 21209 N 36th St | 602 312 5179 |
| [illegible] Gartman | [illegible] | 3617 E Cat Balue | 602 689 4343 |
| Sreeraj Chinmayanilayam | [illegible] | 3626 E Cat Balue Dr. | 201 406 3310 |
| Rob Schmitz | [illegible] | 3601 E. Half Hitch Pl | 623-418-0949 |
| Jenna Stoneberg | [illegible] | 3601 E. Half Hitch Pl | 480-290-9130 |
| Lou Haavala | [illegible] | 3606 E. Cat Balue Dr | 504. 875. 9668 |
| John Haavala | [illegible] | 3606 E. Cat Balue Dr | 225 937 9134 |
| Dee Willis | [illegible] | 3926 E. Potter Dr. | 502-727-5340 |
| Terri Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Joey Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Scott Elletson | Scott Elletson | 3909 E. Melinda Dr | 480-209.2164 |
| Evan Fogarty | [illegible] | 3645 E Zachary Dr. | 480 226 602 |
| Molly Fine | [illegible] | 21117 N 37th Run | 505-238-7958 |
| Jason Fine | [illegible] | 21117 N 37th Run | 505 264 4034 |
| Mukul Dave | [illegible] | 5164 W. Quail Track Dr. | 339-237-0363 |
| Karen Bottesch | Karen Bottesch | 3902 E Cat Balue Dr | 602.315.0774 |
| Wouter Roodenburg | [illegible] | 21507 N 39th Ter | 480.567.2716. |
| Angela Song | Angela Song | 3775 Long Cactus | 602-300-6547 |
| Kelly Davis | [illegible] | 21653 N 38th Pl. | 808-341-6827 |
| Ashley Voris | Ashley Voris | 21156 N. 36th Pl. Phx. | 602-312-6645 |
| Gail Nelson | Gail Nelson | 21724 N 36th St | 602.451.3032 |
| Lee Campbell | [illegible] | 3920 E Half Hitch R | 480 312 2343 |
| Eric Mulvaney | [illegible] | 3924 E. Cat Balue Dr. | 602.549.2255 |
| Radhika Rawal | [illegible] | 3944 E. Melinda Dr. | (847) 660-4050 |
| Mansi Dave | [illegible] | 3994 E Melinda Dr | 630 433 7110 |
| Nina Sarshlid | [illegible] | 3658 E Covey Ln | 307 287 4923 |
| Yuh-Shang Yu | [illegible] | 3649 E Zachary Dr | 512 645 7155 |
| Hsin-ya Huang | [illegible] | 3649 E Zachary Dr | 480 930 1578. |
| Steven Abrams | [illegible] | 3872 E Melinda | 570-429-2118 |
| Paul Devoe | [illegible] | 21705 N 37th Terrace | 623-853-3604 |
| MARK SNYDERS | [illegible] | 3822 E. CAT BALUE DR | 602-920-7947 |
| John Grimsley | [illegible] | 21622 N. 38th WAY | 602-616-5155 |
| Andrew [illegible] | [illegible] | 3812 E Emberglow Vy | 480-450-1594 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Stefani Kuehl | [illegible] | 3812 E Ember Glow way | 480-220-2659 |
| Erin Maes | [illegible] | 3682 E Cavey Ln | 602-321-1890 |
| Luis Alonso | [illegible] | 3682 E Cavey Ln | 602-214-3053 |
| Coreen Gartner | Coreen Gartner | 3819 E. Ember Glow Way | 602-326-1804 |
| Larry Gartner | [illegible] | 3819 E. Ember Glow way | 480-628-5969 |
| mara michaels | [illegible] | 3730 E Matthew DR | 480 621 1029 |
| Kristy McCool | Kristy McCool | 21210 N 36 Pl | 847-732-7017 |
| Yiu Man Kung | [illegible] | 3638 E Cat Balue Dr | 480-822-8045 |
| Megham Jones | Megham Jones | 3790 E Zachary DR | 602 820 2261 |
| Ben Wright | [illegible] | 3671 E Zachary Dr | 602-299-6588 |
| Melissa Christian | [illegible] | 3615 E. Salter Dr. | 480-338-9272 |
| Bryan Shisler | [illegible] | 3710 E. Zachary Dr | 602 515 3776 |
| Nanyun Tang | [illegible] | 3935 E Waller Ln | 480 399 3793 |
| Michel Barrocas | [illegible] | 3730 E Matthew Dr | 480 349 5129 |
| Fatou Dio | [illegible] | 3777 E Ringhall | 602 394 5139 |
| Nancy Lunyel | [illegible] | 27012 N 14th Ln | 323-229-0734 |
| Rita Barakat | Rita | 21606 N 36th st. | 480 673 5966 |
| SAI SAMUDRALA | [illegible] | 3611 E ABRAHAM LN. | 602-451-1139 |
| Nicole Burnes | Nicole Burnes | 21717 N. 36th St. | 480-861-0552 |
| Breese Pritchard | [illegible] | 3726 E Cat Balue Dr | 760 579 3848 |
| ROBERT PRITCHARD | [illegible] | 3726 E CAT BALUE DR | 480.662.5770 |
| Bryan Neihart | Bryan NN | 3826 E Half Hitch Pl. | 816-719-8619 |
| JAMES TUFFIN | [illegible] | 21214 N 36th Pl | 516-359-6420 |
| Susan Sheroff | Susan Sheroff | 21214 N 36th Pl | 516-398-1394 |
| Pablo de Jesus Jr | [illegible] | 3714 E Huett Ln PHX 85050 | 321-626-2352 |
| Brenda Ernst | [illegible] | 3714 E Huett Ln 85050 | 321-626-2352 |
| Eliza Bozzelli | Eliza Bozzelli | 3715 E. Huett Ln 85050 | 973-723-9196 |
| Michael Bozzelli | [illegible] | 3715 E. Huett Ln 85050 | 973-487-6644 |
| Rob Justman | [illegible] | 3713 E. Huett Lane | 602-350-8180 |
| | | | |
| | | | |
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## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Amy Kenney | Amy Kenney | 3765 E. Ringtail Way | 602-696-2639 |
| Mike Marrone/Anna Locastio | [illegible] | 3716 E. Zachary DR | 440-364-8811 |
| Christian Klein | [illegible] | 3963 E. Mclinda Dr. | 509-296-7005 |
| AMAR SHARM | [illegible] | 3921 E Quail Ave | 480 238-0672 |
| ROHIT AGGARWAL | [illegible] | 3815 E. QUAIL AVE | 480-745-4347 |
| Mario Contreras | [illegible] | 3621 E. ZACHARY DR | 602-320-9672 |
| Praveen Mahadevan | [illegible] | 21602 N 36th ST | 719-964-1975 |
| EMMANUEL ASHIHUNDU | [illegible] | 21611 N 36TH ST | 602-386-8372 |
| Silvio Teixeira | Silvio Teixeira | 3750 E. Ringtail way | 832-361-0114 |
| Meghan Keough | [illegible] | 3612 E Abraham Ln | 480-773-1725 |
| MICHAEL POPNOR | [illegible] | 6145 E 21ST ST 85711 | 5035190335 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Justin Popnoe | [illegible] | 3622 E Half Hitch Pl 85050 | 480 798 0004 |
| Neeraj Chandele | [illegible] | 3617 E Half Hitch Pl 85050 | 623-203-9583 |
| John Mills | [illegible] | 3605 E Cat Balue dr, 85050 | 650-269-2312 |
| Gordon Smith | [illegible] | 3608 E Salter Dr, 85050 | 480-231-5898 |
| Rebecca Dakes | [illegible] | 3608 E Salter Dr 85050 | 623.229.2665 |
| Douglas Godfrey | 3604 E. Abraham Ln | [illegible] | 480-737-3970 |
| Kiss Denil [illegible] | [illegible] | 3607 E [illegible] Ln | 412-401-6743 |
| Dan Puthuff | [illegible] | 3612 E Salter Dr 85050 | 602-796-5830 |
| Natalie Walker | [illegible] | 3633 E Cat Balue Dr | (650) 759 4882 |
| Pei Shan Hsieh | [illegible] | 3613 E Cat Balue Dr | 5203330455 |
| Candy Huether | [illegible] | 21712 N. 36th St. Phx 85050. | 602 617 4836 |
| Todd Huether | [illegible] | 21712 N. 36th St. Phx 85050 | 602 318 8417 |
| [illegible] Bauschke | [illegible] | 3621 E Half Hitch Pl Phx 85050 | (309) 269-4909 |
| Leela Samudrala | [illegible] | 3611 E. Abraham Ln, Phx 85050 | (602) 692 - 7103 |
| [illegible] Mesecher | [illegible] | 3609 E. Cat Balue Dr. | 602-448-3036 |

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Anju Baluja | | 21818 N. 37th Terrace, Phx 85050 | 773-213-7055 |
| Leela Samudrala | | 3611 E. Abraham Ln Phx - 85050 | 602-692-7103 |
| Yuri Bhakta | | 3619 E Salter Dr Phx | 775-813-1207 |
| Rita Marranca | | 3920 E Quail Ave Phx 85050 | 480-334-1775 |
| LAURA NIETO | | 21005 N. 38th Pl. Phx. 85050 | 602-695-5482 |
| William DePiazza | | 21609 N 39th Terr Phx, Az 85050 | 818-741-8758 |
| Waszula Kotlow | | 21713 N 37th Ter Phx, AZ 85050 | 520-780-1470 |
| Michael Ewing | | 21713 N. 37th Terrace | 480-425-1032 |

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Susan Ze | Susan E Ze | 3616 E Abraham Ln Phoenix 85050 | 4806656596 |
| Heather McCrea | HA | 3908 E. Melinda Dr Phoenix, 85050 | 6024630198 |
| Linda Rehak | Linda Rehak | 21216 N 38th Pl Phoenix, AZ 85050 | 360-433-5277 |
| Lisa Giunta | Lisa Giunta | 21514 N. 38th Way Phx, 85050 | 602-326-1582 |
| Barbara Bass | | 3934 E Cat Balue Dr Phoenix 85050 | 732-996-8488 |
| Judy A Wensley | Judy A Wensley | 21821 N 39th St Phx. 85050 | 480-686-0410 |
| Sandra J. Jones | Sandra J. Jones | 3753 E Ember Glow Way | 480-688-5243 |
| C. Taylor Morgan | C Morgan | 3621 E Zachary Drive | 602-320-9673 |

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Madi | [signature] | 3941 east rat balve | 630 200 4505 |
| Rousselle | [signature] | 3963 E Cat Balue Dr | 480 738 9871 |
| Matt | [signature] | 21010 N 38th pl | 425-829-6288 |
| Dorie | [signature] | 21507 N 39th Ter | 602-363-6757 |
| Ellen | [signature] | 21010 N 38th Pl. | 253-569-2775 |
| Aaron | [signature] | 3336 E Gulf Hotel Pl | (913) 667-0916 |
| Chun Pi Chang | [signature] | 3912 E Quail Ave Phoenix, AZ | 480 322 6215 |
| Emma L. | [signature] | 21655 N 37th | 480-277-6895 |
| Cheng Chun Chang | [signature] | 3912 E Quail Ave | 480-322-8144 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Diana Dichter | [signature] | 3792 E Covey Ln Phoenix, AZ 85050 | 310-912-2790 |
| Renée Oppenheim | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 717-6792 |
| DAVID OPPENHEIM | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 381-4646 |
| Megan Janas | [signature] | 21615 N. 39th Way Phoenix, AZ | 602-326-6369 |
| [signature] | [signature] | 21001 N. Tatum Blvd Phx AZ 85050 | 623-266-9129 |
| Dipanwita Dalal | [signature] | 21615 N 36TH ST Phoenix AZ 85050 | 602-481-5968 |
| Daron Hall | [signature] | 3624 E. Zachary Dr. | 480 634-4155 |
| Tara Welker | [signature] | 21716 N 36th St Phx, AZ 85050 | 602 826 2929 |
| Asavari Ganged | [signature] | 3908 E Half Hitch Pl Phx, AZ 85050 | 480-415-5172 |
| Tara Penna | [signature] | 3756 E Matthew Dr. Phoenix AZ 85050 | 602 561-5512 |
| Andrea Remke | [signature] | 3766 E. Ringtail Way | 859-308-8738 |
| RYAN CROTIN | [signature] | 3790 E Matthew Dr. | 716-998-9551 |
| Tom Conley | [signature] | 3879 E Cat Balue Phx 85050 | 480-326-9181 |
| Erin Carroll | [signature] | 3975 E. Melinda Dr. Phx 85050 | 602 568-2793 |
| CAROLYN DUNN | Carolyn Dunn | 3752 E. COVEY PHX 85050 | 928-925-4893 |
| PAUL DUNN | [signature] | " " " " | 928-778-1988 |
| Rudy BAZZANO | [signature] | 21622 39 Ter. | 480-451-6147 |
| Cathy Bazzano | [signature] | 21622 N. 39th Ter | 480-451-6147 |
| LISA RODI | [signature] | 3681 E Zachary | 480.825.6833 |
| Susan Forkos | [signature] | 3973 E. Melinda Dr | 480-650-9352 |
| Steven BAUER | [signature] | 3917 E Melinda Dr | 203 314 4920 |
| Jennifer Burrett | [signature] | 3761 E. Ringtail Way | 602 999 3843 |
| Lou Haarala | [signature] | 3600 E Cat Balue Dr. | 5048759668 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Nadafalah | [illegible] | — | 646-258-1017 |
| Steve Bazzano | [illegible] | 21622 N 39th | 480-313-0867 |
| Jeongim Jin | [illegible] | Same above | 480-828-0602 |
| [illegible] Jindel | [illegible] | 3768 E Covey | 6.260675xx. |
| M Bordenstein | M Bordenstein | | 928.699.8597 |
| Federico Lemmen M | [illegible] | 21655 N 3th ter Phoenix AZ 85050 | 210 863 9985 |
| Gary Cloud | [illegible] | 21218 N 36th pl Phx. Az. 85050 | 480-221-3705 |
| Andrea Shirikian | [illegible] | 21246 N 36th PL | 480-522-7822 |
| Kimberly Otis | [illegible] | 21630 N 38th way | 480-560-3399 |
| Danielle Pekuchs | [illegible] | 3687 E Zachary Dr | 224-381-0599 |
| Dr. John Gilderbloom | [illegible] | 21824 N. 39th | 85050 |
| | | | 502-608-7567 |
| Carle Snyder | [illegible] | 21824 N. 39th | 6024000502 |
| Samantha Crotin | [illegible] | 3790 E Matthew Dr. | 480 482 8777 |
| Ryan Crotin | [illegible] | 3790 E Matthew Dr. | 716-998-9551 |
| Danielle Deacon | [illegible] | 3625 E Cat Balcon Dr. | 484-390-1401 |
| ANDREA NELSON | A Nelson | 3660 E ZACHARY | 480-495-5411 |
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**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition
**Date:** Thursday, September 21, 2023 5:01:51 PM
**Attachments:** Pinnacle Petitions.pdf

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Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of concerned parents of Pinnacle High School students opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard. Please add this and the Fireside Community petition to the case file that will be submitted to the Desert View Village Committee. There are a ton of additional parents that would have signed this petition, but we found that this was more difficult one to get in front of the parents. We were not legally allowed to solicit our petition on the school property so we are still trying to figure out the best way to get through to all the parents.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of concerned parents of Pinnacle High School students, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution. We believe this proposed change would result in unacceptable levels of risk to health and safety.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Pinnacle High School, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, who deserve the ability to walk to and from their school safely each day. The proposed rezoning would only exacerbate these issues, increasing traffic volumes both northbound and southbound. There is no traffic impact or air quality study included in this proposal.

The explanation letter for this project suggested "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour." And "School Principal Chad Smith indicated that the proposed development would potentially reduce the number of off-campus trips by car." Pinnacle is a closed campus for all students except Seniors, so this will not benefit students during the lunch hour. I would highly recommend that you independently meet with the Principal of Pinnacle High School who will paint you an entirely different picture of his views for this project. He is strongly opposed to this development and we feel Vestar has misrepresented his concerns to help benefit their proposal.

Please take into consideration the Parents of Pinnacle students who have signed the attached petition. Our children do not need these distractions directly next door from their classrooms. We stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,

Dan Richards

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| Printed Name | Signature | Email Address |
|---|---|---|
| DAN RICHARDS | [signature] | dan.richards@strand.com |
| Marisa O'Connor | [signature] | mtrubitz1@yahoo.com |
| Kris Lupino | [signature] | klupino@gmail.com |
| Amy MERRILL | [signature] | amycorbinmerrill@gmail.com |
| Cara Franz | [signature] | carabfranz@yahoo.com |
| Najwa Ghattas | [signature] | najwa1020@hotmail.com |
| Laura Lynn Smith | [signature] | LOLLY1031@sbcglobal.net |
| Beth Babcock | [signature] | Bethb3393@outlook.com |
| Audra Ryan | [signature] | audraryan7@gmail.com |
| Brandy Jo Guzman | [signature] | Guzmans2007@gmail.com |
| Nisha Shah | [signature] | nishamit@gmail.com |
| Nina Zisko | [signature] | ninchi09@gmail.com |
| Deborah Kozak | [signature] | debkozak@hotmail.com |
| GREG NELSON | [signature] | GLUNELSON@GMAIL.COM |
| LAURA NIETO | [signature] | lauranieto05@yahoo.com.mx |
| LISH RODI | [signature] | LISAMARIERODI@gmail.com |
| Susan Forkos | [signature] | sforkos@gmail.com |
| Meagan Bodensteiner | [signature] | meaganbodensteiner@gmail.com |
| Gary Cloud | [signature] | gary.w.cloud@gmail.com |
| Andrea Shiriklan | [signature] | andreashiriklan@yahoo.com |
| Danielle Petrutis | [signature] | pllotodiva8@gmail.com |
| Samantha Crotin | [signature] | sambam4414@gmail.com |
| Ryan Crotin | [signature] | RICROTIN@gmail.com |
| JULIA Levene | [signature] | jlevene@associationplannerpartners.com |
| | | |

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| Printed Name | Signature | Email Address |
|---|---|---|
| Shauna Winburn | Shauna Winburn | swinburn805@gmail.com |
| Reanna Reich | | rredhed28@aol.com |
| Sara Millett | Sara Millett | strubitz@hotmail.com |
| MICHAEL MILLETT | | mike@millt.com |
| Brooke McNett | Brooke McNett | bbmcnett@gmail.com |
| Chris McNett | | chrismcnett@gmail.com |

| | |
|---|---|
| **From:** | Jennifer Larson Popnoe |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 6:29:05 PM |

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**From:** Jennifer Larson Popnoe <rxlarson@hotmail.com>
**Sent:** Thursday, September 21, 2023 5:36 PM
**To:** anthony.grande@phoenix.gov <anthony.grande@phoenix.gov>
**Subject:** Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Dear Mr. Anthony Grande,

Ten years ago, I welcomed a beautiful baby boy. At the time we were living in an older community in North Scottsdale. We knew it was time to move and find that perfect place to raise a family. A place he could walk to school, ride his bike, trick or treat in a safe family-oriented neighborhood. Luckily, we found the perfect place, Fireside at Desert Ridge. It has been the perfect fit for our family. We have made many friends that are like family. My son feels safe to walk to school, ride his bike to the park and play outside. He was crushed when we told him of the situation that is happening in our neighborhood. He knew he would no longer be able to due to the increase in traffic, construction, panhandlers etc. this will bring to our community.

The community we loved and were told that the space was zoned for residential construction for the possibility of new friends instead of commercial that will only attract who knows what off the freeway into our backyard. This once quiet safe community is going to be thrust into the middle of a shopping center that will only risk our kids safety, decrease our property values, increase criminal activity and ruin our close-knit happy community. **I ask you to imagine yourself in this situation. Wouldn't you do anything you could to protect your children and the future of your community?**

Please don't let another big corporation ruin what little is left of our small town community. We are fortunate to have Desert Ridge Marketplace, Costco, and many other options just down the street that offer everything we need and more. I ask you to please consider the needs of your fellow community members; we chose this beautiful neighborhood to avoid the dense, congested, commercial areas and enjoy our small piece of Phoenix. Please support us in continuing to raise our families in this beautiful please we call home. No Black Mountain Village!

Sincerely,
Jennifer Larson Popnoe
3622 E Half Hitch Pl

Phoenix, AZ 85050

**From:** J Popnoe
**To:** PDD Long Range Planning
**Subject:** Re: Opposition to commercial rezoning request in Desert Ridge
**Date:** Thursday, September 21, 2023 5:18:49 PM
**Importance:** High

---

Received an out of office message from Mr. Grande, but want to be certain my communication is included on the record in this matter. Thank you.

Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

---

**From:** J Popnoe
**Sent:** Thursday, September 21, 2023 5:17 PM
**To:** Anthony.Grande@phoenix.gov <Anthony.Grande@phoenix.gov>
**Subject:** Opposition to commercial rezoning request in Desert Ridge

Mr. Grande ---

I write you in hopes of garnering your support for residents (and our children) in Desert Ridge.

I was frustrated to learn of Vestar's rezoning request (GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2) geared towards generating massive profits despite the risks and negative impacts created for residents. I live a short distance from the parcel, and am already a firsthand witness to the daily debacle of traffic & pedestrian issues near the high school & in my neighborhood (Copper View). Radically changing the existing plan (that we as homeowners considered a promise to properly manage our community) to introduce a massive grocer, gas station, fast food, etc. will only create more risks, especially for our neighborhood children.

I'm incensed with the thought that there would be support despite the many issues (noise, pollution, crime) that this commercial entity will drop into the heart of our community. My son is currently a fifth grader at Fireside Elementary, which is also a short distance from the parcel. The most extreme risks are created for high schoolers --- easy access to alcohol/nicotine, no oversight, traffic --- but nearby, our most vulnerable will now also pay the price if Vestar's greed is satisfied by lining up behind the ask to mangle our closeknit community.

**I plead with you to support homeowners and residents by opposing this rezoning request**. This parcel should stay zoned for residential use to allow more families to join our thriving community. Vestar can achieve their profit targets using one of the multiple, available parcels in the area already zoned for commercial use. Please help protect our community and families.

Respectfully,
Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

| | |
|---|---|
| **From:** | Laura Richards |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Subject:** | Subject: Black Mountain Village (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2) |
| **Date:** | Thursday, September 21, 2023 7:33:56 PM |

Dear Mr. Grande and Councilman Waring,

I built my home in Fireside over 10 years ago, with my backyard facing Black Mountain Boulevard. I have a view fence, paid a premium for my lot and was promised the land behind my home across Black Mountain Blvd was zoned as single-family residential. My husband and I have 3 sons who were toddlers at the time. Now, they are teenagers attending Explorer Middle School and Pinnacle High. We did much research to find the perfect neighborhood/lot to build our house and raise our family. I am opposed to the Black Mountain Village Commercial Development. My reasons for opposing the project include:

- Horrific traffic when one considers the daily chaos that exists at the adjoining high school and nearby elementary school.
- Threats to the safety of students at the high school and nearby elementary school.
- Introduction of twenty-four-hour noise, light, and air pollution into a residential environment, specifically concerning since our bedroom windows will look out over this development.
- Establishing a 24-hour hang-out for unsupervised adolescents from the adjoining high school.
- Litter, crime, vandalism and transient individuals.
- Pollution from cars lined up at drive-through operations.
- Lack of any reasonable justification for a major amendment to the Desert Ridge Specific Plan to the detriment of innocent homebuyers who relied on the plan.
- Decrease in property values for residents of Fireside and Sky Crossing.
- Diversion of traffic from SR 51 that would otherwise head west on SR 101.

We love our Fireside and Desert Ridge Community. Please take these points into consideration and help us to preserve the sanctity of this beautiful area of Phoenix, that we feel good to call our home. Thank you for your attention to this matter.

Sincerely,

Laura Richards

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC |
| **Subject:** | Letter of Explanation by Resident regarding zoning GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 4:12:13 PM |
| **Attachments:** | Letter of Explanation Resident Final.docx |

Dear Council members,
A rezoning request was submitted by the attorneys of Gammage & Burnham on behalf of Vestar to convert a Residentially zoned 20 acres into a Commercial zone (C2).
It seems like this council asked 10 very pertinent questions to further explain how this proposal would impact the neighborhood and they submitted their answers in a Letter of Explanation (dated July 16st)
I assume the explanation was accepted and the case was subsequently filed. GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Although the Letter of Explanation by this law firm indicated that support for this proposal was abundant. I'm writing to you to let you know that nothing is further from the truth. This proposal should be denied.
In fact, this proposal has triggered a lot of opposition from the residents in Desert Ridge, because it is proposed adjacent to our High School and Elementary School and contrary to what the attorneys stated, **WILL** damage our community. There are many more reasons for opposing this case which are explained in my version of the attached "Letter of Explanation Resident"

I hope that the detail and the amount of work I put into writing this gives you a good summary of what is at stake and that the current version of our Master Community specific plan is what residents are expecting.
This does not entail allowing 20 acres of big box commercial businesses, who will be creating a lot of issues for all residents and schools to deal with in the coming year.
**I urge you to deny this proposal in all its forms.**

Rather than outlining the issues we anticipate, I have included alternatives for you to consider and suggested items that are within our plan and would benefit our community and make it an even better place to live.
If the developer's goal is to add a new brand of grocery store to the area, please note that there are plenty of commercial zones available to build on immediately, which is also highlighted in the appendices.

In my previous contact with the City, I have raised awareness regarding the traffic situation around our schools and I also rallied our community to participate in the survey for Vision Zero.
I was pleased to see that within the budget approved by this council, you have allocated money for schools to improve a "Safe Route To School".
This proposal would endanger our kids walking to school with the increase of local traffic and non-resident traffic and ruin our community with big box retailers, alcohol and cigarette sales near schools, fast food restaurants and gas stations.

Please deny this proposal completely.
Thank you for your consideration.

Regards
Wouter Roodenburg.

Wouter Roodenburg

Resident Fireside Desert Ridge

21507 N 39th Terrace

Phoenix, AZ 85050

City of Phoenix

Planning and Development Department & City Council

200 W. Washington Street, 2nd floor

Phoenix, AZ 85003

RE: SWC of Deer Valley Drive and Black Mountain Parkway; Minor General Plan and Major Specific Plan amendment request.

To whom it may concern:

I'm writing to you as a concerned resident impacted by the rezoning requests GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Upon reading the Letter of Explanation provide to you by the attorneys of Gammage & Burnham (GBlaw), dated July 16th, 2023 (rev July 10th, 2023), I feel that you should also have the other perspective to the great questions you submitted regarding this proposal.

First and foremost, GBlaw informs you at the end of their letter that "*Vestar has received positive feedback from the **Desert Ridge Community Association**. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated. "*

This statement was completely misleading and unfounded. When we confronted the Desert Ridge Community Association about this statement during their monthly meeting, they claimed that they are "just concerned with applying the CC&R's of the community and cannot be supporting either side of this proposal". Who did GBlaw quote here and in what capacity? It cannot be further from the truth.

Why did the DRCA not run this by the communities it represents? Was this the basis for your committee to decided to move forward? Did the committee assumed that the support was already there based on that statement?

A lot of people do NOT agree with this proposal, it was started under wrong pretenses and now the community has to spend our time fighting this proposal. This should have been stopped at the start

based on the guidelines – which I will highlight later on – of the specific plan and the conflict the site has near 2 schools, affecting the safety of kids going to school. It is NOT in line with the Phoenix General plan to create more residents walking somewhere, NOR do any of the fast food restaurants add to residents getting together, other than queuing up behind each other at all the drive throughs. It will ruin our community and if this passes then developers will continue to expand and try the same thing on other locations. Please stop this now, stick to the plan.

Please bear in mind that there has been zero efforts from any organization to ask our communities what we would like or need. Before this proposal, every resident was under the impression that we have a very detailed specific plan for Desert Ridge which currently perfectly describes what the community will look like once it's finished. That is what people bought into and paid a premium to live in this area.

What you will notice in subsequent events is the fact that GBlaw has started campaigning for support **AFTER** the first public meeting. Our community was getting ads (appendix 2) that created an impression of an innocent small neighborhood grocery store for people to quickly click on, not being informed of the consequences or full plans. Why did GBlaw give you the impression during the letter of explanation that community support already existed?

Giving the push back that you have seen, how much value can be placed on any other answer provided in that letter, other then GBlaw hiding the real intentions of this developer. This developer wants to make it 20 acres and put on a 50,000-100,000 sqft grocery store, fast food restaurants, gas stations, more traffic in our area. It shows complete disregard for our great community and it also conflicts with a lot of the design principles of our specific plan on many levels. Equally deceptive was the highlighting of existing traffic issues at the Desert Ridge Marketplace. Their solution: move all the traffic issues closer to 2 schools full of kids walking to school? Unacceptable.

**What are the alternatives?**

There are no compromises to the current proposal. We (those who voted NO on our petition) do not want 20 acres of commercial on that land. As a planning committee and city council, you should stick to the existing great and specific plan for Desert Ridge. This plan shows these superblock being Low Density Residential.

Perhaps you consider new stipulations in the plan for the next residential builder to take on the unintended traffic issues that have been created over time and possibly create a new drop off route for the highschool using 32nd street and increase the schools parking lots.(Appendix 8).

Or using the Vision Zero plan, approved by the council to use "Safe Route to School" grants to make our drop off areas safer.

Another consideration, which is already mentioned In our community plan, would be building a Library and/or Park and Ride parking lots. That would be a huge benefit to this community, especially considering the fact that is right next to 2 schools. These things make sense.

Ultimately, if people want more choice in grocery stores, then there are pre-approved zones available very closeby. City North also has room for an additional grocery store and currently hosts (a real!) neighborhood Sprouts convenience store. There is is land available on 56th and the freeway also. Plenty of alternatives and good enough to host their proposal, without ruining our neighborhood.

**Further details in response to original the Letter of Explanation.**

I want to continue with my response to address the way these attorneys chose to answer your questions, downplaying the impact it would have and leaving out important details that you should consider and be aware of. They are experts to provide you only with details that they've learned helps getting approvals from you and put the wheels in motion.

They described it as "low impact" commercial development. How do they determine this? They claim there is no final plan. Once approved they can do what they want. AND they're proposing this to be next to an elementary and high school and in the middle of a quit community, which is unacceptable because of the dangers they're introducing to the school and kids. Half-truths are being told.

I would like to select a few of your questions and provide another perspective and have included appendices to clarify my comments.

**Questions Selected:**

*Q3; How many potential housing units would be created or lost by approving and implementing the proposed amendment?*

GBlaw response states : "The benefit of bringing much needed commercial to this area far outweighs the minimal loss of housing from the proposed amendments"

**My Response**: They fail to mention that there are pre-approved commercial zones are only 1 block north of the proposed site along Pinnacle Peak and leave out the fact that City North still has 50% land available, which is adjacent to Desert Ridge marketplace. Why would they need to amend our residential master plan for 20 acres to insert a commercial development when bigger lots are available?
(See Appendix 1)

*Q4: Is there a need for the proposed use(s) or density(ies) in the requested location?*

GBlaw response states: "unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestions and parking issues."

**My Response**: There was never any research done or input requested from residents regarding the impact of the marketplace, nor were we asked what our needs are. This proposal is purely economical and not driven by an identified need. My response would have been that I can confirm traffic congestion caused by drive through restaurants and those will remain and new ones will be created by their proposal.

Their responses continue to emphasis the current traffic issues but their proposal will bring exponential more traffic to our neighborhood due to new (non resident) people now choosing to come off the 51 at Black Mountain blvd to get their groceries that previously went to the marketplace. Children are walking home from Elementary School and the High School are being put at unnecessary risk.

If I was asked for what this community needs, it would be more recreational parks, a promised library, preserve the land for High School expansion requirements to accommodate more students, parking and

a safer route to school and drop off areas around the school. That is what we need, not light, air, noise pollution and gas station or any other shop next to a high school and elementary school. People are also very concerned about the crimes that go along with such a commercial center.

*Q5: What impact would the proposal amendment have on adjacent or nearby land?*

GBLaw states: "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour. The Applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposal development would potentially reduce the number of off-campus trips by car"

**My Response**: The impact will be bad. More traffic, More pollution, More smells, More homeless people on corners, More cars idling, More noises and light pollution into the night.

PLUS Every parent knows that putting temptation in front of teenagers, they will jump on the occasion to skip school, find a way to buy alcohol and cigarettes and create a hangout for these teenagers that will lead to all sorts of trouble, fights and crimes. The school is a closed campus school, so only seniors that are already driving themselves might be interested, but it also highlights their commercial interests in this area and trying to capture this captive audience and provide bad fast food and other bad choices. Nothing safe about their proposal that will benefit High school students.

Secondly, I would highly recommend that you independently meet with the Principal of Pinnacle High School and Fireside Elementary School and they will paint you an entirely different picture and **strongly oppose this development.** Don't take my word for it. Please have someone verify this statement as this was another technique to give you the impression that they reached out with concerned parties and only shared what they wanted to hear. Not their full version and misrepresentation of their opinion. Parents have brought this up with the Principal during various meetings at the start of the school year.

*Q6: How will the proposed amendment affect traffic generation and the transportation system?*

GBlaw states; "Black mountain blvd and Deer Valley drive are both major arterials adjacent to the property. As such, Black mountain village is proposed at an appropriate location"

**My Response**: Notice how short this answer is compared to all the other answers. They are not even directly addressing the core of your question. Great avoiding technique of the hot potato.

See Appendix 1 – the traffic is terrible at the moment, during drop off and pickup times, during rush hour, as drivers trying to avoid the 101 and 51 take Deer Valley and they use all of our community road to take short cuts and therefor causing people speeding on mayo blvd and 40th street to get to where they need to go. With the attraction of gas stations, fast food and grocery stores, more (non resident) people will start taking this route.

*Q8: Community Benefits; How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment? See pages 18-26 in the Phoenix General Plan*

GBlaw States: One of the visions discussed in the PlanPhx 2015 General Plan, is to make Phoenix a "Connected Oasis." Put another way, residents have expressed a desire for the City to have more places at which citizens can connect with one another. This new shopping center in the Desert Ridge area will provide such a place. Moreover, the addition of a retail shopping center that can more conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike and reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment. A reduction is transportation burdens, increased opportunities for exercise and a cleaner environment lead to an overall increase in health and prosperity.

**My Response**: This is pure nonsense as there has ***NOT*** been any survey done about what we want and need or desire. And if they claim this, it can only been hearsay from a few residents close to this project or overheard in an HOA board meeting. Not even our HOA's have done such a survey to gather input from their residents**. GBLaw only started to gather signatures around September, whilst the letter is dated July 1st.**

However, if you know anything about Aviano, Sky Crossing and my community Fireside, then you know **this community is already very connected to their neighbors**, we have long time residents that have seen their kids grow up and go through each of the 3 schools in the area as well as many community events that are organized by paid community directors every month where we all connect with each other. Firework displays paid for by HOA's. Our Halloween celebrations are known throughout Phoenix and we have to block off our streets to accommodate everyone safely.

The proposal is not promoting any of the things they advertise, nor will any of their proposed commercial properties promote any new healthy activities due to the nature of the Gas station, Fast food restaurants and none of the 100,000 sqft grocery stores. They are expecting increased traffic for their tenants to be successful.

Other examples to promote these great goals outlined in your General Plan, are libraries and park areas for our families that will allow coaches to run their practices and young families to have play areas.

*Q9: How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?*

GBlaw states: "The proposed amendments will advance the land use principles in the Desert View Village Character Plan and the Desert Ridge Specific Plan. The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. The first is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires

impact-mitigating features when new nonresidential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors."

**My Response**: These design principles should simply state –

1) **DO NOT BUILD COMMERCIAL PROPERTIES NEAR HIGH AND ELEMENTARY SCHOOLS DUE TO KNOW RISK AND SAFETY ISSUES THESE TYPES OF PROJECTS BRING**, especially if there are pre-approved commercial zones already available in the same vicinity. The buffering that is mentioned is a small walk for anybody, so claiming the design being "away" from the public school is just putting lipstick on a pig.
2) **DO NOT BUILD COMMERCIAL PROPERTIES IN THE MIDDLE OF 3 RESPECTABLE COMMUNITIES DUE TO THE TRAFFIC AND CRIMES THESE TYPES OF PROJECTS BRING.** The grocery will be giving access to alcohol and tabacco near the schools. The gas stations will bring homeless people
3) **THERE NO IMPACT MITIGATING FEATURES INCLUDED FOR NON RESIDENTIAL USES.** In fact, the viability of this commercial proposal is counting on non residents to start visiting this area.

It will also affect the image of Pinnacle High School, which is putting a lot of effort into increasing their image and provide superior education and is seeing increased enrollment numbers. This include the fact that schools are graded on their students attendance and Tardiness. Having this development next door will most certainly impact their school standings today.

*Q10. Additional comments as appropriate*

GBlaw states: Vestar has received positive feedback from the Desert Ridge Community Association. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated.

**My Response:** These additional comments are possibly based on the opinion of 1 person within the Desert ridge HOA board. There will be no evidence to support these statements. In fact, every HOA meeting GBlaw has attended after the initial public hearing, has been met with more opposition. There is ZERO EAGERNESS by this community, demonstrated by all the emails you have been receiving on this proposal and further strengthened by the votes on our petition and people that have or will be speaking at the public meetings. (Appendix 5)

But first and foremost, the opposition to this proposal underlines that this proposal might be a classic bait-and-switch and they assumed this would slide under radar of this community. They were wrong.

**PETITIONS / Social Media / Advertising:**

In response to various ads and website activity by Vestar and GBlaw, our community has setup our own website ( https://defenddesertridge.godaddysites.com/ ) and our Petition on Change.org and Hand written signature petitions to make sure that we are not undercut by this corporations tactics to show support. Residents cannot match their corporate budget and social media skills, but we hope that you see that efforts were made on our side and that it should be weighed more.

ALL of their activity to back up their statements, are DATED AFTER their "Explanation Letter", thus the statements and references made to our community's eagerness for this, has been vastly overstated.

We have since also seen various ads show up on our Facebook and other social media platforms ( Appendix 2) that paint a “dream” appealing to a random public that this is a neighborhood grocer, when the fact is that it could be 50,000-100,000 sqft grocer. This is never mentioned anywhere. A gas station is never mentioned anywhere. The audience they target could be outside of Desert Ridge.

Other ads lead to a petition on Change.org, which in turn has a link back to the GBlaw website in order to submit support emails. (Appendix 3 & 4)

- There is NO Validation where these emails are coming from.
- There is NO Validation whether any of the submissions are coming from automated software
- There is NO Validation – if they were real people – where they live and even part of desert ridge
- They’re sharing very little information about the full scope of the project.

**IN CONCLUSION**

I’m completely blown away by the amount of effort that these attorneys and developers put behind their proposals in order to ruin neighborhoods, endanger school areas, and negatively impact sought after communities for their profits.

There is no eagerness in this community and online petitions and handwritten signatures underline that this proposal was based on misinformation and not substantiated by any research of community needs.

I sincerely hope that the City Planner, City Planning Committee and City Council will see this development for what it is and oppose the zoning change, **without compromise**. There is nothing that will be accepted by this community, other than the current zoning.

Please decline the entire proposal in all its forms and keep the residential zoning as it is, or pro-actively work with our community directly to find a more valuable use for this land around Pinnacle high school and near our 3 communities and stop any incoming future proposals immediately.

Sincerely,

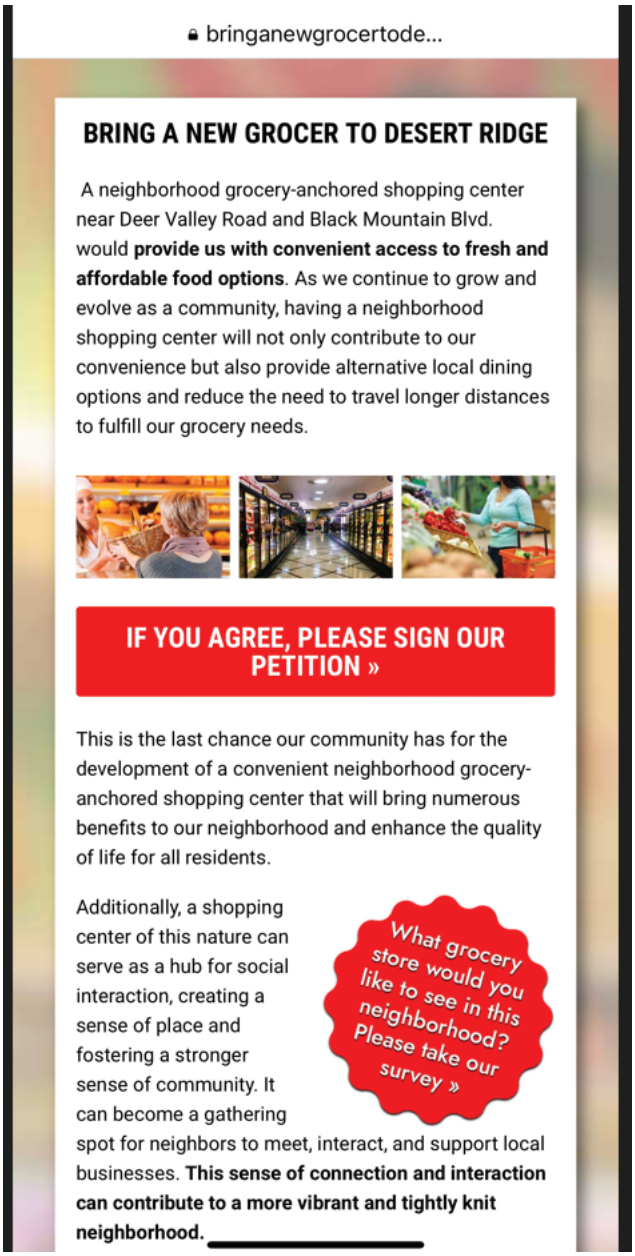
Wouter Roodenburg

APPENDIX 1: TRAFFIC CONGESTION and COMMERCIAL ZONING



APPENDIX 2 – FACEBOOK ADS

They are misrepresenting the full plan of this proposal in order to get people to vote for this.



APPENDIX 3 GBlaw submission form and petition Link

## Why this petition matters

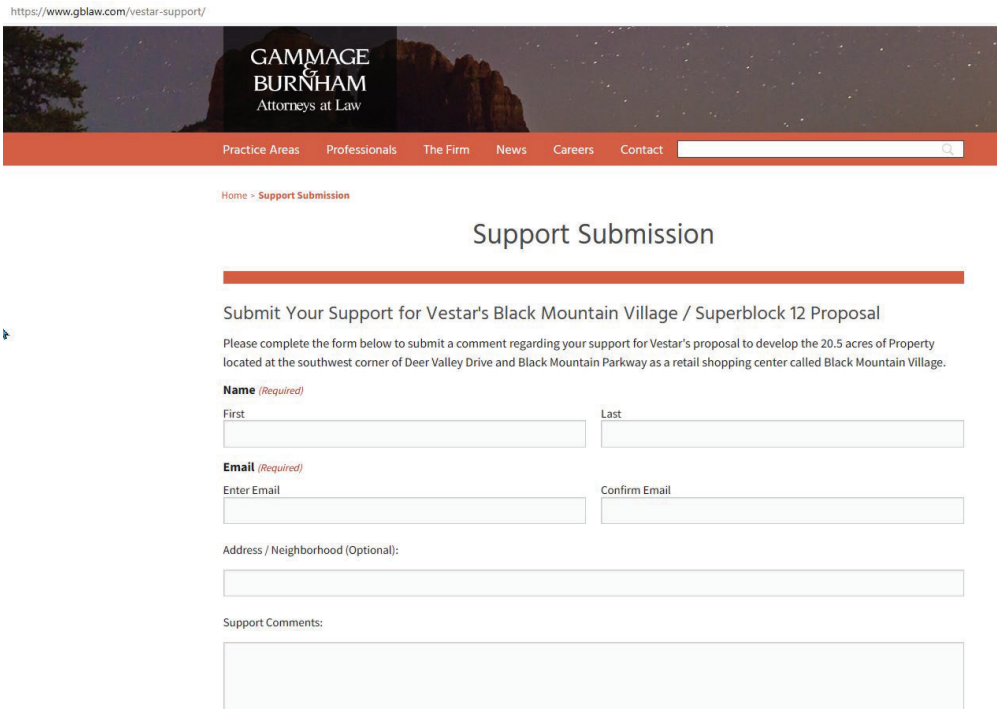
Started by **New Grocer**

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center. We believe that such a development will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

A well-planned and community-oriented development of this kind will also add significant value to our neighborhood without compromising its unique character.

Please **follow this link** to let city leaders know you support more grocery options.



APPENDIX 4 – Gblaw petition: BRING NEW GROCER petition (per 9/19/23)

https://www.change.org/p/help-bring-a-new-grocer-to-desert-ridge-please-sign-our-petition

This was started in September, a full 2 months after the letter of explanation was send.

# Help Bring A New Grocer To Desert Ridge. Please Sign Our Petition.




Started September 1, 2023

## Why this petition matters

Started by New Grocer

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

220 Signatures

500 Next Goal

Support now

## Sign this petition

Defend Desert Ridge United States

I'm signing because... (optional)

Display my name and comment on this petition

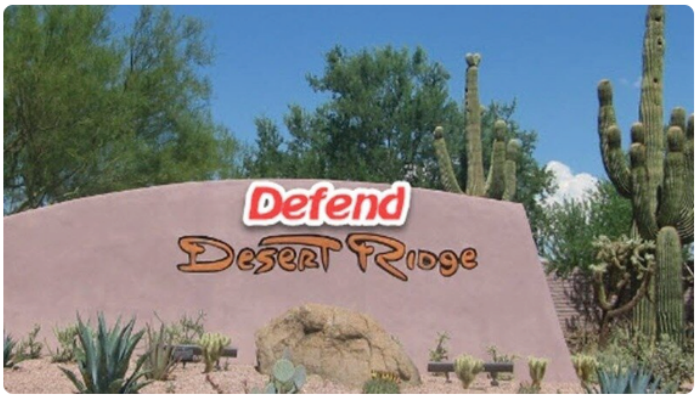
Sign this petition

APPENDIX 5 – RESIDENTS PETITION : Oppose Commercial rezoning in Desert Ridge

https://www.change.org/p/oppose-commercial-rezoning-in-desert-ridge

So far we have TWICE the support to oppose the proposal, excluding written signatures.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

## Why this petition matters

Started by **Defend Desert Ridge**

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

**408** Signatures — **500** Next Goal

**402 people** signed this week


Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

APPENDIX 6 Desert Ridge Specific Plan – Current Plan around 3 acre neighborhood centers

NOTE: I thought it would be helpful to include these chapters around the original intent of neighborhood convenience commercial.

1) Convenience commercial NOT more then 3 acres max
2) Neighborhood convenience store can be 5000 sqft max (see site design) NOT 100,000
3) Away from Arterial streets
4) No Drive Through
5) Only Beer/Wine allowed

*Neighborhood Unit Concept as the Basis for Community Design*

One of the principal problems of our sprawling western cities is the lack of connection residents feel to each other, and any sense of identification with the population at large. Desert Ridge is structured to build in a strong sense of identification and orientation.

Each neighborhood superblock generally consists of one square mile of residential uses. At the heart of most superblocks is a neighborhood park, an elementary school and no more than 10,000 square feet, excluding child care facilities, of neighborhood convenience commercial uses on a minimum of one acre and maximum of three acres. The convenience commercial uses are intended to be very limited in size, yet provide a range of necessary goods and services. They will be located internal to superblocks, at least 600 feet from arterial streets, so as to be accessible only from the internal collector road system and from a pedestrian path system. This location will present an opportunity to reduce the number of potential automobile trips taken for convenience shopping purposes. Potential neighborhood convenience centers are illustrated on Figures 7 and Figure 8. ***1**

The relationship between the convenience commercial, elementary school and neighborhood park uses will require special attention to inherent conflicts between and among these uses (e.g. school children and park users with vehicular traffic). As a rule, the convenience center will be located a minimum of 300 feet from any school uses. There should be no commercial development located adjacent to elementary schools. Possible relationships between these uses are illustrated on Figures 9 and Figure 10. ***1**

A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development. ***1**

Depending on each residential development, a neighborhood could include a small community center, a swimming pool, tennis courts and other recreational facilities. These recreational facilities may be located in all superblocks. These facilities may be developed in conjunction with local subdivision associations. Child care facilities, however, will be located in all but three of the smallest superblocks. Each neighborhood is designed to be developed independently, encouraging individual character and identify; a range of housing densities is included in each neighborhood, allowing for a healthy economic mix. Provisions should be made for housing for the elderly and retired persons, as well as persons living in assisted care facilities. ***1**

The neighborhoods are bounded and served by major arterial boulevards, with collector streets accessed from the boulevards occurring at no less than one quarter mile intervals. The local streets will loop through residential areas creating a neighborhood character. No shortcuts between arterials through the neighborhoods will be found, discouraging any traffic other than local.

The majority of residences will be within a five to ten minute walk of the local park, elementary school and neighborhood convenience commercial uses in most superblocks. A system of pedestrian/bicycle paths along the wash corridors will meander through most neighborhoods, providing direct linkage to the neighborhood center, encouraging walking and reducing dependence on the automobile for local trips. Children will, in most cases, be able to walk to their elementary school on paths within wash corridors without ever having to cross an arterial street. Each neighborhood will feel pedestrian oriented, encouraging a sense of community among residents. ***1**

## C.3 Convenience Commercial Uses

### C.3.A General

Most residential superblocks have neighborhood convenience commercial centers. These centers are planned to be located in proximity to the elementary school, and neighborhood park within each superblock as presented in Chapter 5. These centers are located internal to superblocks at least 600 feet from an arterial street, so as to be accessible only from the internal collector residential loop road system and from the pedestrian trail system within the wash corridors. This presents an opportunity to create a self-sustaining community within a superblock thereby reducing the number of potential automobile trips taken for convenience shopping purposes.

The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and are not intended to serve a population outside the superblock boundary. The maximum total acreage for neighborhood retail uses, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, shall be three (3) net acres, while the minimum acreage will be one (1) net acre.

**C.3.B.2 Modified City of Phoenix Regulations Imposed by this Specific Plan.**

a. Minimum Lots Size/Maximum Lot Size

The minimum lot size shall be one (1) acre exclusive of street rights-of-way. The maximum lot size shall be three (3) acres exclusive of street rights-of-way.

b. Maximum Building Area

Maximum of 10,000 square feet of gross leasable floor area per superblock, exclusive of floor area required for one child care facility per superblock (in other words, the child care facility may be in addition to the 10,000 square feet of gross leasable area); no more than 7,500 square feet of gross leasable floor area per superblock devoted to convenience market retail uses. The convenience parcel must be landscaped similar to the surrounding area until development of the parcel occurs. ***2**

c. Permitted Uses:

Only the following uses are permitted in this district.

- Child Care Center
- Dry Cleaner/Laundry outlet, not plants **+2**
- Convenience Market (selling and display space for beer and wine shall be limited to a maximum of 15% of total selling space) **+2**
- Delicatessen or other sales of prepared food limited to maximum of 1,000 square feet exclusive of outdoor dining areas ***2**
- Bakery, retail sales **+2**
- Beer and wine sales only; no hard liquor sales
- Beauty/Barber Salon
- Video tape rentals as part of convenience market.
- Florist
- Pharmacy
- Shoe Repair
- Booksellers and Rentals, except adult bookstores **+2**
- Candy Shops/Confectioneries, retail sales **+2**
- Gift Shops/Novelties/Stationers, retail sales **+2**
- Hobby Goods Stores **+2**

- Ice Cream Shops **+2**
- Picture Framing, custom **+2**
- Residential Office **+9**
- Travel Bureau **+2**
- The Boys and Girls Club **+10**

d. Prohibited Uses:

Other than the uses listed above as permitted uses, all uses are expressly prohibited including the following:

- Mechanical or electronic video games or arcade - type devices for amusement purposes.
- Drive-through uses
- Sales of package liquor other than beer or wine.

e. Maximum Building Height: 1 story not to exceed 20 feet

f. Minimum Building, Parking Lot, and Setbacks: 25 feet away from any property line and/or right-of-way line. **-2**

g. Parking requirements: One stall per 300 square feet gross building floor area, or per City Ordinance. **+2**

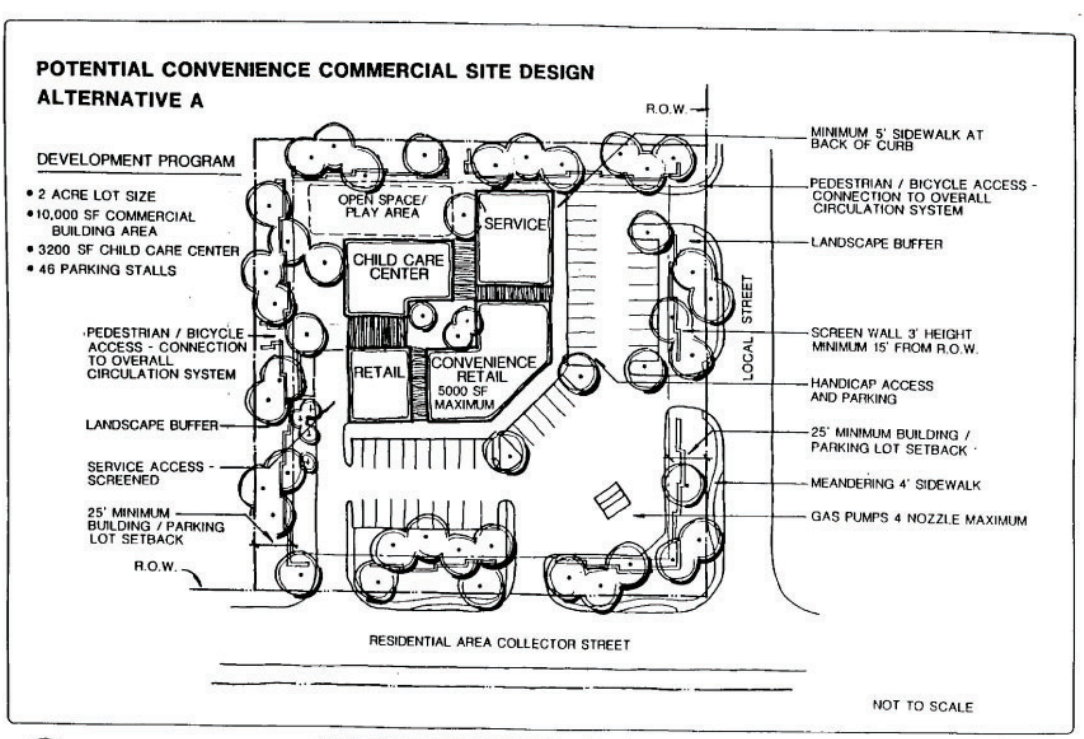
h. Signage

1. Temporary signage

   Signage will be developed during a subsequent planning stage. See Appendices.

2. Permanent Signage

   Signage will be developed during a subsequent planning stage. See Appendices.


POTENTIAL CONVENIENCE COMMERCIAL SITE DESIGN
ALTERNATIVE A
DEVELOPMENT PROGRAM
• 2 ACRE LOT SIZE
• 10,000 SF COMMERCIAL BUILDING AREA
• 3200 SF CHILD CARE CENTER
• 46 PARKING STALLS
OPEN SPACE/ PLAY AREA
SERVICE
CHILD CARE CENTER
RETAIL
CONVENIENCE RETAIL 5000 SF MAXIMUM
R.O.W.
MINIMUM 5' SIDEWALK AT BACK OF CURB
PEDESTRIAN / BICYCLE ACCESS - CONNECTION TO OVERALL CIRCULATION SYSTEM
LANDSCAPE BUFFER
LOCAL STREET
SCREEN WALL 3' HEIGHT MINIMUM 15' FROM R.O.W.
HANDICAP ACCESS AND PARKING
25' MINIMUM BUILDING / PARKING LOT SETBACK
MEANDERING 4' SIDEWALK
GAS PUMPS 4 NOZZLE MAXIMUM
PEDESTRIAN / BICYCLE ACCESS - CONNECTION TO OVERALL CIRCULATION SYSTEM
LANDSCAPE BUFFER
SERVICE ACCESS - SCREENED
25' MINIMUM BUILDING / PARKING LOT SETBACK
R.O.W.
RESIDENTIAL AREA COLLECTOR STREET
NOT TO SCALE
DESERT RIDGE
NORTHEAST PHOENIX PARTNERS
7
BRW

Appendix 7 – Desert Ridge Specific Plan – Public Facility Plan

This chapter describes the provisions for public facilities like Ride-and-Go and Libraries

These are currently in the planning and would increase our sense of community.
What if a Planning Commission would decide to put library next to 2 schools for kids to go to.
What a great concept and it fits right into the goal of bringing a neighborhood together.

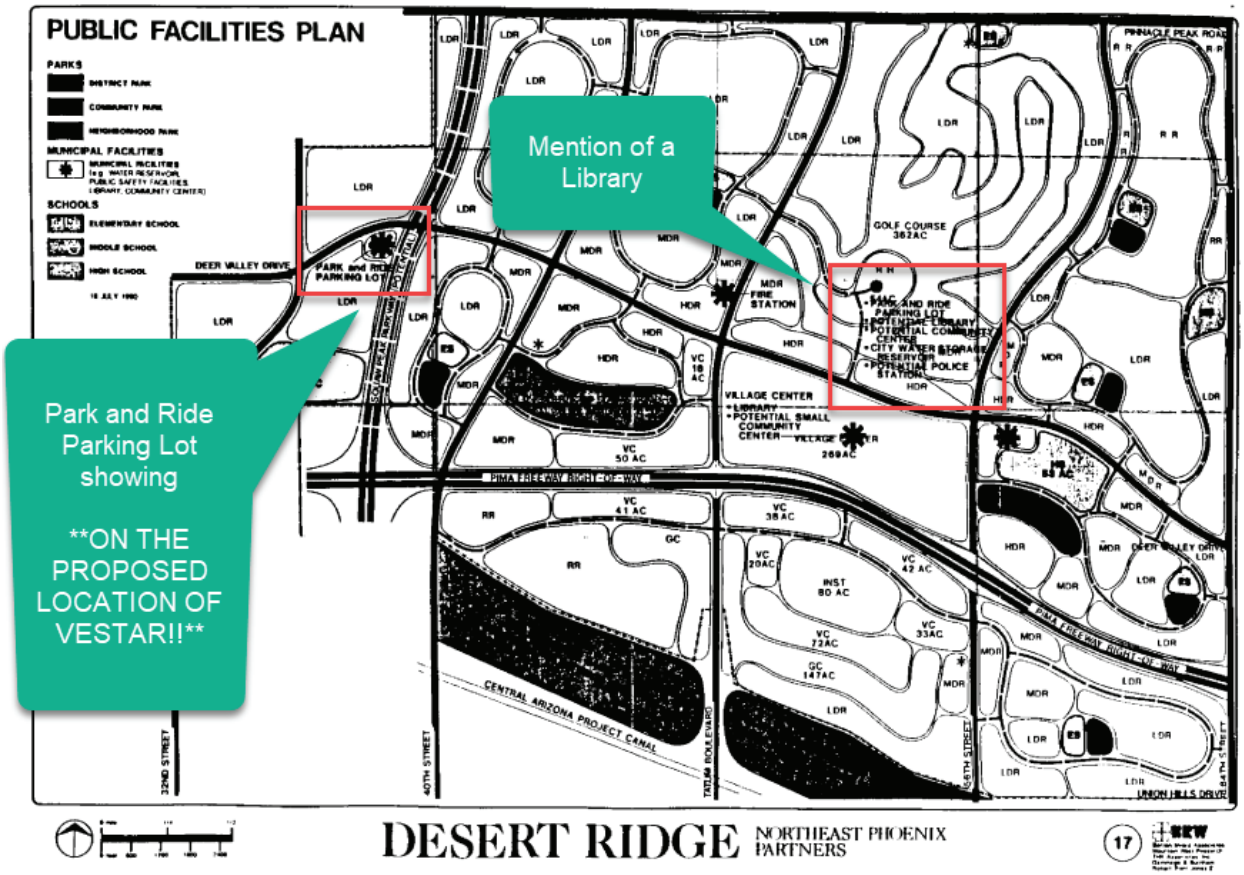
Also – please note that in this version of the plan, a Park and Ride parking lot is showing on the proposed site. Why wouldn't we want to do that and execute the plan.

## F. PUBLIC FACILITIES PLAN

At buildout, Desert Ridge is a planned community for over 59,000 residents and 20,000 employees. Public facilities are an essential element for the planning and development of a large master planned community such as Desert Ridge. The following public facilities have been located within Desert Ridge using the approved planning criteria of each responsible government agency, department and school district.

- Parks
- Library
- Fire Station
- Community Center
- Public Schools

The locations of these facilities is illustrated on Figure 17, *Public Facilities Plan*.



Appendix 8 – New Drop off Route



| | |
|---|---|
| **From:** | js |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Cc:** | Katie Shashaguay |
| **Subject:** | Vestar Rezoning near Sky Crossing- Not your normal opposition email |
| **Date:** | Thursday, September 21, 2023 9:06:42 AM |
| **Attachments:** | image.png |

Hello Anthony,
As a homeowner in the Sky Crossings community I am writing to you today to voice my concerns about the rezoning proposed by Vestar development for the plot of land on the corner of Black Mountain and Deer Valley.

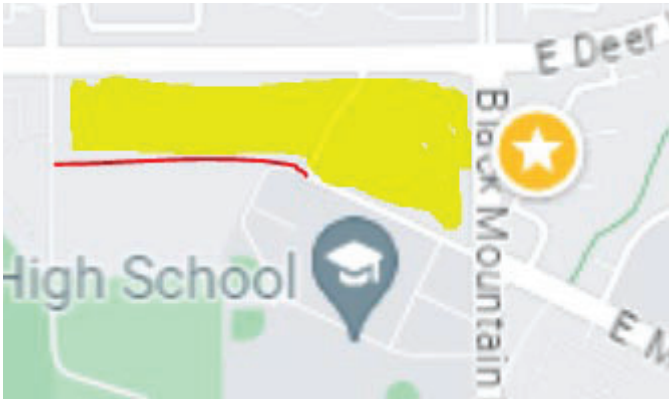
**My intention with this email may be a bit different than some others that are opposing the rezoning as I am only opposed to the change based on the current guidelines. The concerns I have are with the lack of limitations placed on the development proposed and the traffic patterns suggested for nearby residents. Let me explain.**

As I understand it the Max sq footage of the proposed grocery store would be 100,000 sq ft. In my opinion this is far too large for the community. **I would be in favor if the max sq ft was closer to 50,000 as this would attract a smaller more neighborhood friendly store and allow more retail space for local businesses which serve to bring the community together better than a big grocery.**
This would even lend itself to a development plan that could **recreate more of a "main street" feel with business lining a small street**. It would be nice to incorporate a small park for people to gather or even a space for organized neighborhood gatherings and events. It could be a destination, within walking distance, for the community to gather, shop, eat and for kids to play. There is nothing like that nearby currently that brings all of the nearby neighborhoods together.

**My other major concern is the traffic pattern proposed.**
There would be no way for someone leaving that development to get to Sky Crossing without taking a U-turn or cutting across traffic to get to a turn lane. **This could be remedied by extending the proposed Mayo Blvd improvements all the way to 32nd street as then there would be a light allowing people to safely exit the area in either direction.**

In summations, I would love to see that entire space (see pic below) turned into a retail / public use space that would include a small grocery, shopping, a park, a small amphitheater for neighborhood concerts and events. **I'd like to see something that welcomes neighbors in and encourages us to spend time (and $$) as a community, building friendships and memories together as our kids grow up.**

***This is an opportunity to do something different and set a precedent for neighborhood planning and development to come.***




I understand that the highlighted area is larger than what's proposed but wouldn't it be a great place to bring people together?

Thanks for your time .

Jovan Shashaguay
Sky Crossing resident
312-450-5450- feel free to call anytime

**From:** Susan Diamant
**To:** Anthony M Grande
**Subject:** No
**Date:** Thursday, September 21, 2023 9:43:14 PM

---

Dear Sir,
I have been a Desert Ridge resident since 2001. During this time i've gotten married, had a child and she has enjoyed the relaxed
family environment that these neighborhoods currently provide and well as safety and bike riding.
Please consider the values that this neighborhood has offered and desired prior to this refining issue. Some thing are best left alone and this neighborhood is one of those places here in the valley.

Sincerely,
Susan

Sent from my iPhone

**From:** Robin Bowie
**To:** Council District 2 PCC
**Cc:** Anthony M Grande
**Subject:** Rezoning of 20.52 acres
**Date:** Friday, September 22, 2023 10:36:26 AM

---

Dear Councilman Waring and Mr. Grande:

My name is Robin Bowie and I have been a resident of Desert Ridge since 2004. My husband, Charlie Bowie, was the former President of Toll Brothers Arizona Division and worked closely with the City of Phoenix and the Planning Commission to build one of the best master planned communities in Arizona, Aviano.

I wanted to voice my concerns about the rezoning of approximately 20.52 acres located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive (GPA-DSTV-2-23-2 (Companion Cases GPA-DSTV-3-23-2 and Z-39-23-2).

By rezoning this parcel from Residential 2 to 5 dwelling units per acre to Commercial directly affects the following:

1. The already problematic traffic in the morning and afternoons with the school start and stop times. The newer drivers from Pinnacle High School navigating that area on a daily basis will be at even more at risk with the additional traffic from the shopping center, especially if a coffee shop (as was eluded to by Vestar's attorney at the August 1st Planning Committee meeting) will be put there.

2. The possibility of a gas station being added to the Plan really is the worst of the worst. Now you are talking light pollution, large noisy trucks delivering the fuel and supplies, as well as possible contamination of the soil with any gas or oil leaks. And then there is the vagrancy issue. The homeless and panhandling has already been an issue sprouting up in Desert Ridge and now with the new shopping center they will start migrating there.

3. Crime - inevitable things that happen when there is a shopping center. And add to that the proximity of the on/off ramp of SR51. That exit will then be used by more vehicles who will want to use that shopping center, especially if there is a gas station there. I would also think that having a shopping center right next to the high school would draw those same kids into becoming a nuisance as well. Just ask anyone about the teen problem at the Marketplace and how Target had to hire a Police Officer to guard their store with all of the teens hanging out there. And the same holds true for adding a fast food chain. Look at what happened a few months ago at In and Out Burger with the teens getting into fights and the young man who lost all of his front teeth. Teens are going to be teens but again, why do we want to bring that right into the middle of our neighborhood.

5. By adding a "boutique" or any other grocery store you have the issue of loading docks and large semi-trucks coming in the middle of the night with their loud engines and beeping noises unloading merchandise so close to the houses in that general vicinity.

The project summary on the Gammage & Burnham website claims: "growing demand and need for additional commercial and retail options in the Desert Ridge area." Desert Ridge Marketplace already encompasses a large parcel of land, High Street with its restaurants, shops and a small grocery store and add to that City North which is currently in the developing

stages. "City North will be an "urban core" that upon completion will bring over 3,400 additional apartment units, over 2 million square feet of Class A office development along the Loop 101 freeway, ±1,000 hotel rooms and several new restaurants to the heart of the Desert Ridge, Arizona's largest master planned community." (This paragraph copied from https://www.citynorthdesertridge.com/ [citynorthdesertridge.com]). Desert Ridge has plenty of "additional and retail options" especially given the fact that it is already becoming more and more dense with traffic from the existing Marketplace, the new housing all along 56th Street, as well as Deer Valley Road, City North, and the new apartments slated for the Northeast corner of Tatum/Deer Valley.

I personally have spoken to several homeowners and they are all in agreement that this is not wanted or needed. I have signed the Petition that is currently circling the area. I understand that the Developer is going from door to door looking to convince the neighbors that this is a good idea.

It is my hope that the Planning Committee will take my comments and the comments of the other neighbors who are signing the petition and writing letters into consideration when making their decision on whether or not to rezone this parcel. When I moved to Desert Ridge back in 2004 everything surrounding Aviano was zoned residential. I have watched all of the new developments come to life around me. I'm fine with that and am not a NIMBY. My husband was a builder. The people most directly affected by this, the ones whose properties will look at or back to this new shopping center, do not deserve this. Residents purchased their homes in this community assuming that, according to the Public Report given to every homeowner purchasing a home, that this parcel was zoned residential, not commercial. Pinnacle High School has been and continues to be bursting at the seams. The parking situation is such that there is not enough parking for all of the students, the pickup and drop-off to the school is a nightmare and if there are any school events there is not enough parking for all of the attendees. If any zoning modifications are going to be made to this piece it should be that the State Trust Land Department should either donate a a piece of this land to the school or possibly have the school district buy it.

I had suggested, as did others at the Public Meeting held on August 1, 2023 that Vestar should look into the parcel that is at the southwest corner of Pinnacle Peak Road and Cave Creek Road. There are plenty of houses surrounding that area to support a shopping center there. Vestar is not looking to make the lives of the residents in this neighborhood better by having things more convenient for them, they are looking at how much more money this will make for them. Commercial development belongs on the outside of a neighborhood, not smack dab in the middle. Convenience comes at a price and I for one do not want to pay that price. I'm happy to get in my car and drive 3-5 minutes to get gas, groceries, coffee and fast food.

Thank you for your time and consideration.

Robin Bowie
Hague Partners
602.329.9005 MOBILE

**From:** Jost, Kevin
**To:** Anthony M Grande; Council District 2 PCC; PDD Long Range Planning
**Subject:** Deer Valley/Black Mountain Development Plans?
**Date:** Friday, September 22, 2023 3:56:56 PM
**Importance:** High

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Hello Mr. Grande and City Councilman Waring,

I wanted to write and let you know that hundreds of people are having discussions around the land that is just north of Deer Valley Road and west of Black Mountain Blvd in North Phoenix (Zip 85050).

There is so much discussion and misleading information that is getting shared across social media platforms and even legal firms are sending out notes to try and persuade residents in our communities to be in favor of new land development.

I moved to Arizona 12 years ago and built a home in the Fireside Community, I also have lived in the Aviano community and now live in the Sky Crossing community. **I'm very much opposed to building out a large grocery store & gas station/fast food mall/commercial development on this patch of land.**

If you need any further information from me, please let me know.

Thanks for listening and I look forward to meeting you on October 3rd.

Kevin

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**From:** Melissa Resslar Mitschke
**To:** Anthony M Grande
**Subject:** Proposed Redevelopment at Black Mountain and Deer Valley
**Date:** Friday, September 22, 2023 12:03:27 PM

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Hello Mr. Grande- I am a resident in the Sky Crossing subdivision, which is to the north of the proposed redevelopment of the land that is at the southwest corner of Deer Valley and Black Mountain. I am writing to express my concerns regarding the proposed redevelopment.

1. Traffic Concerns :Traffic during the school year between the hours of 7:10-7:30 am and 2:00-3:00 pm is already very high in the immediate area. It is considerably worse during that afternoon block, as there are a large number of parents in the area to pick their high schoolers up from school. This makes it very difficult to get through the intersection. In addition, high school students are haphazardly crossing major streets during this time. Two students were hit by vehicles last year while trying to cross the street. While I understand that this is somewhat of an issue for PV schools to figure out, it seems as if the developer has not addressed this other than to acknowledge that there will be increased traffic in the area. I would encourage members of the planning committee to drive by that area during those times to get a sense of the congestion. My hope is that if the redevelopment is approved, the developer agrees to fund and construct a walkway over Deer Valley (similar to the one over Black Mountain) so that the high school students walking from Sky Crossing can safely make it to school. Unfortunately, there is no bus service for these students due to the close proximity of the school and the increased traffic is only going to make it more dangerous for them.
2. Liquor Sales: It is my understanding that the developer is asking for a variance from the liquor law rules in order to be able to develop the space to include a gas station, grocery store and restaurants that serve alcohol. I would encourage the committee to consider the fact that there is a high school within the immediate vicinity and a large potential for children to attempt to illegally purchase alcohol.
3. Aesthetic Concerns: Understanding the high likelihood that this land will be re-zoned, my hope is that it can be developed in a thoughtful way that takes into account the aesthetics of the area and the high property values of the nearby homes. This could include a small/higher end grocery store (like an AJs or Whole Foods) with higher end restaurants and shops rather than the developer seeking to maximize their profit on the space by including a gas station, fast-food restaurants, large grocery store (Frys/Safeway), etc. The noise, light and traffic coming from the area will definitely change the aesthetic of the area, so anything that can be done to minimize that would be appreciated.

Thank you for your time,
Melissa Mitschke
22614 N. Cave Butte Street, Phoenix 85050

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Defend Desert Ridge - Oppose Commercial rezoning in Desert Ridge : Petition Results |
| **Date:** | Friday, September 22, 2023 12:17:45 AM |
| **Attachments:** | petition_DefendDesertRidge.pdf<br>petition_signatures_DefendDesertRidge.pdf |

Please find attached the petition results with regards to Black Mountain Village case : GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

These 473 votes opposing the proposal are not the final results but our residents wanted to make sure it makes it into the case file for the October 3rd meeting.

Petition · Oppose Commercial rezoning in Desert Ridge · Change.org [change.org]

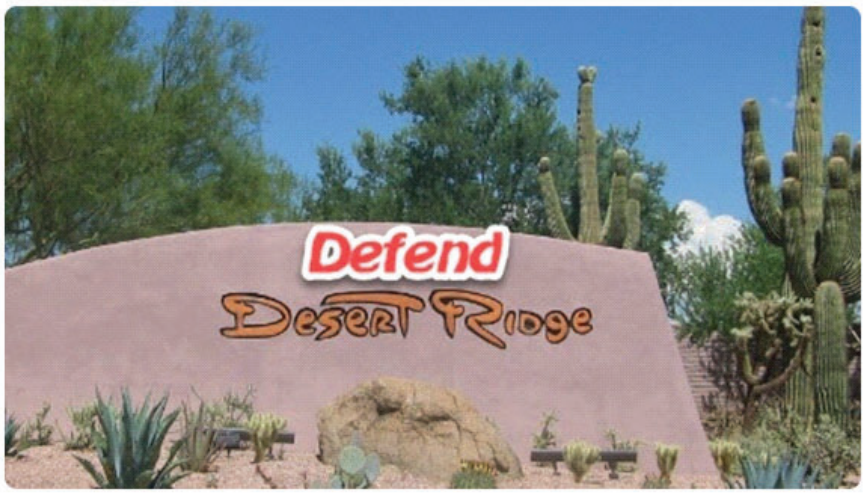
Kind regards,

Wouter.

Petition

Friday, September 22, 2023 12:05 AM

# Oppose Commercial rezoning in Desert Ridge




473 Signatures

500 Next Goal

334 people signed this week


Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

Started September 13, 2023

## Why this petition matters

Started by Defend Desert Ridge

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

We oppose because it will significantly increase traffic in your neighborhood and impact safety around the schools, it will increase light, air and noise pollution to our quiet neighborhood. It will attract all of the problems and crimes you see already at Desert Ridge Marketplace, Fast Food Restaurants and around Gas Stations today. Furthermore it will negatively impact the behaviors of high school students and endanger kids attending the elementary school. In short, nothing good will come of this.

If you want a new grocer, encourage them in the pre-approved commercial zones around the corner on Cave Creek and Pinnacle Peak that should be used instead of encroaching on our beloved neighborhood.

By signing this petition, you would like to let the Planning Committee and City Council know that you oppose this rezoning request and the land should stay residential.

Goto : **defenddesertridge.godaddysites.com** for more information.

- **Sign BEFORE September 19 for your voice to be heard.**
- **Please ATTEND the review meeting at PV Community center on October 3rd @ 6:30pm to show your support.**

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| Defend Desert Ridge | | | | US | 9/14/2023 |
| Eliza Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Candy Hamer-Huether | Phoenix | AZ | 85004 | US | 9/14/2023 |
| Taylor Morgan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Brielle Cam | Kailua | | 96734 | US | 9/14/2023 |
| Emily Sheets | Columbus | | 43231 | US | 9/14/2023 |
| Wais Zadran | El Dorado Hills | | 95762 | US | 9/14/2023 |
| Robin Harding | Milford | | 1757 | US | 9/14/2023 |
| gwyneth rolins | Kailua Kona | | 96740 | US | 9/14/2023 |
| george vong | Norcross | | 30093 | US | 9/14/2023 |
| Petro Volokh | Silver Spring | | 20904 | US | 9/14/2023 |
| Karen Smith | Indianapolis | | 46201 | US | 9/14/2023 |
| Coreen Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Susan Ze | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Larry Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Robert Schmitz | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gabby Zamora | Whittier | | 90603 | US | 9/14/2023 |
| Rosie Lopez | Las Vegas | | 89142 | US | 9/14/2023 |
| sophilia ashley | Shonto | | 86054 | US | 9/14/2023 |
| Kayla Shuch | Phoenix | | 85029 | US | 9/14/2023 |
| Martina Gorman | Ganado | | 86505 | US | 9/14/2023 |
| Heather McDonough | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Dan Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jovan Shashaguay | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Michael Coppola | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Austin Ward | Corvallis | OR | 97330 | US | 9/14/2023 |
| Praveen Mahadevaiah | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Rajesh Gadde | Phoenix | AZ | 85006 | US | 9/14/2023 |
| Rajendra Danda | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kavita Chandak | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Arvind Sharma | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mahitha Valluri | Desert ridge | AZ | 85050 | US | 9/14/2023 |
| Rohit Aggarwal | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Dattatraya Kale | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mrinalini Kale | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vinesh Soni | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Krishan Kumar | Phoenix | AZ | 85001 | US | 9/14/2023 |
| A Sha | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kristen Combes | Fishers | IN | 46038 | US | 9/14/2023 |
| Rashmi Vaidya | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gomathi Selvam | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Nandita Khera | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vin Kode | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Kalyani Moola | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Pradeep Chandra | Sky Crossing | AZ | 85050 | US | 9/14/2023 |
| Silpa Alapati | Phoenix | AZ | 85050 | US | 9/14/2023 |

| | | | | | |
|---|---|---|---|---|---|
| Prakash Kannan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Dolly Yalamanchi | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Pooja verma Rajput | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Eric Damko | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Hatim Kapadia | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Manika Patel | Phoenix | AZ | 85036 | US | 9/14/2023 |
| Sam M | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Neeraj Chandak | Phienix | AZ | 85050 | US | 9/14/2023 |
| Varun Jindal | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Sra Vana | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Matthew Chitwood | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Raju Omkaram | Highland Park | IL | 60035 | US | 9/14/2023 |
| Amy Mitchell | Gilbert | AZ | 85295 | US | 9/14/2023 |
| Archana Nagarajan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Mabry Biggs | Spring Hill | | 37174 | US | 9/14/2023 |
| Alec Wiley | Albany | | 12208 | US | 9/14/2023 |
| Maria karla Gomez | Hollywood | | 33020 | US | 9/14/2023 |
| Anna Laidler | East Stroudsburg | | 18301 | US | 9/14/2023 |
| Poja Singhvj | Phoenix | AZ | 85001 | US | 9/14/2023 |
| David Tucker | Boone | | 50036 | US | 9/14/2023 |
| Ollie Kettle | Barrington | | 60010 | US | 9/14/2023 |
| Karen Martin | Roanoke | | 24015 | US | 9/14/2023 |
| Connor Macaluso | Marion | | 43302 | US | 9/14/2023 |
| Pee shti | Alhambra | | 91801 | US | 9/14/2023 |
| my nam jef | West Plains | | 65775 | US | 9/14/2023 |
| Alvie Williams | Columbus | | 31907 | US | 9/14/2023 |
| Elizabeth Werkstell | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Alex Bowles | Urbana | | 43078 | US | 9/14/2023 |
| Adam Friedlander | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Shelley Flecky | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Justin Popnoe | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jeffrey Leitner | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Mike Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Michael Bauschka | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Susan Smith | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Amie Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Jeff Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| John Casler | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Laura Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Christi Robinson | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Lokesh Anand | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Prerna Mehla | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kerry Baker | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Archana Gangadhar | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Susan Sheroff | Phoenix | AZ | 85041 | US | 9/14/2023 |
| Natalie Walker | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Mokhtar Boukhari | Phoenix | AZ | 85001 | US | 9/15/2023 |

| | | | | | |
|---|---|---|---|---|---|
| Heidi Van Newkirk | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zubair Shora | Miami | | 33197 | US | 9/15/2023 |
| Lindsey Prock | Myrtle Beach | | 29588 | US | 9/15/2023 |
| Suchithra Kumar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Taiya Wooden | Hollywood | | 33027 | US | 9/15/2023 |
| Joseph Zandlo | Kansas City | | 66104 | US | 9/15/2023 |
| Diego Morales | Los Angeles | | 90028 | US | 9/15/2023 |
| Journey Johnson | Moultrie | | 31768 | US | 9/15/2023 |
| Tom George | Rowlett | | 75089 | US | 9/15/2023 |
| Courtney Osaki | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Livan Peraza | Miami | | 33138 | US | 9/15/2023 |
| Wouter Roodenburg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Manmeet Duggal | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Sarah Jewett | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kamna Gaur | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Neeraj Umarjikar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Wenjie Tang | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Lulu Wang | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yu Chieh Phan | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Peter Khuu | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Katelyn Chen | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Man Feng | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Melissa Ruetten | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Mary Shullaw | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kari Williams | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Biju Mon Payyappilly Paulose | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rashi Agar | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Andrea Keegan | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sara Millett | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Marisa OConnor | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Brad Berg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Rebecca Mauck | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Remie Loudy | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Daniela Betancourt | Holland | | 49423 | US | 9/15/2023 |
| Margaret Allen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Addison Spradlin | Cantonment | | 32533 | US | 9/15/2023 |
| Thomas Tredrea | Batavia | | 60510 | US | 9/15/2023 |
| meghan parker | Hobart | | 46342 | US | 9/15/2023 |
| Gunja Maskay | Phoenix | AZ | 85040 | US | 9/15/2023 |
| Alexis Quijano | Austin | | 78703 | US | 9/15/2023 |
| Melody Mendez | bristol | | 6010 | US | 9/15/2023 |
| Brooke Williams | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Miguel Sierra | Bedford | | 76021 | US | 9/15/2023 |
| Jody Wilmes | Phoenix | AZ | 85041 | US | 9/15/2023 |
| Buthaina Salem | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Girish Mour | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Nicole Koolick | Phoenix | AZ | 85001 | US | 9/15/2023 |

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|---|---|---|---|---|---|
| N K | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Srini Moola | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Saba Joshaghani | Alhambra | | 91803 | US | 9/15/2023 |
| Samson Afeworki | Aurora | | 80010 | US | 9/15/2023 |
| Khairmohammad Akhondzada | West Valley City | | 84128 | US | 9/15/2023 |
| Mamta Jain | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Tiffany Andersen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Alyse Meislik | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Kurt H. Miller | Miami | FL | 33197 | US | 9/15/2023 |
| Shea McCormick | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Elliott Cropp | Phoenix | AZ | 85017 | US | 9/15/2023 |
| Jennifer Reams | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yan Dai | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jane Soukup | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Joshua Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Kathy Nassar | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Melissa Chandlee | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rebecca Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Mallorie LaForest | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Ariana Bowie | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Layla Saikley | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Gina Walstad | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Vikas Upadhyaya | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Meredith Pollov | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Natalee Karre | Fredonia | | 66736 | US | 9/15/2023 |
| Abi P | Houston | | 77099 | US | 9/15/2023 |
| Esther Fatokun | Terre Haute | | 47807 | US | 9/15/2023 |
| Terry Blaze | Secaucus | | 7094 | US | 9/15/2023 |
| Alessandra Villar | Hialeah | | 33012 | US | 9/15/2023 |
| Debbie Miller | Phoenix | AZ | 85002 | US | 9/15/2023 |
| Celeste Cesario | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Ryan Waddington | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jingyi Shi | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Robert Markus | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Bharathi Jayaraman | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Terra Sosa | Mesa | AZ | 85050 | US | 9/15/2023 |
| Darren Powell | Kenai | | 99611 | US | 9/15/2023 |
| Corey Emslie | Mobile | | 36612 | US | 9/15/2023 |
| Laura Drachler | Phoenix | AZ | 85001 | US | 9/15/2023 |
| addison castoe | Diamondhead | | 39525 | US | 9/15/2023 |
| Oluwakemi Adedoyin | Indianapolis | | 46255 | US | 9/15/2023 |
| Stacy Taouil | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Melissa Wozniak | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zak House | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Manasi K | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Maritza Lopez | Houston | | 77052 | US | 9/15/2023 |
| HEY WHY SUNSHINE | Dallas | | 75270 | US | 9/15/2023 |

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| Your Mother | Akron | | | 44307 | US | 9/15/2023 |
| Alan Walstad | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Kristi Huebner | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Brady Pollov | Phoenix | AZ | | 85017 | US | 9/15/2023 |
| Helana Doyle | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Michelle Bach | Phoenix | AZ | | 85066 | US | 9/15/2023 |
| Debbie Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Leslie Ziff | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mike Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paige Casler | Cave Creek | AZ | | 85331 | US | 9/15/2023 |
| Rusty Benton | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Greg Nelson | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Melissa Schwan | Phoenix | AZ | | 85006 | US | 9/15/2023 |
| Robert Abbott | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Manisha Gowlikar | Phoenix | AZ | | 85029 | US | 9/15/2023 |
| Emily Mohr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| KellyAnn Laffey | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| DeAnna Schaefer | Palmer | | | 99645 | US | 9/15/2023 |
| katarina melian | Oakland | | | 94610 | US | 9/15/2023 |
| Carmen Allen | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Joshua Curphey | Peterborough | | PE7 | | US | 9/15/2023 |
| Sabrina Sundquist | Phoenix | AZ | | 85016 | US | 9/15/2023 |
| Celine Beverly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kelci Hunter | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| George Mcnamara | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Qingyang Li | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mayra Boukhari | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Jill Young | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dana Epstein | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| William Kelly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Rahul Menon | Scottsdale | AZ | | 85254 | US | 9/15/2023 |
| Xi Zhu | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Asmita S | Phoenix | AZ | | 85254 | US | 9/15/2023 |
| Michele Riordan | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mark Allen | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Lisa Ormsby | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paul Ormsby Jr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Andy Mesecher | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dean Terzic | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Slaven Gusak | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| Valerie Givens | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kiran Uppal | Phoenix | AZ | | 85054 | US | 9/16/2023 |
| Belinda Curtis | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Taylor Ungerer | Phoenix | AZ | | 85032 | US | 9/16/2023 |
| Carol Ferraco | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Chris O'Connor | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Erica Cooper | Phoenix | AZ | | 85024 | US | 9/16/2023 |

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|---|---|---|---|---|---|
| Jennifer Budiac | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Gregory Budiac | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linda Montgomery | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lavanya Udupa | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Natalie Leitner | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelsey Mathis | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Jenna Stoneberg | Phoenix | AZ | 85009 | US | 9/16/2023 |
| Lauren Knapp | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Chris Kay | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Chris Knapp | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Curt Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Claudia Pack | Phoenix | AZ | 85008 | US | 9/16/2023 |
| Susan Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Rebecca Eldridge | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelene Otterson | Prescott | AZ | 86302 | US | 9/16/2023 |
| Sudha Ugendran | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jia Zeng | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Nicole Burnes | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Sara Buchanan | Phoenix | AZ | 85024 | US | 9/16/2023 |
| Meghann Jones | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kristy McCool | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Amy House | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Klair Moses | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Kimber Devoe | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Laura Ray | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Tanya Romero | phoenix | AZ | 85027 | US | 9/16/2023 |
| Preeti Menon | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Katherine Hutchins | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sridhar Yadav | Phoenix | AZ | 85016 | US | 9/16/2023 |
| Shannon Adams | Scottsdale | AZ | 85254 | US | 9/16/2023 |
| Vivek Varshney | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Rebecca Tischler | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Amitava Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Brandon Raper | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Tylor Tuttle | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linnaea Godwin | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Postler-Pierce | Phoenix | AZ | 85950 | US | 9/16/2023 |
| Robyne Schultz | Los Angeles | CA | 90011 | US | 9/16/2023 |
| Jayeeta Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Rhonda Waldersen | Scottsdale | AZ | 85262 | US | 9/16/2023 |
| David Stine | Phoenix | AZ | 43054 | US | 9/16/2023 |
| Michelle Stelnik | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Willis-Jost | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Stefani Zucker | Phoenix | AZ | 85017 | US | 9/16/2023 |
| Laura Reynoso | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lorri Bucholz | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Berglind | Phoenix | AZ | 85050 | US | 9/16/2023 |

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|---|---|---|---|---|---|
| Cydney Hubbard | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sharon Knecht | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Catherine Dee | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kyle Reichert | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Rebecca de Jesus | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kim Anderson | Phoenix | AZ | 85068 | US | 9/16/2023 |
| Kevin Jost | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Robin Bowie | Phoenix | AZ | 85004 | US | 9/16/2023 |
| Evelyn Grier | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Paul Bierbusse | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sarah Gavigan | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Shuo Yang | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Krystle Edmonds | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Doolan | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Elizabeth Nelson | Seattle | WA | 98199 | US | 9/16/2023 |
| Linda Houston | Denver | CO | 80206 | US | 9/16/2023 |
| Danielle Deacon | Phoenix | AZ | 85001 | US | 9/16/2023 |
| John Pilzner | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jared Lewis | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Jada Lewis | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Andrea Remke | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Amanda Kaiser | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Wendy Moyer | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Robert Houston | Denver | CO | 80218 | US | 9/17/2023 |
| Briana Brownell | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Shannon Lauer | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Alexandra Daniels | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Jeanne Comstock | Phoenix | AZ | 86314 | US | 9/17/2023 |
| Wendy Coyle | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Lisa McIntyre | Northville | MI | 48168 | US | 9/17/2023 |
| David Francyk | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hillary Grossman | Scottsdale | AZ | 85251 | US | 9/17/2023 |
| Stephanie Mason | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Sandra Itkowitz | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Hargun Kaur | Southington | | 6489 | US | 9/17/2023 |
| Marisela E. | The Bronx | | 10451 | US | 9/17/2023 |
| Yamilko Lugo | Miami | | 33102 | US | 9/17/2023 |
| Rachel Steinberg | Manhattan | | 60442 | US | 9/17/2023 |
| Hicham Mafhoum | Chicago | | 60625 | US | 9/17/2023 |
| Jameson Lutz | Melbourne Beach | | 32951 | US | 9/17/2023 |
| Isaac Sanchez | Fremont | | 43420 | US | 9/17/2023 |
| Jesus Jesus | Lewisburg | | 37091 | US | 9/17/2023 |
| Pamela Stewart | Houston | | 77064 | US | 9/17/2023 |
| cayla garcia | Miami | | 33169 | US | 9/17/2023 |
| Aimee Miranda | Aventura | | 33161 | US | 9/17/2023 |
| Daniel Pope | Provo | | 84604 | US | 9/17/2023 |
| Glen Pinckney | Atlanta | | 30301 | US | 9/17/2023 |

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|---|---|---|---|---|---|
| Jan Cerva | Phoenix | AZ | 85331 | US | 9/17/2023 |
| Brooke Yule | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Brandi Jenkins | Scottsdale | AZ | 85254 | US | 9/17/2023 |
| Jilanne Rose | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Brandina Wade | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Pete Cedor | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Larry Ladd | Chico | | 95928 | US | 9/17/2023 |
| J Brown | San Francisco | | 94109 | US | 9/17/2023 |
| araya habte | Los Angeles | | 90002 | US | 9/17/2023 |
| Miguelina Espiritu | The Bronx | NY | 10452 | US | 9/17/2023 |
| Sheila Bethancourt | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Bob Davis | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Sheila Long | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Ashlee Francisco | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Christine Alexander | Phoenix | AZ | 85006 | US | 9/17/2023 |
| kristi downing | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Britney Jacobs | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hailey Yost | Phoenix | AZ | 85007 | US | 9/17/2023 |
| Shelly Jin | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chelsea Randall-McWherter | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chan Jin | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Maria Toro Toro | Phoenix | AZ | 85080 | US | 9/18/2023 |
| Cindy Ponciano | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Brianna Makos | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Wendy Piermarini | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Dawn Martinez | Phoenix | AZ | 85068 | US | 9/18/2023 |
| Mike Haug | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Ivy Biritz | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Jason Epstein | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Divya Yoder | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jennifer Kindle | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Teresa Swingler | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Kristen Thielen | Phoenix | AZ | 85050 | US | 9/18/2023 |
| cristian achim | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Julie Richards | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Bob Giammarco | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Darlene Saucier | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Laura Pierce | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Christine Cowley | Phoenix | AZ | 85001 | US | 9/18/2023 |
| keith schmolze | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jenny Naber | Phoenix | AZ | 85041 | US | 9/18/2023 |
| Jennifer Jost | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Allison Griswell | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Nidhi Krishna | Phoenix | AZ | 85050 | US | 9/18/2023 |
| KAUSHIK DILIP | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Ella Richards | Tempe | AZ | 85281 | US | 9/18/2023 |
| Audrey Hammond | Tempe | AZ | 85281 | US | 9/18/2023 |

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|---|---|---|---|---|---|
| Deb Kozak | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Erin Ruebbelke | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Nirmalji Odedra | Phoenix | AZ | 85054 | US | 9/19/2023 |
| Jennifer Larson | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Bethany Lauber | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Justin Lauber | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Kathleen Brink | Bozeman | MT | 59715 | US | 9/19/2023 |
| lisa tims | Missoula | MT | 59801 | US | 9/19/2023 |
| Kayna Popnoe | Fort Worth | TX | 76127 | US | 9/19/2023 |
| Nick Popnoe | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Jim Popnoe | Fort Worth | TX | 76033 | US | 9/19/2023 |
| Audrey Boyd | Fort Collins | CO | 80527 | US | 9/19/2023 |
| Luis Hernandez | Cape Coral | | 33914 | US | 9/19/2023 |
| Elizabeth Ducar | Scottsdale | AZ | 85260 | US | 9/19/2023 |
| Scott Clark | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Nikolay Kapashikov | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Jennifer Francyk | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Sarah Torrilhon | Phoenix | AZ | 85024 | US | 9/19/2023 |
| Rebecca Cornell | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Mara Tucker | Phoenix | AZ | 8505 | US | 9/19/2023 |
| Des D | Phoenix | AZ | 85032 | US | 9/19/2023 |
| Alicia Penner | Johnston | IA | 50131 | US | 9/19/2023 |
| Andrea Anderson | Phoenix | AZ | 85008 | US | 9/19/2023 |
| Aaron Bruhn | Phoenix | AZ | 85029 | US | 9/19/2023 |
| Allison Popnoe | Seattle | WA | 98136 | US | 9/19/2023 |
| Adrian Daniels | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Ricky Barber | Los Angeles | | 90065 | US | 9/19/2023 |
| Rosa Angulo | Tampa | | 33606 | US | 9/19/2023 |
| Nick Sterry | Minneapolis | | 55408 | US | 9/19/2023 |
| Michael O'Neil | Phoenix | AZ | 85034 | US | 9/19/2023 |
| Julia Levene | Phoenix | AZ | 85069 | US | 9/19/2023 |
| Vrinda Arora | Phoenix | AZ | 85036 | US | 9/19/2023 |
| Jessica Quint | Phoenix | AZ | 85024 | US | 9/20/2023 |
| Sheri Bernstein | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Luke Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Noah Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Hank Richards | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Saeda Ward | Phoenix | AZ | 85076 | US | 9/20/2023 |
| Misty Manes | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Hannah Farfour | Phoenix | AZ | 85001 | US | 9/20/2023 |
| David Baron | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Annette Burton | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Alma Armenta | Phoenix | AZ | 85008 | US | 9/20/2023 |
| Kelly Sanders | Phoenix | AZ | 85009 | US | 9/20/2023 |
| Bryant De Piazza | Phoenix | AZ | 85050 | US | 9/20/2023 |
| ANSHUL ARORA | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Michelle Suzuki | Phoenix | AZ | 85001 | US | 9/20/2023 |

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| Rachael Slosky | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Ann Fisher | Phoenix | AZ | 85007 | US | 9/20/2023 |
| Patricia Diamant | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Deanna Dalzell-Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Winston Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Rajesh Vaidya | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Raymond Brooks | Phoenix | AZ | 85024 | US | 9/20/2023 |
| James Taylor | Scottsdale | AZ | 85261 | US | 9/20/2023 |
| Jaydatt Joshi | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Krutarth Joshi | Phoenix | AZ | 85040 | US | 9/20/2023 |
| Kimberly Johnson | Phoenix | AZ | 85003 | US | 9/21/2023 |
| Cole Johnson | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Gage Johnson | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Olga Rempel | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Michael Kiperman | Chandler | AZ | 85224 | US | 9/21/2023 |
| Timari Rusak | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Claire Grant | Storrs | | 6269 | US | 9/21/2023 |
| Wesley Orozco | Lynn | | 1902 | US | 9/21/2023 |
| Isabella Romine | Bradenton | | 34201 | US | 9/21/2023 |
| Amy Najera | Bell | | 90201 | US | 9/21/2023 |
| Danielle Flinn | Phoenix | AZ | 85040 | US | 9/21/2023 |
| Michelle Sounart | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Cynthia Bennette | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Cheree Brown | Cave Creek | AZ | 85331 | US | 9/21/2023 |
| Brenda Schmalz | Scottsdale | AZ | 85261 | US | 9/21/2023 |
| Kaci Oldroyd | Phoenix | AZ | 85008 | US | 9/21/2023 |
| Sandy Campbell | Phoenix | AZ | 85050 | US | 9/21/2023 |
| michael boeder | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Daniel Welker | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Dave Moyer | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Blythe Lipman | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Taylor Moskovich | Phoenix | AZ | 85008 | US | 9/22/2023 |
| Molly Fine | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Aliza Neufeld | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Jayme Mesecher | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Sheena Lovett | Phoenix | AZ | 85009 | US | 9/22/2023 |
| Michael Henein | Merrick | | 11566 | US | 9/22/2023 |
| Dana Huether | Phoenix | AZ | 85001 | US | 9/22/2023 |
| David Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Eva Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Alex Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Paul Surdakowski | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Kayla Grande | Phoenix | AZ | 85024 | US | 9/22/2023 |
| Rhonda Dimmick | Desert Hills | AZ | 85086 | US | 9/22/2023 |
| Jack MacDonald-Hilton | Worcester | | 1609 | US | 9/22/2023 |
| Hannah Soliman | Charlotte | | 28075 | US | 9/22/2023 |
| Andrew Floyd | | | | US | 9/22/2023 |

| | | | | | |
|---|---|---|---|---|---|
| Cathy Zou | Phoenix | AZ | 85001 | US | 9/22/2023 |

**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Friday, September 22, 2023 2:18:14 PM
**Attachments:** image002.png

---

Could I sneak in one final comment into the case file that was just getting brought up last night? People are now getting emails from Vestar trying to promote the need for more grocery stores in this area. The verbiage they are using was that Desert Ridge incredibly only has one grocery store in a 21-mile square area. Talk about incredibly confusing and misleading. 21-mile square area? Who speaks that way? Did they mean 21 square miles? They used 21-mile square area intentionally to confuse people. These people are spreading lies to try getting people to sign their ONLINE petitions. I would be very interested to see how many of these people that have signed their ONLINE petition live outside of the Desert Ridge area.

Another thing I would ask Gammage and Burham how many of these people signed their petition, while voting for a Sprouts or Trader Joes in their online survey? They are deceiving the public with this survey when they knew before they began the survey that these smaller grocery stores aren't even an option to be used as the grocer.

I would like the City and the Village Planning Committee to request the results of their online survey become public records. I would be willing to bet over 50% of their supporters are looking for something Vestar already knew wasn't an option.

Thanks,
Dan Richards

---

**From:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Sent:** Friday, September 22, 2023 2:04 PM
**To:** Richards, Dan <Dan.Richards@strand.com>; PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Thank you, your comment has been received.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Wednesday, September 20, 2023 9:35 AM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

**Dan Richards**

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602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

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**From:** Valerie Arnold
**To:** Anthony M Grande
**Subject:** No rezoning of Black Mountain and Deer Valley Road
**Date:** Saturday, September 23, 2023 10:31:19 AM

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Please do not rezone. My kids go to Pinnacle High School and this is a stupid idea. There is enough traffic there now. Please do not let Vestar come in. We need that land to stay undeveloped.

Thank you.

**From:** Kathy Green
**To:** Anthony M Grande
**Subject:** Zoning of the corner of Black Mountain and Deer Valley
**Date:** Saturday, September 23, 2023 10:51:17 AM

---

As someone who lives in the area and drives that intersection every day, I fully oppose this re-zoning. Traffics is already a mess in the mornings and afternoons.

I would love to have a grocery store in the area but that location is awful.

Warmest Regards,
Kathy Green
Mountain Gate Subdivision resident

Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Sunday, September 24, 2023 2:12:13 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves, and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:00:47 PM

---

| **Name** |
| --- |
| Sachiyo Moench |
| **Email** |
| satosachiyo@hotmail.com |
| **Support Comments** |
| Traffic during school pickup/drop off and rush hour is already stressing the traffic flow in this area. The traffic associated with a big box retailer would make this intersection/area much worse. |

| | |
|---|---|
| **From:** | Jennifer Garcia |
| **To:** | Anthony M Grande |
| **Cc:** | Jennifer Garcia |
| **Subject:** | Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Monday, September 25, 2023 9:08:21 PM |
| **Attachments:** | image001.png |

**Dear Anthony,**

I am writing to let you know I'm very concerned with the new zoning up for approval. reference case numbers below.

This zoning in my opinion is way to close to Pinnacle High School. The traffic is already so congested with the onramp of hwy 51, and with new drivers (young from the high school) potential accidents would be a huge concern.

I vote NO for the new commercial zoning.  It needs to stay residential

Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Thank you, Jennifer Garcia

3824 E. Ringtail Way

*Jennifer Garcia*
*www.RelationalWealthAdvisors.com [relationalwealthadvisors.com]*

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Relational Wealth Advisors

| | |
|---|---|
| **From:** | Jayme Mesecher |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 |
| **Date:** | Monday, September 25, 2023 8:07:45 PM |

Hello,

I'd like to document my opposition to the rezoning of superblock 12. I am a homeowner across the street at 3609 E Cat Balue Dr Phoenix AZ 85050 and do not want to see this area rezoned for commercial use. Here are the case numbers:

**Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.**

Thank you,

Jayme Mesecher

**From:** Thejas Nair
**To:** Anthony M Grande
**Subject:** Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.
**Date:** Monday, September 25, 2023 8:44:10 PM

---

Reference : Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Hello Sir,
This is regarding rezoning of superblock 12 - Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

I am a resident of the Fireside community in Desert Ridge. I would like to voice my concerns on rezoning superblock 12.

Rezoning to commercial would change the neighbourhood characteristics to be less desirable and affect the peace and quiet of the Fireside community. We already have sufficient access to grocery and other businesses within a couple of miles in multiple directions.
If rezoning is still being considered, I would be for restricting the hours of operations of the commercial establishments to be before 10pm (or restrict it to such types of establishments). And not have other establishments like gas stations that tend to operate very late in the night.

Thanks,
Thejas

**From:** Tininenko, Jason
**To:** Anthony M Grande
**Subject:** black mountain project
**Date:** Monday, September 25, 2023 4:24:16 PM

---

My family wanted to weigh in on the proposed black mountain village project.
We are Opposed to the building of a gas station, grocery store, or any large project that will increase traffic, crime, and accidents.
A nice restaurant or 2 would be great,  but Vape shops, Liquor stores, Pawn shops and gas stations do not help wonderful neighborhoods like Aviano.
Thanks.

**From:** Suresh Uppalapu
**To:** Anthony M Grande
**Subject:** Rezoning of super block 12
**Date:** Monday, September 25, 2023 7:18:49 PM

---

Hello,

Please consider this email my vote and my wife's vote in opposition of rezoning the area for commercial use. It is too close to the schools in the neighborhood. Desert ridge shopping complex is not that far. We don't need another complex here. Also, the traffic for drop off and pick up to Pinnacle and Fireside schools is already backed up. A commercial complex will further complicate traffic and lead to traffic mishaps.

Please NO.

Sincerely,
Dr. Uppalapu and Dr. Veeranki

**From:** Kim Galetti
**To:** Anthony M Grande
**Subject:** SW. Corner of Deer Valley & Black Mountain Blvd.
**Date:** Wednesday, July 19, 2023 1:51:47 PM

---

Anthony,
My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [mail.onelink.me]

| | |
|---|---|
| **From:** | Nahian Latif |
| **To:** | Anthony M Grande |
| **Subject:** | Re: black mountain village |
| **Date:** | Saturday, July 22, 2023 11:45:06 AM |

---

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience. Future growth for a public library adjacent would serve the area well.

Thank you
Nahian Latif
Local resident

**From:** Riley Dresser
**To:** Anthony M Grande
**Subject:** Support for Z-39-23
**Date:** Wednesday, August 2, 2023 2:48:50 PM

---

Hi Anthony,
I just wanted to express my support for this project. I live in Fireside and would love to have amenities closer to my house without having to go to Desert Ridge.

Thank you,

Riley Dresser

Sent from my iPhone

**From:** Lauren Packer
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain/Deer Valley
**Date:** Thursday, August 3, 2023 8:34:43 PM

---

Just voicing our opinion for what it is worth.
We are not against the rezone. But we are against a gas station and drive thru fast food. Additionally if this is rezoned, there must be traffic modifications on Black Mountain. My kids do not attend pinnacle but we get stuck in the backlog daily and this is without additional people entering or exiting a shopping plaza.

We hope the city listens to the citizens.

Lauren Packer

Sent from my iPhone

| | |
|---|---|
| **From:** | Polson, Adam |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village / Superblock 12 |
| **Date:** | Thursday, August 3, 2023 10:30:07 AM |
| **Attachments:** | Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png<br>80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png |

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050

LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

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**From:** shawnkline2
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Friday, August 4, 2023 1:55:26 PM

---

Hello Mr. Grande,

I am writing to you regarding the Black Mountain Village project on the corner of Deer Valley and Black Mountain Dr. I am a resident of the Sky Crossing neighborhood directly across from the proposed project. I welcome the zoning change from residential to commercial with a few stipulations.

1. No gas station. It will increase loitering, traffic, and light pollution in the neighborhood.

2. Grocery store must be a smaller, neighborhood grocery store (Trader Joes, Sprouts, Whole Foods). A large Fry's or Albertsons type store would not fit into our residential area, especially since there is already an Albertsons in Desert Ridge and on Cave Creek.

3. The businesses must be in line with the demographics of the neighborhood. Desert Ridge and Sky Crossing are neighborhoods with high end homes. We need high end businesses, shops and restaurants that would enhance our community and not degrade it like a large grocery store and gas station would. This would also hopefully include appropriate lightscaping and landscaping, so the business park blends into the desert area that we all bought houses here for. We moved here because it was a quiet, residential area and we do not want to see it turn into another corner of concrete, traffic, litter, and loitering.

Thank you for your concern and I look forward to hearing about the next steps of the project.

Shawn Kline
Sky Crossing Resident

| | |
|---|---|
| **From:** | Lisa Abrams |
| **To:** | Anthony M Grande |
| **Subject:** | Zoning Changes Near Black Mountain and Deer Valley RDs |
| **Date:** | Monday, August 7, 2023 4:32:42 PM |

Hi,
I'd like to suggest a compromise for the city to consider regarding the parcel near Black Mountain and Deer Valley Rds. I agree we need more shopping in the area, however this is still a large residential neighborhood and I'd like the city to consider putting some restrictions on the new zoning, similar to what many shopping centers in Scottsdale have done.

Please consider rezoning with conditions including:
a maximum size for the grocery
prohibiting gas stations
dimmer lighting
larger landscape setbacks
shaded walking and bike paths
ample outdoor dining spaces

These conditions would still allow a company to develop the land, while also keeping it as close to a neighborhood feel as possible.

Thank you for your consideration.

Lisa Abrams

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:05:58 AM

---

| **Name** |
| --- |
| Jenna Barrett |
| **Email** |
| jennabarrett422@gmail.com |
| **Support Comments** |
| I would want a grocery store and fast food options at the shopping center. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:09:07 AM

---

| **Name** |
| --- |
| Ashley Campbell |
| **Email** |
| Ashleycampbell@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside at Desert Ridge |
| **Support Comments** |
| I support retail space in that location. Thank you! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:04:56 AM

---

| **Name** |
| --- |
| John Schott |
| **Email** |
| Jopschott@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| As a native and person living in the area, I welcome the new development. Adding places to live, shop and eat will benefit the community. Please approve this project. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:08:35 AM

| **Name** |
| --- |
| Austin Lynch |
| **Email** |
| Alynchortho@yahoo.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:03:22 AM

---

**Name**

Michael Marsh

**Email**

michaelmarsh.cre@gmail.com

**Support Comments**

I am currently building a home in Desert Ridge and am extremely supportive of additional retail and commercial opportunities in this area. Desert Ridge Marketplace is hugely successful, but that comes with a convenience fee for people who actually live in the area. Additional options for groceries, restaurants and neighborhood retail on a smaller scale would actually serve the needs of people who live in and around the area, and an additional option to avoid the traffic and crowds of Desert Ridge Marketplace that has become a destination shopping center. My understanding is that the current entitlements would allow for additional housing units. While I am moving to the area and think that housing is important, the opportunity to have additional retail and commercial as a future homeowner in this area is exciting and would seem to actually serve the needs of the people that already live and are actively building homes there. Thanks for your favorable consideration of the requests.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:28:47 PM

---

| **Name** |
| --- |
| Rachel Cohn |
| **Email** |
| rachel-cohn@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I would love a small grocery store, no gas station and a local bistro. Thanks! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:05:35 PM

---

| **Name** |
| --- |
| Amanda Honey |
| **Email** |
| amanda.honey3@gmail.com |
| **Support Comments** |
| Neighborhood grocer is wonderful but no gas station please |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:37:25 PM

---

| **Name** |
| --- |
| Meghann Jones |
| **Email** |
| Mprusick@yahoo.com |
| **Support Comments** |
| No gas station.<br><br>Small grocery store, i.e. Trader Joe’s, Whole Foods. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:09:39 PM

| **Name** |
| --- |
| Kevin Honey |
| **Email** |
| amaresh@cox.net |
| **Address / Neighborhood (Optional)** |
| 3762 e ember glow way |
| **Support Comments** |
| Neighborhood grocer, but no gas station please. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:16:05 PM

---

| **Name** |
| --- |
| Pam Sullivan |
| **Email** |
| Scottspam4@gmail.com |
| **Support Comments** |
| No gas station |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:29:06 AM

---

| **Name** |
| --- |
| Peter Reinsch |
| **Email** |
| Preinschaz@gmail.com |
| **Support Comments** |
| Sounds like a great idea! That’s a great location to build a grocery store! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:56:30 AM

---

| **Name** |
| --- |
| Melissa Romero |
| **Email** |
| Melromeo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4240 E Expedition Way |
| **Support Comments** |
| We need additional options in this area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:01:05 AM

---

| **Name** |
| --- |
| Allie Schott |
| **Email** |
| alliejschott@gmail.com |
| **Support Comments** |
| As a future resident in the Talinn development, I support growth in the local area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:19:23 PM

---

| **Name** |
| --- |
| Scott Shuman |
| **Email** |
| sshuman99@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I am very supportive of this new development. This area would benefit from additional convenient options for groceries, restaurants, etc. In particular, it would be great to have a Trader Joe’s or Sprouts. The congestion around Desert Ridge can be challenging and quality alternatives are welcome. |

**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Deer Valley and Black Mountain commercial
**Date:** Thursday, August 10, 2023 12:41:55 PM

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hi, I guess people are saying to contact the planner about this development and that's you I guess? anyways, this is great news. we need more commercial in this area. it's a major intersection and just what should be happening here. I'm emailing because I'm sure people will complain. because that's what people do. and usually, the most vocal are the minority. I want to make sure you guys know that there are plenty of people excited about this happening. but will probably never attend a meeting or voice their excitement, because people usually only do that when they complain. so if you need anybody to point to in the community that has no vested interest at all, that is excited and 100% in favor of this, that would be me. thanks and good luck with the complainers

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:10:32 PM

---

| **Name** |
| --- |
| Chris Sinclair |
| **Email** |
| sinclaireng@cox.net |
| **Address / Neighborhood (Optional)** |
| 23251 N 38TH PL |
| **Support Comments** |
| this is a great news. been living in Aviano since 2009. we need more commercial, not less. Deer Valley and Black Mountain is exactly the type of spot where this should be going. this creates a walkable destination from our neighborhood. we need more of this. I'm firmly in favor of this happening! thanks. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:06:22 AM

---

| |
|---|
| **Name** |
| Hanna Steger |
| **Email** |
| Hannaesteger@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano Community |
| **Support Comments** |
| We fully support the new black mountain shopping center. We would love to see something smaller scale to desert ridge that provides us places to dine and shop. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:55:47 PM

---

| **Name** |
| --- |
| Mahyar Vahabzadeh |
| **Email** |
| mahyar@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano Desert Ridge |
| **Support Comments** |
| This shopping center will be a much needed addition to the Desert Ridge area as we are very limited currently with a single grocery store (Albertsons). |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, August 12, 2023 10:43:46 AM

---

**Name**

James Senften

**Email**

jsenften@gmail.com

**Address / Neighborhood (Optional)**

4535 E. Navigator Lane, Phoenix, AZ 85050

**Support Comments**

As a resident of Desert Ridge for over 3 years, I am excited for the opportunity to have additional options for groceries, restaurants and neighborhood retail in the area. This area has seen a lot of residential development in the past 5 to 10 years, but there has been a lack of additional commercial development. However, I don't want to see this site end up as another huge big box store (like a Wal-Mart) for several reasons. For one, we have a Target and other big box stores at Desert Ridge that fill that need. Second, it might cause too many traffic problems at the site and the surrounding area. I think this site should focus on a smaller, high quality grocery store and related restaurants and commercial uses. I would be in support of a square footage cap to prevent any big box stores from going in and to promote the possible attraction of a Sprouts or Trader Joe's type grocery store.

**From:** Scott Corwin
**To:** Anthony M Grande
**Subject:** Support for Black Mountain Village development
**Date:** Sunday, August 13, 2023 1:32:59 PM

---

Mr. Grande,

My family and I are residents of Sky Crossing, and I am writing in support of the re-zoning of the land proposed for Black Mountain Village.

To say I am disappointed in my community members who oppose this project is an understatement. Apparently others do not care about growth and development of a neighborhood. Apparently others do not care about their property values increasing because of convenience. Apparently the principal of Pinnacle High School is urging us to protest the re-zoning, and because the school cannot figure out how to manage the flow of kids arriving to school, they are using this development as a scapegoat.

Granted, while I love the concept of the development, I do oppose the gas station idea unless it is only a gas station without a convenience store. Convenience stores, no matter the location, seem to draw people out of the woodwork. I don't know what latitude the city has to stipulate the details of the plan, but that would be my request as a resident.

I do plan on attending the October 3rd meeting, but will all those in attendance have the opportunity to vote on the decision?

Looking forward to the meeting.

Thank you,

Scott Corwin
3422 E Crest Ln
Phoenix, AZ 85050

Sent from Yahoo Mail for iPhone [mail.onelink.me]

**From:** Aly Fox
**To:** Anthony M Grande
**Subject:** Case Number Z-39-23
**Date:** Monday, August 14, 2023 1:26:25 PM

---

Anthony Grande I am a resident the last 17 years in Aviano in Desert Ridge. I'm emailing you in reference to case number Z-39-23 to say that we are very excited for the proposed commercial zoning at the corner of Deer Valley and North Black Mountain Blvd. We were told that this was in the plan when we first bought. I feel this will be positive for the area and help bring home values up as well. I hope that this is highly considered and passed to continue to build. Thank your time and appreciate all you do.

Alyson and Ken Fox
602-909-0340

**From:** cici martin
**To:** Anthony M Grande
**Subject:** Desert View Shopping Center - Rezoning
**Date:** Tuesday, August 15, 2023 9:11:11 PM

---

Hello,
I am a resident of Sky Crossing and wanted to write to share my thoughts as I have seen a lot of chatter in the Sky Crossing community FB account.
I am not opposed to a smaller shopping mall with a small grocery store and food/coffee options. Nice mall like Gainey Ranch or DC Ranch. I would be opposed to a gas station as I believe it will bring traffic from the freeway, not community members. As well as the noise of refueling trucks.
Just wanted to share my thoughts - commercial property yes; as long as no gas stations are included.
Thank you,
Cecilia Martin

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 16, 2023 3:35:09 PM

| **Name** |
| --- |
| Jodi Dougan |
| **Email** |
| Jodster_29@hotmail.com |
| **Support Comments** |
| Would love more shopping and eating options close by. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 17, 2023 9:42:39 PM

---

| **Name** |
| --- |
| Nicole Mezzatesta |
| **Email** |
| nicolem@lunicabeauty.com |
| **Support Comments** |
| I support this parcel to be zoned for commercial property. |

**From:** Walker, Oliver
**To:** Anthony M Grande
**Subject:** Black Mountain Village Plans at Black Mtn Blvd and Deer Valley Rd
**Date:** Friday, August 18, 2023 2:09:36 PM
**Attachments:** image001.png

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Anthony,

I hope you are enjoying your Friday! I wanted to reach out as your email was provided by a neighbor in Sky Crossing as a point of contact on this proposed project.

I live in one of the homes that backs up to Deer Valley and to the piece of land which is being submitted for rezoning from Residential to Commercial.

I actually love the idea of having a retail center on the plot of land - I absolutely hate the idea of a gas station being part of the project, especially on the North side of the project as it would be the first thing I would see out of my back window. I can tell you that opinion within the neighborhood on the Sky Crossing Facebook group seems to be split 50/50. One thing, however, that seems to be consensus - nobody wants a gas station as part of the project.

I am in the mortgage lending world, and I can share that if a gas station is placed at the very northern edge of the parcel, it would render the homes on the other side of Deer Valley unlendable for certain mortgage products, which seems incredibly unfair to the folks who bought homes here 3 years ago none the wiser to future changes that might occur.

I would stand firmly against a gas station, but would support a well designed retail center that would serve our community. I have lived in Desert Ridge for the last 15 years, and the project seems very exciting if done correctly.

Please feel free to call my cell below if you would like any further input or have any questions.

ROCKET Mortgage



**Oliver Walker**

**Sales Manager**
**Rocket Mortgage**
**Office:** (480) 548-4365
**Cell:** (517) 214-7706
**Fax:** (877) 380-5164
**NMLS 34960**

[social.pr]

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 10:55:52 PM

---

| **Name** |
| --- |
| Doug Dresser |
| **Email** |
| flyboyltu@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I’m for no gas station, as we have had a big increase in homelessness in north Phoenix in the last couple of years as a gas station will increase homeless presence. A small grocery story like sprouts, Aldi, or Trader Joe’s will be nice as these stores typically don’t attract homelessness and close at a decent hour. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:00:02 PM

---

| **Name** |
| --- |
| Janee Foster |
| **Email** |
| Janeeapostol@yahoo.com |
| **Support Comments** |
| Would like to see a small grocer like Trader Joe’s. Traffic is already so bad by the high school, don’t need a big retail store there. And NO gas stations! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 6:50:57 PM

---

| **Name** |
| --- |
| Bob Mayo |
| **Email** |
| bob_mayo@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I am in support of this project, minus the gas station, think that needs to be rethought. Thank you |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 5:10:04 PM

| **Name** |
| --- |
| Clint Marchuk |
| **Email** |
| cmarchuk@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments** |
| I'm highly supportive of bringing a 2nd grocery store into the Desert Ridge community. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 9:44:23 PM

| **Name** |
| --- |
| Raj Kapur |
| **Email** |
| raj85719@gmail.com |
| **Support Comments** |
| the overwhelming majority of desert ridge residents want this project to be built and get another small grocery store. i would rather not have a gas station though.. |

**From:** James Patterson
**To:** Anthony M Grande
**Subject:** Black mountain / deer valley project
**Date:** Wednesday, August 23, 2023 7:12:43 PM

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Anthony,

Hope all is well. I live in Sky Crossing and want to make you (and the other city planners) know that my family supports this new development. This area continues to grow and we need more amenities like another grocery store, etc.

I can tell you that the FB group for my neighborhood gets all fired up about every little issue and this is no different. People are clearly frustrated about pinnacle traffic at 7am… can't imagine a grocery center is going to have a ton of extra traffic at that time. They seem to be forgetting the convenience + likely property value appreciation by having more amenities within walking distance.

I support this development and from what I can tell, Vestar seems like a very reputable firm with a great track record of great shopping centers.

Apologize in advance if you are getting many emails very different from this one. Appreciate all that the city does!

-Jimmy

James S. Patterson III
(480) 390-4288

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 11:52:57 AM

---

| **Name** |
| --- |
| Jacqueline Soutus |
| **Email** |
| jackie.soutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I support this proposal. Currently there is not enough retail in the Desert Ridge area. More house developments will cause an even larger shortage of restaurants, groceries and other retailers. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, August 27, 2023 7:11:09 PM

---

| **Name** |
| --- |
| Goldberg Nathan |
| **Email** |
| ndgoldberg@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside - amber crest |
| **Support Comments** |
| I support the proposal but would like it without a gas station. Perhaps we can do some kind of awesome charging station with higher end convenience store. Also, no Walmart or Walmart market…an AJs or Trader Joe's or even a frys would be fantastic. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, August 28, 2023 12:44:37 PM

---

**Name**

Sonita W.

**Email**

Soniyay@gmail.com

**Address / Neighborhood (Optional)**

Aviano N 36th St

**Support Comments**

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.

**From:** sonia
**To:** Anthony M Grande
**Subject:** New development Desert Ridge Black Mtn Village
**Date:** Monday, August 28, 2023 12:09:32 PM

---

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.
Thank you
Sonita W.

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: SW Corner of Black Mountain Blvd snd Deer Valley |
| **Date:** | Thursday, August 31, 2023 11:26:19 AM |

---

**From:** Kim Galetti <kg2238171@yahoo.com>
**Sent:** Wednesday, July 19, 2023 1:48 PM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** SW Corner of Black Mountain Blvd snd Deer Valley

Hi Michelle,
Nice talking to you today. My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [linkprotect.cudasvc.com]

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Black Mountain Village |
| **Date:** | Thursday, August 31, 2023 11:25:59 AM |

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**From:** Nahian Latif <nahian25@gmail.com>
**Sent:** Saturday, July 22, 2023 11:44 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Re: Black Mountain Village

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience.  Future growth for a public library adjacent would serve the area well.

Thank you
Nahian
Local resident

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Sky Crossing Resident / Black Mountain Village |
| **Date:** | Monday, September 11, 2023 8:07:40 AM |

---

**From:** James Patterson <jsp.three@gmail.com>
**Sent:** Friday, September 8, 2023 9:09 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Sky Crossing Resident / Black Mountain Village

Hello,

I am a resident of Sky Crossing and very in-favor of this proposed development. For what it's worth, the community seems overly concerned about 1) the additional traffic around Pinnacle high school at drop off and pick up, 2) the potential for a gas station and 3) the "aesthetic" of the project.

For me, this seems like a no-brainer given we need a grocery store + other amenities (this helps our property values). I look forward to attending the town hall on Tuesday

Thanks,
Jimmy

--
James Patterson
(480) 390-4288

| | |
|---|---|
| **From:** | Jessica Fierros |
| **To:** | Anthony M Grande |
| **Cc:** | Robert Fierros |
| **Subject:** | Aviano resident FOR commercial rezoning |
| **Date:** | Saturday, September 9, 2023 9:10:41 AM |

Hello Anthony,
I am a resident that is beyond excited about the potential rezoning near Pinnacle HS! I am shocked by the negative response being organized by some here in Desert Ridge. We DESPERATELY need more commercial businesses to support the homes/community that are already here. It is horrendous that we only have ONE grocery store and ONE gas station and ONE fast food restaurant for this many homes in one area- and there are many more homes still being built. One of the biggest complaints by people is that these businesses will bring in crime and homelessness. Well guess what?! It's already been moving in and the problem isn't businesses. The problem is that we have voted in a mayor who is SOFT on crime and our police force is over worked, under staffed and under funded. Commercial businesses are what we NEED!!

We have lived in Aviano for 14 years and had already been saying for several years that we hoped businesses would develop somewhere along this stretch of Deer Valley. We were so excited to hear about this proposal and couldn't be more disappointed or disheartened by how "noisy" the ones against this have been. We truly hope they don't ruin this much needed opportunity for growth in our community.

Jess Fierros

**From:** Martina McConnon
**To:** Anthony M Grande
**Subject:** Black Mountain shopping area
**Date:** Saturday, September 9, 2023 8:16:54 AM

---

Hi Mr Grande,

My name is Martina McConnon, I live in the Fireside community and have been hearing about the planned rezoning & possible shopping area coming to Black Mountain next to Pinnacle High School. Just wanted to let you know that our family would very much welcome a grocer like Trader Joes or Sprouts to get that spot. We do not need more fast food options as we have plenty in Desert Ridge. But another grocery store would be great, especially a healthier alternative to Albertsons.

Thank you!

Martina McConnon
3826 E Cat Balue Drive
Phoenix AZ 85050

| | |
|---|---|
| **From:** | vanessacorwin@yahoo.com |
| **To:** | Anthony M Grande |
| **Subject:** | Support for Black Mountain Village Project |
| **Date:** | Saturday, September 9, 2023 11:19:25 AM |

Mr. Grande,

I am a resident of the Sky Crossing community, and am writing this email in support of the rezoning of Vestar's proposed Black Mountain Village project. For the planning committee's consideration, I want to offer some thoughts about the project:

1. Traffic - I have seen a lot of input from community members opposing the rezoning because of traffic concerns. If it is eventually developed into homes, that'll be another 20+ single family homes built. If it's developed into townhomes, it'll be another 400 units. If it'll be developed into apartments, the number of residents will be even higher. Regardless of the outcome of residential development, residential development will also create more traffic for that area. Those those oppose the rezoning to commercial don't seem to offer that as a consideration. Some/any level of additional residential development will further congest DRM. The Vestar development of this land at least offers additional shopping and dining options, which I would hope offloads DRM to some degree. I see that as a positive. However, I would hope the City would partner with Vestar to assess entrance and egress points, especially during the morning when PHS students are driving or being dropped off. I do agree it'll create more traffic at certain points of the day, so I would hope that is already on the docket to evaluate.

2. Types of businesses on the property - I would ask the planning committee to not support a gas station with a convenience store. I would rather have a gas station alone, like Costco, with limited hours. A convenience store option will likely cause more harm than good, in terms of the people who would be shopping or loitering at the store.

3. There are many concerns about noise from residents in my community and the community to the immediate east of the proposed development. My house is located 5 houses Black Mountain Boulevard, and we are objectively closer to the proposed development than 60% of Sky Crossing. In the two+ years that we've lived in this community, I've never heard any noise from BM boulevard. I can't even hear the football games at Pinnacle High School. I've seen many people via our community's Facebook and Desert Ridge's community Facebook groups share this concern as a reason to oppose the development. How can people 2-3 miles away complain about noise when noise present no impact to them today? Rhetorical question, but people are grasping at straws.

Overall, while this proposed project is not by any means perfect and there are some legitimate concerns (like traffic), additional commercial development for this area will be a boost for property values, tax revenue, economic growth, and some level of job creation. I strongly, strongly support this rezoning in favor of the Vestar development.

Thank you,

Vanessa Corwin

**From:** Roland Ward
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 4:25:24 PM

---

Hello Anthony,

I live in Aviano at Desert Ridge near the proposed Black Mountain Village shopping center.

I fully support the proposal and welcome the additional option for shopping, especially a grocery store.

Regards,
Roland Ward
3828 E Morning Dove Trail
Phoenix, AZ 85050

**From:** sonia Whig
**To:** Anthony M Grande
**Subject:** Black mountain village
**Date:** Monday, September 11, 2023 5:35:10 PM

---

Not sure if this is the right forum but I am writing to add my FULL SUPPORT for this project.

I live in Aviano and would love to have a coffee shop and a grocery store within walking distance. The land will definitely go the apartment route if left alone for long. Can't build more than 6-7 houses in the lot. Can't imagine anyone preferring that to a neighbourhood market. I am definitely for it for environmental as well and logistics reasons.

Thank you

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 8:48:38 PM

---

| **Name** |
| --- |
| Jared Nielsen |
| **Email** |
| jarheadnielsen@gmail.com |
| **Support Comments** |
| We are very excited about the possibility of a grocery store close to our house. A quick food option would also be welcome. |

**From:** Polson, Adam
**To:** Anthony M Grande
**Cc:** msantoro@gblaw.com
**Subject:** RE: Black Mountain Village / Superblock 12
**Date:** Wednesday, September 13, 2023 7:55:44 AM
**Attachments:** image001.png
image002.png
Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png
80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png

Mr. Grande,

I am sending this e-mail to reaffirm my position that I am **IN FAVOR** of the proposed development. I attended the information session by the developer and Gammage and Burnham at Sky Crossing yesterday evening, and I was impressed with what Vestar was agreeing to do as far as infrastructure in and around this proposed project. If this project is denied, I do not see a residential developer agreeing to do what Vestar is agreeing to do. Nevertheless, although I do not pretend to be a traffic engineer, I believe that it makes sense to have a light at 34th street and Deer Valley. This is even though there is a light nearby at Deer Valley and Black Mountain. Again, I am not a traffic engineer, but it seems to me as a layperson that 75% of Sky Crossing traffic would be inclined to head west down Deer Valley and enter Sky Crossing at 32nd Street and/or Sky Crossing Way. I suspect that a lot of people who live around Cave Creek and Deer Valley would also prefer to have a light at 34th Street. This is something to consider. Again, I am **IN FAVOR** of the proposed development.

-Adam


LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

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**From:** Polson, Adam <Adam.Polson@lewisbrisbois.com>
**Sent:** Thursday, August 3, 2023 10:30 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Black Mountain Village / Superblock 12

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050

**Adam S. Polson**
**Partner**
Adam.Polson@lewisbrisbois.com

**T: 602.792.1503 F: 602.385.1051**

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**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Black Mountain Village Desert Ridge
**Date:** Wednesday, September 13, 2023 2:03:18 PM

---

from the sounds of it, you're getting obliterated with negative comments about this. just wanted to make sure you know many of us here approve of this project. we were promised for years we'd be getting a second grocery store. the people complaining are mostly people that have been here only a year or 2. many of them back the major roads to this. this has 2 major roads and leads to the interstate. and backs a high school. should the rest of the community be deprived of this development because they bought houses that back these major roads? I don't think so. I've been here since 2009 and have always known there was commercial coming. anyways, thanks for hearing me out.

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 11:52:21 AM

---

| **Name** |
| --- |
| Alexander Soutus |
| **Email** |
| asoutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22221 n 41st st |
| **Support Comments** |
| We are in support for commercial business. Preferably a grocery store. |

**From:** david white
**To:** Anthony M Grande
**Subject:** Zoning
**Date:** Wednesday, September 13, 2023 7:37:10 PM

---

To Whom This May Concern,

I just want my voice heard.

I fully support the rezoning of the southwest corner of Deer Valley Road and Black Mountain Blvd. from residential to commercial.

Respectfully,
David White

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:09:28 PM

---

| **Name** |
| --- |
| Brandon York |
| **Email** |
| blyork85@gmail.com |
| **Support Comments** |
| Thank you for planning to bring some more shopping to the desert ridge area. Desert ridge marketplace is a nightmare most all the time with all the congestion. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 5:56:51 PM

---

| **Name** |
| --- |
| Sharon Ceccarelli |
| **Email** |
| Sceccarelli1@gmail.com |
| **Support Comments** |
| I would like a fry’s or Trader Joe’s. Qt would be nice too. I’m down for chic fillet or chipotle |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 7:49:45 PM

---

| **Name** |
| --- |
| Allie Lucyk |
| **Email** |
| Lucykallie88@gmail.com |
| **Support Comments** |
| Bring on the grocery store |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 6:43:12 AM

---

| **Name** |
| --- |
| Chrissy Seibel |
| **Email** |
| chrissyandsteve2011@gmail.com |
| **Support Comments** |
| I’m all for a new grocery store in the area! We are in need! |

**From:** Robert Berto
**To:** Anthony M Grande
**Subject:** Rezoning near Pinnacle High School
**Date:** Friday, September 15, 2023 8:28:08 AM

---

I just would say not all residents in this area are opposed to finally building on land that looks like a deserted field that has not been maintained and does not align with the atmosphere of surrounding homes in the area. Finally something can be put in place with some amenities north of the 101.

I do have a question though.
Is there a plan to build anything north of Pinnacle Peak and Black Mountain? This land as well looks like overgrown weeds that have not been maintained.
Not only that, but it is a dark busy road on Pinnacle Peak. Wildlife darts out from the side of the road and could pose a risk to drivers trying to avoid hitting a coyote chasing a rabbit. I know from experience. I drive it multiple times a night.

I look forward to seeing more commercial establishments that will help the community that continues to grow.

I just wanted to give some input as I live in the area and my son goes to Pinnacle High School.

Thank You,
Robert Berto

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 6:30:20 AM

---

| **Name** |
| --- |
| Sonia W. |
| **Email** |
| nimbus-polkas0h@icloud.com |
| **Support Comments** |
| Would LOVE to have a Trader Joes or similar grocery store. A nice independent coffee shop would be great too. Not a gas station though- I don’t think that’s a good idea. Maybe some other tasteful and new concept retail. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 9:17:01 PM

---

| **Name** |
| --- |
| Lynn Stevens |
| **Email** |
| lynnkstevens@gmail.com |
| **Support Comments** |
| Improved Grocery shopping is needed desert ridge. A Fry’s would offer choices to consumers and improve the food desert north of the 101. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:17:36 PM

| **Name** |
| --- |
| Jan Axtell |
| **Email** |
| kentandjan@cox.net |
| **Support Comments** |
| We need another grocery store besides Albertsons! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:24:48 PM

| **Name** |
| --- |
| Vanessa Corwin |
| **Email** |
| vanessacorwin@yahoo.com |
| **Support Comments** |
| I support this project |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:44:54 PM

---

| **Name** |
| --- |
| Michael Curtis |
| **Email** |
| mcc50@q.com |
| **Address / Neighborhood (Optional)** |
| 2235 e Parkside lane |
| **Support Comments** |
| I support this there is no grocery stores in this area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 11:11:07 PM

| **Name** |
| --- |
| Melissa Gasper |
| **Email** |
| melissa.gasper@icloud.com |
| **Address / Neighborhood (Optional)** |
| Desert peak |
| **Support Comments** |
| I support it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:39:35 PM

---

**Name**

John Hamby

**Email**

Jhamby1011@gmail.com

**Address / Neighborhood (Optional)**

Aviano

**Support Comments**

All day! Living is Aviano is funny because the homes are a millions dollars but the grocery and food options around are minimal and/or of poor quality. Would love to see more options up here but some serious traffic mitigation would need to take place because with the high school right there, it’s already a disaster.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:12:51 PM

| **Name** |
| --- |
| Brenda Johnson |
| **Email** |
| artbybrenda@cox.net |
| **Address / Neighborhood (Optional)** |
| 3919 E Daley Lane Phoenix/Aviano |
| **Support Comments** |
| Please! Another grocery store and gas station and another fast food drive-through option! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:44:47 PM

| **Name** |
| --- |
| Rajesh Kapur |
| **Email** |
| Raj@benefitcommerce.com |
| **Address / Neighborhood (Optional)** |
| 20918 N 37th pl |
| **Support Comments** |
| we all want this. please ignore the handful of rowdy fireside folks that are arguing against! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 4:35:44 PM

| **Name** |
| --- |
| Jodie Koltes |
| **Email** |
| jodie.koltes@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Crescent Butte |
| **Support Comments** |
| Fry’s would be nice! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:27:39 PM

---

| **Name** |
| --- |
| Jadyn L |
| **Email** |
| Jnlien267@gmail.com |
| **Support Comments** |
| Please add a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:15 PM

| **Name** |
| --- |
| Jamie Lafranchi |
| **Email** |
| lafranchi.jamie@gmail.com |
| **Support Comments** |
| We need another grocery. Crazy just to have Albertsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:32:44 PM

---

| **Name** |
| --- |
| Vanessa Mason |
| **Email** |
| vnessahenderson@gmail.com |
| **Support Comments** |
| As a resident in this area we would<br>love to have easier access to a nice grocery store without having to drive 10-15 mins to the nearest store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 12:53:20 PM

| **Name** |
| --- |
| Roselyn Meyer |
| **Email** |
| meyerroselyn@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3818 E Cat Balue Dr |
| **Support Comments** |
| We will support Trader Joe’s to come to our neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:23:42 PM

---

| **Name** |
| --- |
| Scott Corwin |
| **Email** |
| scott.corwin@yahoo.com |
| **Support Comments** |
| I support this development, but suggest two things: 1) no convenience store as part of any gas station. 2) Vestar and City do traffic studies to assess impact to BM Boulevard, and make changes to entrance and egress points. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:40:37 PM

| **Name** |
| --- |
| Mary Patterson |
| **Email** |
| Mfpatterson2016@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 6:44:56 PM

---

**Name**

Jon Peterson

**Email**

jpeterson_az@yahoo.com

**Support Comments**

I realize the location is not ideal for everyone but I would prefer to have a local grocery store closer and less crowded than a Desert Ridge

I think the fry's complex at Thompson Peak and Hayden is a good example of what this could be and support it.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:44:24 PM

---

| **Name** |
| --- |
| Jamisyn Smith |
| **Email** |
| jamisyn.rae.smith@gmail.com |
| **Support Comments** |
| We need better options. A Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:21:55 PM

| **Name** |
| --- |
| Leslie Wren |
| **Email** |
| lesliewren22@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek Rd & Deer Valley |
| **Support Comments** |
| We need another grocery store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:54:09 PM

---

| **Name** |
| --- |
| Suhair Riederer |
| **Email** |
| ishtar2000@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21526 n 59TH way Phoenix AZ 85054 |
| **Support Comments** |
| Please bring a sprout , fry’s or Walmart yo the area . We lack a good grocery store in desert ridge<br>Thanks<br>Suhair |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:04:40 PM

| **Name** |
| --- |
| Mary Jill Almassy |
| **Email** |
| jillalmassy@cox.net |
| **Support Comments** |
| We definitely need more and more convenient grocery shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:38:09 PM

---

**Name**

Not Helping

**Email**

Nothelping@stop.com

**Address / Neighborhood (Optional)**

Sky Crossing

**Support Comments**

Hey Gammage and Burnham - these silly Facebook groups are not a good idea. I actually like the idea of Black Mountain Village, but having a law firm with no vested interest in the neighborhood aside from the development being approved creating a Facebook/Instagram group to drum up support for the project makes your law firm look absolutely desperate, pathetic, and borderline deceptive. Please discontinue this type of advertising.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:34:53 AM

---

| **Name** |
| --- |
| Anne Blazek |
| **Email** |
| boutiquewellness@gmail.com |
| **Support Comments** |
| Need more than one alberstsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 2:08:41 PM

---

| **Name** |
| --- |
| Dennis Brown |
| **Email** |
| azhairguy@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2513 E Barbed Wire Pass |
| **Support Comments** |
| I think it would be great, yes students need parking which could be part of it, rather more houses/apartments that they couldn’t park in, stores would be closer for all of us on cave creek and deer valley ect. Can’t wait for it!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:47:07 AM

---

| **Name** |
| --- |
| Maryanne Christensen |
| **Email** |
| mlchristensen05@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| We need another grocery store in this area!! I have lived here for 12+ years and the only thing that hasn't grown is options to shop for groceries. Please make it a Signature Fry's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:09:33 AM

| **Name** |
| --- |
| Brian Clifton |
| **Email** |
| bclifton5@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We need more business and less housing in the area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:44:09 AM

---

| **Name** |
| --- |
| Stephanie Cohen |
| **Email** |
| s_marema@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 4410 East Kirkland Rd. |
| **Support Comments** |
| I support and additional shopping development with hopes to have another more boutique style. Grocery store option. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:03:00 PM

| **Name** |
| --- |
| Ralph Ferrara |
| **Email** |
| ralph.ferrara@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2129 East Daley Lane |
| **Support Comments** |
| I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:36:17 AM

---

| **Name** |
| --- |
| Sol Fink |
| **Email** |
| sol_fink@yahoo.com |
| **Address / Neighborhood (Optional)** |
| SkyCrossing |
| **Support Comments** |
| We definitely need a supermarket, some restaurants and a few boutique shops within walking distance of SkyCrossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:57:01 PM

| **Name** |
| --- |
| James Gregory |
| **Email** |
| jamesgregory1882@gmail.com |
| **Address / Neighborhood (Optional)** |
| Boulder Creek |
| **Support Comments** |
| I'm looking forward to the space being utilized, for what I hope, will be a higher end use. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:57:52 AM

---

| **Name** |
| --- |
| April Halaby |
| **Email** |
| ahalaby@chicagopropertyconcierge.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Harlow Sky Crossing |
| **Support Comments** |
| We wholly support the plans for Vestar to develop the land, including a grocery store. This area is underserved with regards to grocery stores and small shops, and this would help resolve that issue. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:45:58 AM

---

**Name**

Bob Hamer

**Email**

Hamer.bob@gmail.com

**Address / Neighborhood (Optional)**

Adobe Rd. (Sky crossing resident)

**Support Comments**

Definitely in favor of the commercial development on Black Mtn and Deer Valley. Closer grocery store (maybe gas too?) retail restaurants (a coffee shop) would be awesome. Right now we have to go to desert ridge and it’s too trafficked. Also, growing up and in High School eating at our local restaurants nearby school was a huge part of the community experience and right now I fear that doesn’t exist. As long as it’s thoughtful re: loitering and lighting and traffic there really isn’t a downside here at all. Hope we can get this approved!!

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 11:47:41 AM

---

**Name**

Brooke Harmon

**Email**

brharmon@gmail.com

**Address / Neighborhood (Optional)**

2214 E SOFT WIND DR

**Support Comments**

As someone that has live near this area since 2011, I am excited for the potential to build more commercial stores, including a grocery store other than Albertsons nearby. Our only nearby options for this is Desert Ridge which is getting ridiculously crowded now that Sky Crossing exists. It's funny that I see them as the ones complaining, but we were all very opposed to more residential homes in that area for two reasons. 1 - it made things even more congested and 2 - now our school boundaries risk being redrawn. I purchased land at cave creek and deer valley for Pinnacle High, now the extra residential growth is putting our ability to attend that school in the future at risk.

I do NOT want more residential homes at the corner at Black Mountain and Deer Valley. Commercial property is what I would love to see. It would also create more jobs for our area, especially the older teens / young adults.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:52:58 PM

---

| **Name** |
| --- |
| Linda Metcalf |
| **Email** |
| Ljm@hdride.com |
| **Address / Neighborhood (Optional)** |
| 26633 N 42nd street |
| **Support Comments** |
| We do need more shopping choices on this area. Not much to choose from right now |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:02:45 PM

| **Name** |
| --- |
| Kyla Geise |
| **Email** |
| kyla_geise@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I do not want a new gas station/ store on deer valley. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 1:13:40 PM

---

| **Name** |
| --- |
| James Patterson |
| **Email** |
| Jsp.three@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I fully support this project. It will add much needed amenities to a growing area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:04:26 PM

| **Name** |
| --- |
| Christina Peregrym |
| **Email** |
| Cperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| I would love a Trader Joe’s across the street!!’ |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:50:19 AM

---

| **Name** |
| --- |
| Jeanice Ridgway |
| **Email** |
| jeanice@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2213 E. Monona Dr |
| **Support Comments** |
| We should not need to drive that far to get the things we need. It's a busy corner already with the high school so it won't change. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:11:29 AM

---

| **Name** |
| --- |
| David Rucker |
| **Email** |
| azresbroker@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano Desert Ridge |
| **Support Comments** |
| This area is in desperate need of additional shopping. The traffic is way too congested at Tatum and Deer Valley. It's also a safety issue for our teens that have to cross Tatum or Deer Valley to get to the only shopping at Desert Ridge Marketplace. The business revenue for City of Phoenix would be substantial as multiple businesses are ready to expand to this area. Another grocery anchor is what we really need. Our options are very limited especially with the expansion off of 56th St. And Deer Valley. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:27:29 PM

| **Name** |
| --- |
| Ron Stilwell |
| **Email** |
| rstilwell9@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Yes more choices |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:14:33 AM

---

**Name**

Roland Ward

**Email**

rmward194@gmail.com

**Address / Neighborhood (Optional)**

3828 E Morning Dove Trail/Aviano

**Support Comments**

Black Mountain Village is a much needed addition for Desert Ridge residents. Albertsons needs competition and the current mall is already too congested. I don't shop there because the ingress and egress are so terrible.

With thousands of new residents coming to Desert Ridge in at least four apartment complexes, new condos and Talin additional shopping options are absolutely necessary.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:35:21 PM

| **Name** |
| --- |
| Scott Weinberg |
| **Email** |
| scottysair@aol.com |
| **Address / Neighborhood (Optional)** |
| 3635 E Zachary Dr |
| **Support Comments** |
| Please build new Fry’s and In N Out Burger, as well as new restaurants. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:12:09 PM

---

| **Name** |
| --- |
| Shane Zink |
| **Email** |
| shane.j.zink@gmail.com |
| **Support Comments** |
| Put a new grocer in Desert Ridge. Whole Foods or Trader Joe’s would kill here. Don’t listen to the vocal minority about this. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:51:29 PM

| **Name** |
| --- |
| Ashley Allen |
| **Email** |
| ashleyallenfit@gmail.com |
| **Support Comments** |
| Please put a grocery store here, with a Starbucks |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:13:43 PM

---

| **Name** |
| --- |
| Anna Britt |
| **Email** |
| swedeanna@gmail.com |
| **Support Comments** |
| Its about time! Trader Joe and Sprouts would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 11:19:16 PM

---

| **Name** |
| --- |
| Simental Carolina |
| **Email** |
| csimental@hotmail.com |
| **Support Comments** |
| We need more options on the area. We only have Desert Ridge Mall as option. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 9:43:04 PM

| **Name** |
| --- |
| Danielle Coleman |
| **Email** |
| daniellecjacques@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Desert Ridge marketplace is too congested, would love to have other options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:07:09 AM

| **Name** |
| --- |
| Melissa Gitt |
| **Email** |
| melissagitt@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We look forward to this potentially happening and appreciate the transparency in your plans. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:09:40 AM

| **Name** |
| --- |
| Jesse Goldstein |
| **Email** |
| jgoldstein19@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We'd like this to happen. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:28:44 PM

| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| Wildcat Ridge |
| **Support Comments** |
| I'd love a grocery store but no stabd alone gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:51:34 PM

---

| **Name** |
| --- |
| Sylvia Lind |
| **Email** |
| spawlak0808@gmail.com |
| **Support Comments** |
| Yes we need a grocery store!!! Trader Joe’s please!!!!<br>There is nothing close by. Albertsons and Costco. Trader Joe’s would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:11:42 AM

---

| **Name** |
| --- |
| Monica Litt |
| **Email** |
| Monicalitt@hotmail.com |
| **Support Comments** |
| We live in Sky Crossing and fully support this project!<br>A gas station, restaurant, grocery store (would love Trader Joe’s) and a Dutch brothers would be absolutely amazing!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:59:06 PM

| **Name** |
| --- |
| Josh Mann |
| **Email** |
| jmann5225@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23230 N 20TH St |
| **Support Comments** |
| My closest grocery store is desert ridge which is about 12 minutes from my house. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:20:31 AM

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| **Name** |
| --- |
| Don McCaul |
| **Email** |
| ddmccaul1@cox.net |
| **Address / Neighborhood (Optional)** |
| 3807 E Crest Lane, Phoenix, AZ. 85050 |
| **Support Comments** |
| Desert Ridge is exploding in size with no additional retail services. We desperately need an additional grocery store. Hopefully Vestar will attract Trader Joe’s. Desert Ridge Mall is a transportation nightmare with poor circulation. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:52:42 AM

| **Name** |
| --- |
| L M |
| **Email** |
| lauramcintosh5@gmail.com |
| **Support Comments** |
| Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:47:25 PM

| **Name** |
| --- |
| Ben McKeown |
| **Email** |
| buckshanks@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2521 e paraiso dr |
| **Support Comments** |
| I fully support having more quality grocery options include to my neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 6:18:50 PM

| **Name** |
| --- |
| Jorge Monroy |
| **Email** |
| jorge.monroy0@gmail.com |
| **Address / Neighborhood (Optional)** |
| Pinnacle at desert peak |
| **Support Comments** |
| I 100% support more options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 5:20:08 PM

| **Name** |
| --- |
| Marc Pruzansky |
| **Email** |
| mpruzansky@yahoo.com |
| **Support Comments** |
| Albertsons is the only large market in the vicinity. We deserve more options. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:29:28 PM

| **Name** |
| --- |
| Nathan Rodgers |
| **Email** |
| Iamnatedog@gmail.com |
| **Support Comments** |
| Grocery stores really don’t go north of Bell Road |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:59:49 PM

| **Name** |
| --- |
| Connie Tracy |
| **Email** |
| ctracycrna@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| I support more grocery stores and restaurants and shopping . |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 7:29:41 PM

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| **Name** |
| --- |
| Kasey Allayeva |
| **Email** |
| kaseyaz1225@yahoo.com |
| **Support Comments** |
| Would like to see Trader Joe’s<br>Aldi store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 12:28:52 PM

| **Name** |
| --- |
| Sommer Arekat |
| **Email** |
| sommer.arekat@gmail.com |
| **Support Comments** |
| Please bring a Trader Joe’s!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 8:37:06 PM

| **Name** |
| --- |
| Natalie Castaneda |
| **Email** |
| ndcastaneda80@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2725 e. Mine creek rd unit 1030 Phoenix, az 85024 |
| **Support Comments** |
| We need in this area more retail shopping and a mall too |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:37:07 PM

---

| **Name** |
| --- |
| Beth Field |
| **Email** |
| Bethfield1@hotmail.com |
| **Support Comments** |
| Support more shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:54:34 AM

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| **Name** |
| --- |
| Marta Graziano |
| **Email** |
| deltazeta@cox.net |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| My husband and I would greatly appreciate a grocery store with healthy foods like Sprouts. This area is becoming too dense with homes and not enough grocery stores to support the families who live here. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:53:57 PM

| **Name** |
| --- |
| Abigail Hunnicutt |
| **Email** |
| abbyjhunnicutt@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2029 east dry wood rd Phoenix 85024 |
| **Support Comments** |
| Our family would love to have a grocery store closer |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 5:42:35 AM

| **Name** |
| --- |
| Devin Kaufman |
| **Email** |
| Dgkaufman3@gmail.com |
| **Support Comments** |
| Supportive |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:23:46 PM

| **Name** |
| --- |
| Cindy Marquardt |
| **Email** |
| cindymarq@cox.net |
| **Address / Neighborhood (Optional)** |
| 4831 E Williams Dr., Phx 85054 |
| **Support Comments** |
| We need another grocery store in desert ridge |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:26:33 PM

| **Name** |
| --- |
| Lorenia Ochoa |
| **Email** |
| lorenia_o@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr. |
| **Support Comments** |
| Yes, it would be beneficial to Sky Crossing! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:28:39 PM

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| **Name** |
| --- |
| Sara Phillips |
| **Email** |
| sjsmx@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 904 E Mohawk Dr |
| **Support Comments** |
| A grocery store such as frys, Trader Joe’s and a cvs or Walgreens would be amazing!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:29:33 PM

| **Name** |
| --- |
| Joann Polk |
| **Email** |
| Jopolk@me.com |
| **Address / Neighborhood (Optional)** |
| East side of Tatum and Ranger |
| **Support Comments** |
| I support the need for another grocery store in Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:39:54 PM

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| **Name** |
| --- |
| VERNON PEREZ RUBIO |
| **Email** |
| vpra@me.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr |
| **Support Comments** |
| I support comercial center |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 9:13:00 PM

| **Name** |
| --- |
| Bonnie Sauer |
| **Email** |
| momtogrif@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| Yes!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:05:49 AM

| **Name** |
| --- |
| Nate Schoenfeld |
| **Email** |
| nathan.schoenfeld@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Donald Dr Phoenix 850505, Sky Crossing |
| **Support Comments** |
| This is needed! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:17:57 PM

---

| **Name** |
| --- |
| Shirlee Tye |
| **Email** |
| tyeshi67@gmail.com |
| **Support Comments** |
| Trader Joe's would be the perfect size store in that location! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:29:46 PM

| **Name** |
| --- |
| Sunny Weisbaum |
| **Email** |
| sunnyw@sbcglobal.net |
| **Address / Neighborhood (Optional)** |
| 4009 E hashknife Rd |
| **Support Comments** |
| We need a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 4:42:43 PM

---

| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| WildCat Ridge |
| **Support Comments** |
| I'm all for a grocery store. NO to a gas station. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:42:47 PM

---

| **Name** |
| --- |
| Michael Charley |
| **Email** |
| mcharle9@asu.edu |
| **Address / Neighborhood (Optional)** |
| Moon Valley |
| **Support Comments** |
| I support the location as their needs to be a grocery store within desert ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:18:51 PM

---

| **Name** |
| --- |
| Crystal Cline |
| **Email** |
| crystal2383@aol.com |
| **Address / Neighborhood (Optional)** |
| 21917 N 59th Ter |
| **Support Comments** |
| We would love more grocery store, restaurants and shopping options! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:32:19 PM

| **Name** |
| --- |
| John DEAN |
| **Email** |
| Johntdean@aol.com |
| **Support Comments** |
| I support a grocer and gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:48:50 PM

| **Name** |
| --- |
| Sandesh Dev |
| **Email** |
| Sandeshdev1@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Grocery store is a positive - Sprouts or Whole Foods would be great |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:50:13 PM

---

**Name**

Joann Friedman

**Email**

joannwf@cox.net

**Support Comments**

I watched Desert Ridge shopping Center being built and was thrilled when Albertson's was completed. Another market facility would add to desert ridge neighbors choices. I wholeheartedly support this idea

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:05:00 PM

---

| **Name** |
| --- |
| Shannon Griffith |
| **Email** |
| Rowharder1@gmail.com |
| **Support Comments** |
| It would be very beneficial to build a Trader Joe’s at Deer Valley Dr and Black Mountain Pkwy. This area is saturated with customers and shopping. However, having more grocery options gives people more choices. Having a Trader Joe’s also appeals to a younger audience and is highly desirable. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:56:23 PM

---

| **Name** |
| --- |
| Bethany Gunn |
| **Email** |
| bethbaz79@aol.com |
| **Support Comments** |
| Trader Joe’s would be great! That’s all I want. Please put one in.<br><br>Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:19:17 PM

---

| **Name** |
| --- |
| Jodi Hoffman |
| **Email** |
| lbux555@aol.com |
| **Support Comments** |
| I live off of Cave Creek right after Deer Valley. The only convenient store is Costco. I dont always need to buy in bulk. Please place a Fryes near me. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 3:09:37 PM

---

| **Name** |
| --- |
| Jennifer Hopkins |
| **Email** |
| jenay99@aol.com |
| **Address / Neighborhood (Optional)** |
| 3941 E Hashknife Rd |
| **Support Comments** |
| This is definitely needed in this area as our options are very limited for how many homes are in the area versus convenience to a local grocer. This is fully supported.<br>Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:16:47 PM

---

| **Name** |
| --- |
| Joseph Joaquin |
| **Email** |
| Josephj1299@yahoo.com |
| **Support Comments** |
| It would be good to have a Trader Joe’s at Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:35:42 PM

---

**Name**

Samalie Kahunde

**Email**

samaliek@yahoo.com

**Support Comments**

To begin with, the proposed development will be closer to where our family lives than Desert Ridge Marketplace. Sometimes, one just needs to make a really quick dash to the store to make a much-needed quick family dinner, when running late.

I also appreciate the Fuel Station - again for the convenience of proximity when one needs to get the kids to school or get oneself to work.

If the following stores (Trader Joe's, Whole Foods, Fry's, Sprouts or Safeway) were brought closer to the Desert Ridge residences, it would be a big plus as we usually travel little longer to one of their locations.

In summary, proximity, quality and variety of options, are key for my family and I.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 12:21:07 PM

| **Name** |
| --- |
| Debra Kruszalnicki |
| **Email** |
| dsbeerrn99@aol.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Sprouts please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 2:15:29 PM

| **Name** |
| --- |
| Cindy Lien |
| **Email** |
| cindyrocketonline@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate |
| **Support Comments** |
| The Albertsons parking lot drivers are just rude and awful and drive like they are above the laws of traffic. Need more alternatives. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:53:56 PM

---

| **Name** |
| --- |
| Diane McCaul |
| **Email** |
| ddmccaul1@gmail.com |
| **Support Comments** |
| Would love to see a Trader Joe’s or a Sprouts at this location. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:46:09 PM

| **Name** |
| --- |
| Klara McClellan |
| **Email** |
| Klara.mcclellan@hotmail.com |
| **Support Comments** |
| I would love to see Trader Joe's there |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:34:54 PM

| **Name** |
| --- |
| Whitney Murto |
| **Email** |
| whitneymurto@gmail.com |
| **Support Comments** |
| Trader joes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:55:08 PM

---

**Name**

Neal Dubey

**Email**

neal.dubey@gmail.com

**Address / Neighborhood (Optional)**

22313 N 36th Street

**Support Comments**

I would love a neighborhood shopping center catering to the local community as getting in and out of Desert Ridge Marketplace can be quite congested. I prefer a smaller grocery store like a Trader Joe's over a larger store like Fry's. I am opposed to having a gas station in station the complex. Based on my discussions with people in the community if the shopping center had Trader Joe's and no gas station more people would support the development.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:03:50 PM

---

| **Name** |
| --- |
| Michelle Nordmann |
| **Email** |
| normoyle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23009 North 23rd Place |
| **Support Comments** |
| Would appreciate another spot to shop. Desert ridge is impossible |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:11:39 PM

| **Name** |
| --- |
| Jaimee Pascale |
| **Email** |
| bklyndevil24@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23825 N 25th way |
| **Support Comments** |
| It would be much closer for us |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:10:44 PM

---

| **Name** |
| --- |
| Anne Pauli |
| **Email** |
| Paulifamily@hotmail.com |
| **Support Comments** |
| TRADER JOES!!! We need one in our area!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:32:29 PM

---

| **Name** |
| --- |
| Mary Petty |
| **Email** |
| smspetty2006@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I would love to have a Sprouts grocery store nearby. The second choice would be Trader Joe's. I have to drive a ways to get to the nearest Sprouts store. I would love to have access to both the Albertsons we have and adding a Sprouts nearby. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:11:42 PM

---

**Name**

Raymond Rita

**Email**

raymond3213@hotmail.com

**Address / Neighborhood (Optional)**

Sky crossing.

**Support Comments**

I love this idea and have been waiting for news on its development.

Going to desert ridge marketplace is a pain in the butt for the essentials, it will be nice to have a place that is much closer. It’s a huge win for people who want to bike and walk too.

I think the developers can secure a big win if they scrap the gas station idea. I also think having a left hand turn option on 34th street would be a big win.

I also think you should include more studies on how convenient/walkable areas like this improve properly values.

Many of the naysayers also site traffic, however for most residents of SC it’s a net win since they will drive less to DRM. The safety concerns are also silly cuz there’s already traffic, and the new improvements will actually make it safer.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:11 PM

| **Name** |
| --- |
| Sophia Rizk |
| **Email** |
| sophia_rizk@yahoo.fr |
| **Support Comments** |
| A Trader Joe’s would be great in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:40:00 AM

---

| **Name** |
| --- |
| David Roth |
| **Email** |
| lancets.bearded.0v@icloud.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing Neighborhood |
| **Support Comments** |
| We fully support development at Deer Valley & Black Mountain Blvd. Desert Ridge can be extremely busy with traffic in that area, so it would be nice to have other shopping options closer to our home in Sky Crossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:26:26 PM

---

| **Name** |
| --- |
| Marjorie Schnell |
| **Email** |
| ms.margieschnell@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 39726 N MESSNER WAY |
| **Support Comments** |
| Would love a Trader Joe's or While Foods at Desert Ridge, perfect size and variety of food different from the many Frys and Sageways we have around. Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:01:21 PM

| **Name** |
| --- |
| Kassie Shirey |
| **Email** |
| kassie.shirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr |
| **Support Comments** |
| A neighborhood Sprouts or Trader Joe’s would be wonderful! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:34 PM

---

| **Name** |
| --- |
| Elissa Silber |
| **Email** |
| gemsilber@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5867 E Tierra Buena Ln |
| **Support Comments** |
| I would like a Trader Joe’s, or a Sprouts to go on there. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:59 PM

---

| **Name** |
| --- |
| Cynthia Sowa |
| **Email** |
| clusowa@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23319 N 44TH PL |
| **Support Comments** |
| Trader Joe's would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:45 PM

---

| **Name** |
| --- |
| Scott Starr |
| **Email** |
| rltycheck@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Thai would be a great addition. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:29:06 PM

---

| **Name** |
| --- |
| April Storey |
| **Email** |
| azstorey@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate Pass |
| **Support Comments** |
| Trader Joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:37 PM

---

| **Name** |
| --- |
| Elena Tager |
| **Email** |
| elenatager@yahoo.com |
| **Support Comments** |
| We support. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:00:15 PM

---

| **Name** |
| --- |
| Juli Thompson |
| **Email** |
| Julesnrs@gmail.com |
| **Support Comments** |
| Yes, I vote for Whole Foods and a trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:57:47 PM

---

| **Name** |
| --- |
| Morgan Troutman |
| **Email** |
| morgan.troutman8700@gmail.com |
| **Address / Neighborhood (Optional)** |
| 12802 N 23RD ST |
| **Support Comments** |
| I support the proposal of a new grocer in the desert ridge area... preferably Fry's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:03:56 PM

---

| **Name** |
| --- |
| Amber Vercelline |
| **Email** |
| amber.rhodes.rn@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum Manor |
| **Support Comments** |
| Agree with grocery store. Would love Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 5:58:52 PM

| **Name** |
| --- |
| chris waranch |
| **Email** |
| cwaranch@gmail.com |
| **Support Comments** |
| Would appreciate a new grocery store in this location |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:11 PM

---

| **Name** |
| --- |
| John Zatarski |
| **Email** |
| jzatarski@hotmail.com |
| **Support Comments** |
| YES - We need another Grocery Store ! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:25:29 PM

---

| **Name** |
| --- |
| Mike Albers |
| **Email** |
| MikeAlbers23@gmail.com |
| **Support Comments** |
| Huge NO for gas of any kind.<br>Yes Trader Joe's or Whole Foods. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:07:37 PM

| **Name** |
| --- |
| David Ashkuri |
| **Email** |
| davidashkuri@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3514 E Utopia Rd. |
| **Support Comments** |
| We would love to see either a traders joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 2:21:51 PM

| **Name** |
| --- |
| Tony Baldwin |
| **Email** |
| Avalosoul@live.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Trader joes please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:36:27 AM

| **Name** |
| --- |
| Samantha Bednarz |
| **Email** |
| samiebednarz@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4616 E Desert Cactus St |
| **Support Comments** |
| This area absolutely needs a Sprouts! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:25:47 AM

---

| **Name** |
| --- |
| Kimberly Bocchi |
| **Email** |
| kimberly.a.bocchi@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Such a great use of the land over here!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:03:27 PM

---

**Name**

Amanda Brockbank

**Email**

Brockbankamanda16@gmail.com

**Address / Neighborhood (Optional)**

Boulder creek at desert foothills subdivision

**Support Comments**

I think this proposed plan adds value and convenience to the north Phoenix area. With the growing number of houses going up and no new stores, especially grocery, going up, this will be a positive and impactful addition to our neighborhood. We don’t want more houses or apartments crammed together. We want something that will actually be of use in the day to day life.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:11:14 AM

---

| **Name** |
| --- |
| Susan Cotner |
| **Email** |
| sccotner@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23650 N. 22nd St. |
| **Support Comments** |
| As senior living in the area, having a new neighborhood grocery store would help me to age in place in my current home. Currently I live more than 5 miles away from any grocery store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:32:55 AM

---

| **Name** |
| --- |
| Kimberly Fabrycki |
| **Email** |
| kimberlyfabrycki@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3222 E Bryce Ln |
| **Support Comments** |
| Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:09:18 PM

| **Name** |
| --- |
| Sara Grasteit |
| **Email** |
| sarajuneco@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please make it a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:55:08 AM

| **Name** |
| --- |
| kevin jerrett |
| **Email** |
| krjerrett@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 6 deer valley drive |
| **Support Comments** |
| Hope its a frys |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:44:20 PM

| **Name** |
| --- |
| PG Lakshminarayan |
| **Email** |
| plakshman@rocketmail.com |
| **Address / Neighborhood (Optional)** |
| Aviani |
| **Support Comments** |
| Support mini grocer like trader joe or sprouts... |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 6:32:26 AM

| **Name** |
| --- |
| David Larcher |
| **Email** |
| Dlarcher@vestar.com |
| **Support Comments** |
| Go for it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 9:53:48 AM

| **Name** |
| --- |
| Sarah Larocca |
| **Email** |
| sarahdeelo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3984 E Scout Pass |
| **Support Comments** |
| We need a healthy, organic grocery store that is local. |

**From:** Michelle Santoro
**To:** PDD Long Range Planning
**Subject:** FW: Support for Black Mountain Village Project
**Date:** Friday, September 22, 2023 11:33:04 AM

---

-----Original Message-----
From: Aaron Lloyd <aarontlloyd@gmail.com>
Sent: Friday, September 22, 2023 11:21 AM
To: anthony.grande@phoenix.gov
Cc: Michelle Santoro <msantoro@gblaw.com>
Subject: Support for Black Mountain Village Project

Mr. Grande,

I will not be able to attend the meeting on October 3 but write to provide my strong support for the Black Mountain Village rezoning project. As a homeowner in the Sky Crossing community I view this project favorably. It will be a good use of the land and provide homeowners in the surrounding neighborhoods with options not found in the immediate vicinity. I would much prefer a commercial rezoning to a multi family project and believe those opposed may be not realizing other potential and less favorable uses for the land.

As a former member of the PV Village Planning Committee, this project has my full support, and I urge the committee to vote to approve on October 3.

Thanks,

Aaron Lloyd

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:10:41 AM

---

**Name**

Aaron Lloyd

**Email**

aarontlloyd@gmail.com

**Address / Neighborhood (Optional)**

21926 N 29th St

**Support Comments**

Hello,

I strongly support this project as a neighbor in the Sky Crossing community. I believe the project will be an asset to the neighboring communities, provide additional services not found in the immediate neighborhood, and be a good use of the land. I strongly recommend that the planning committee approve the project at the upcoming meeting!

Thanks,

Aaron Lloyd

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 4:10:08 PM

---

| **Name** |
| --- |
| Thomas Mosmeyer |
| **Email** |
| thomasmosmeyer@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4514 E Weaver Road |
| **Support Comments** |
| The ability to walk to a grocer can greatly reduce the traffic strain that is clearly obvious in front of Desert Ridge Marketplace. The more walkable the surrounding neighborhoods, the cheaper and less deleterious the use of cars becomes. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:02:47 PM

---

| **Name** |
| --- |
| Charles Pawlak |
| **Email** |
| charlespawlak@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| A grocery store is badly needed and the Desert Ridge area with all the new apartments and homes being built and only Albertsons available within a few miles. I totally support a grocery store at the southwest corner of Deer Valley and Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:34:01 AM

---

| **Name** |
| --- |
| Nikki Reiter |
| **Email** |
| nikkijean6@yahoo.com |
| **Support Comments** |
| Trader Joe’s would kill it up in this neighborhood! We have to travel all the way down to tatum and shea or get overwhelmed at the FLW location. Also a full sized Sprouts or ALDIs would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:23:46 AM

| **Name** |
| --- |
| Gianna Schneider |
| **Email** |
| ggbella12@gmail.com |
| **Support Comments** |
| Trader joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:52:48 PM

| **Name** |
| --- |
| Sylvia Sebescu |
| **Email** |
| silvip3@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 23222 N. 41 st Street, Phoenix 85050 |
| **Support Comments** |
| We need grocery store in our neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:17:31 AM

---

| **Name** |
| --- |
| Will Shirey |
| **Email** |
| wtshirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr. |
| **Support Comments** |
| I support this initiative. We need more fuel and groceries in this area. Prefer Sprouts or Trader Joe’s as first choice. Fry’s second choice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 3:20:20 PM

| **Name** |
| --- |
| Jennifer Ulrich |
| **Email** |
| jenbulrich@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Stone Butte |
| **Support Comments** |
| We need closer shopping and restaurant options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:13:18 AM

---

| **Name** |
| --- |
| Rohit Vir |
| **Email** |
| rohitvir@hotmail.com |
| **Support Comments** |
| Love the idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 12:01:03 PM

---

| **Name** |
| --- |
| Ariela Acuna |
| **Email** |
| Acunaariela@gmail.com |
| **Support Comments** |
| We really need more stores near our neighborhood as there isn’t much around and other stores such as desert ridge are becoming super crowded. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:37:09 AM

| **Name** |
| --- |
| David Allayev |
| **Email** |
| davidallayev5@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3843 e expedition way |
| **Support Comments** |
| This would be great for the neighborhood |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:15:32 AM

---

| **Name** |
| --- |
| Karla Grajeda |
| **Email** |
| Karlaplacido_96@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23555 n desert peak parkway Phoenix Arizona 85024 |
| **Support Comments** |
| Give us a Trader Joe’s and Whole Foods |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 5:34:53 PM

| **Name** |
| --- |
| Ginny Komlos |
| **Email** |
| ginnykomlos@gmail.com |
| **Support Comments** |
| We need a new supermarket and gas station in the Deer Valley/Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 11:05:11 AM

| **Name** |
| --- |
| Greg Kraus |
| **Email** |
| greg.kraus@datadvisors.com |
| **Support Comments** |
| Can’t wait |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:08:31 AM

---

| **Name** |
| --- |
| Lama Mattar |
| **Email** |
| lama.mattar@hotmail.com |
| **Support Comments** |
| Such a great idea !! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:16:56 AM

---

| **Name** |
| --- |
| Terrie Miller |
| **Email** |
| tmiller855@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 E Deer Valley Dr |
| **Support Comments** |
| We need another grocery option as well as dining in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 1:04:05 PM

---

| **Name** |
| --- |
| Shaun Kelley |
| **Email** |
| sh4unz0r@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| My support for this development is contingent upon 3 things:<br>1. Grocer is guaranteed to be Sprouts, Whole Foods, or AJ's<br>2. No gas station, given the above grocers don't do accessory stations.<br>3. Lighting plan is implemented to be similar to lights at the Shops at Gainey Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 2:03:22 PM

| **Name** |
| --- |
| Jennifer Padgett |
| **Email** |
| Jcwiltse3@yahoo.com |
| **Support Comments** |
| Trader Joe's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:46:54 AM

| **Name** |
| --- |
| Kaci Peregrym |
| **Email** |
| kaciperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3253 E Pike St |
| **Support Comments** |
| n/a |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:50:49 AM

| **Name** |
| --- |
| Gloria Poppa |
| **Email** |
| gjpoppa@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 5450 E Deer Valley Dr. #4211 Phoenix AZ 8505 |
| **Support Comments** |
| LOVE IT!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 6:20:40 AM

| **Name** |
| --- |
| Xiomara Pravong |
| **Email** |
| xpravong@gmail.com |
| **Address / Neighborhood (Optional)** |
| 18618 N 34th Pl |
| **Support Comments** |
| Trader Joe’s please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:24:20 AM

---

| **Name** |
| --- |
| Marisa Sanchez |
| **Email** |
| Marisatsanchez@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| We'd like to see a Whole Foods or Sprouts put in. It's a long drive to either of these places. Or even a Natural Grocers or Trader Joe's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 12:05:30 PM

| **Name** |
| --- |
| Joyce Carlberg |
| **Email** |
| carlberg_az@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We are in favor |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 7:00:37 PM

---

| **Name** |
| --- |
| Beth Dahl |
| **Email** |
| bethdahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cachet at Peakview |
| **Support Comments** |
| I lived in Aviano and Fireside for 8 years. I would have loved this center a mile from My house |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:21:29 PM

---

| **Name** |
| --- |
| Dianne Moore |
| **Email** |
| dianneishappy@gmail.com |
| **Support Comments** |
| I would be interested in a Trader Joe’s. Is that a possibility? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:01:25 PM

---

| **Name** |
| --- |
| Al Mercado |
| **Email** |
| azalbert@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please only speciality high-quality markets like Trader Joe’s, Whole Foods, Fry’s, Sprouts. Please NOT Frys or Safeway!!!<br><br>And surrounded by small retail stores = ok, but NO fuel station please!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 10:23:43 AM

| **Name** |
| --- |
| Donald Pearman |
| **Email** |
| 1fantasea@gmail.com |
| **Address / Neighborhood (Optional)** |
| PO Box 5155 Carefree AZ 85377 |
| **Support Comments** |
| I would like the facility (s) to exist. Please help make it happen |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 6:59:13 AM

| **Name** |
| --- |
| Victoria Pearman |
| **Email** |
| Twobeadorknot@yahoo.com |
| **Support Comments** |
| I would love to see a Trader Joe’s or something similar in that area. I support Desert Ridge’s idea to build another grocery. I would definitely use it when in the area. |

**From:** Dan Oseran
**To:** Anthony M Grande
**Subject:** Support(ish) for Black Mountain Village / Superblock 12
**Date:** Sunday, September 24, 2023 10:56:17 PM

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Hi,
I know you are probably inundated with notes about the development on BMB and Deer Valley. Thank you for taking the time to consider all of the suggestions.

I support a form of development with limitations. I would strongly support a C-1 designation (rather than the proposed c-2) with no gas stations or fast food drive through pads. I support a true neighborhood community commercial development.

The area immediately surrounding this parcel has homes worth over a million dollars and I think Vestar made a tactical error by trying to build too much on the property. The current proposal isn't aligned with the 'feeling' of the immediately surrounding neighborhood, which is quieter, more residential, and further from the Desert Ridge core. If a more modest commercial development was proposed, I think it could make a positive difference in the community and be better received.

Thank you again,
Dan Oseran

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Robert Adams
22819 N. 39th Ave
Phx AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Alissa Thompson
Alissa Thompson
3955 E. Parkside Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Mark Eyglehardt
3937 E Patrick Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jessica Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Lorena Figueroa
22903 N. 39th Terrace
85050 Phoenix, AZ.

| | |
|---|---|
| **From:** | Mandi Fleming |
| **To:** | Anthony M Grande |
| **Subject:** | Fireside at Desert Ridge - Superblock 12 Rezoning Amendment Requests |
| **Date:** | Monday, September 25, 2023 11:18:59 AM |

Dear Mr. Grande,

This communication is to inform you that as homeowners at Fireside Desert Ridge, my husband, Tom, and I are in favor of the proposed rezoning requests. You will find the case numbers associated with this proposal below:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Warm Regards,
Mandi and Tom Fleming

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Megan Grimes
3977 E Navigator Lane
Phoenix AZ 85050
Megan Grimes

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ed Hansen
3815 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Cameron Headley
3840 E Daley Ln
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

[illegible]

22833 N. 39th Ave

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Padma Thakur
23008 N. 38th Pl
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jonathan Floyd
Jonathan Floyd
3937 E. Herrera Dr
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Christine Jones
3815 E. Daley Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Justin Thompson

3955 E Parkside Ln

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Sarah Kang
3955 E Navigator Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:40:42 AM

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**Name**

Ana Keller

**Email**

Anarygi@cox.net

**Support Comments**

I will strongly support a Trader Joe’s store .
We don’t have any of those close by and I’m sure it will be the best since we have 3 other ones you mention already and close by too .
Thank you !
Ana Keller

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Melinda Kennedy
3936 E. Parkside Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 10:26:01 AM

| **Name** |
| --- |
| Alexandra Lusk |
| **Email** |
| alusk482@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert ridge |
| **Support Comments** |
| Trader Joe’s. I’m all in. Sprouts. For sure. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 4:23:22 PM

---

| **Name** |
| --- |
| Paul Marazzo |
| **Email** |
| amarazzo@arrowheadbmw.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Sounds great! Better than building apartments! |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Lawrence Martinez
22705 N 38th Way

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Anuradha. Mclam
23012, N. 38th Pl
Phoenix, AZ, 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ann Z. Nimlos

3810 E Patrick Ln
Phoenix AZ 85050

Ann Z. Nimlos

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely, PAT NOCK

PAT NOCK
3977 E Navigator Ln
Phoenix AZ

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

FIKRET PAJAZETOVIC
3815 E HERRERA DR
PHOENIX, AZ, 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:05:32 AM

| **Name** |
| --- |
| Shelly Palmer |
| **Email** |
| shellypalmerrd@gmail.com |
| **Support Comments** |
| I would support a Trader Joe’s or Whole Foods |

CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.*
*Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Priscilla Barnes | [signature] | 2115 E Williams DR | |
| Matt Tave | [signature] | 2115 E Williams DR | |
| Jan Rehorik | [signature] | 2045 N. 28 Way | |
| Indira Kirby | [signature] | | |
| Adelynn Kirby | [signature] | | |
| Wyatt Bowie | [signature] | | |
| Trenton Dawson | [signature] | | |
| Ryan Aldon | [signature] | | |
| Jeannette Vespale | [signature] | | |
| Dyan Bond | [signature] | | |
| Mary Barry | [signature] | | |
| W. Barry | [signature] | | |
| Marie Andregg | [signature] | 3664 E. Adobe Dr. | |
| Bree Fulp | [signature] | | |
| Jenifer Graham | [signature] | 4945 E Roberta Dr Cave Creek | |
| Zoe Drolet | [signature] | 6302 E Delcoa Ave | |
| Kay Griffin | [signature] | 5450 E Deer Valley Dr | |
| Lauren Herzog | [signature] | | |
| Mary Fulton | [signature] | | |
| Rebecca Hodo | [signature] | | |
| James Trewtinen | [signature] | 4841 E. Williams DR. | |
| Andrew Hendley | [signature] | 18002 N 12th St | |
| Alysa Torres | [signature] | 18002 N 12th St | |
| Maya Torres | [signature] | 16220 N 7th St, Phoenix | |
| Drew Pyne | [signature] | | |
| Young Jung | [signature] | 4849 E Garfield | |
| Connor O'Malley | [signature] | 4849 E Earll Dr | thetotaldoor.com |
| Joey Steinbacher | [signature] | | Joeysteinbacher49@hotmail.com |
| Ante henderson | [signature] | 4345 e acoma drive | a henderson20@cox.net |
| drew henderson | [signature] | | drewhenderson@cox.net |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Natasha Nuwasma | [illegible] | | |
| [illegible] Price | [illegible] | 228 N 32nd St Phx | 85054 |
| Ryan Wolinsky | [illegible] | — | — |
| [illegible] | [illegible] | — | — |
| Zachary Wierzbicki | [illegible] | | |
| Alex Drifler | [illegible] | | |
| Windee Gustafson | [illegible] | | |
| Zachary Stone | [illegible] | | |
| Kristie Mills | [illegible] | 17987 E Veit Springs | |
| [illegible] | [illegible] | | |
| Kian Akhavan | [illegible] | | |
| Yuth Bunnell | [illegible] | | |
| Linda Quartaro | [illegible] | 3935 E Rough Rider Rd | |
| Liam Bailey | [illegible] | | liblianBailey@gmail.com |
| | [illegible] | | |
| Khrismary Vazquez | [illegible] | | |
| [illegible] Blankey | [illegible] | 24901 N 39th Cra | Blankey3@cox.net |
| [illegible] | [illegible] | 15635 N 29th | |
| Lindy Chipman | [illegible] | | |
| Virginia Hurst | Virginia Hurst | 5550 E. Deer Valley | |
| Debra Giuffre | [illegible] | | |
| Laiza montes | [illegible] | — | park |
| Caleb Campos | [illegible] | Aviano community | 505-385-9630 |
| [illegible] | [illegible] | 3350 Valley Dr. | 206-353-563 |
| Reema McGonagle | [illegible] | 4275 E. Ether Trail | — |
| Amanda Fagelman | [illegible] | 21150 N Tatum, Phx | |
| Kurt Fagelman | [illegible] | 21150 N Tatum Phx | |
| Billy Watkins | [illegible] | | |
| Kenis Paulk | [illegible] | | |
| Ryan Kosterna | [illegible] | 22036 N 44th Pl | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| T. McWilliams | [signature] | | |
| Kari Backlin | [signature] | | |
| Hannah Ullestad | Hannah Ullestad | | contact.hpulis@gmail.com |
| Anthony Paterno | [signature] | | |
| Matt Endicott | [signature] | 3960 E Melinda Dr | |
| Susan Santiago | Santiago Sa | 10040 E Happy Valley | SGerconc@ex.NET |
| Barbara Miranda | B Miranda | 18637 N 45th Pl | |
| Jen Kirby | [signature] | | |
| RAHUL THAEL | [signature] | | |
| Jenna Turner | [signature] | 22028 N. 59th Way | jennanturner@gmail.com |
| Brian Watts | [signature] | 5550 E. DEER VALLEY | Bwatts14@gmail.com |
| TYLER SMITH | Tyler Smith | 4031 E. ROBIN LANE | TYLER.SMITH@KIDDER.COM |
| Becki Smith | B Bigler S | 4031 E Robin Ln | beckibiglersmith65 |
| Grayson Smith | Grayson Smith | " | @yahoo.com |
| Anita Skywater | [signature] | | Grayson Smith162 |
| | | | @gmail.com |
| Megan Newman | [signature] | 26418 N. 42nd St | |
| Amy Windisch | Amy Windisch | 4631 E. [illegible] Dr. | amydge@me.com |
| Taryn Gosch | [signature] | | taryngosch@hotmail.com |
| Larry Trefz | [signature] | | |
| H. Khatchadourian | [signature] | 4750 E Union Hills Dr | |
| Joe Johnson | Joe Johnson | 23313 N 45th St | njandjj3@cox.net |
| Phil Gilbert | [signature] | 20653 N 16th Way | |
| Analicia Greeley-Reed | [signature] | | |
| Ruben Borden | [signature] | 21150 N Tatum | |
| Dominica | [signature] | 24113 N 20th | |
| | | | |
| Anita Mayur | Anita Mayur | 3132 E. Tina dr. | anitajmayur@gmail.com |
| Sandeep Mayur | [signature] | 3132 E. Tina dr. | Sandeep.mayur@gmail.com |
| | | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Andres Torres | [signature] | 4849 E Earll DR | andrestorres ne@gmail |
| Asida Cheval | [signature] | 21155 N 56th, | Phoenix |
| AGGIE BEDNARZ | [signature] | [illegible] | |
| Chloe Peck | [signature] | 22429 N 30th Way | |
| Sarah LaRue | [signature] | | |
| Logan Glines | [signature] | | |
| Riley Coughlin | [signature] | 22020 N 28th Way | |
| Holly Grossman | [signature] | | |
| SHARYN VUOLO | [signature] | | |
| Renee Ybarra | [signature] | 3816 Ringtail | |
| G M Lee | [signature] | 3975 W Chame | |
| Jake Thos | [signature] | 21811 N. 48th pl | |
| Veronica Gaffney | [signature] | 21495 N 28th st. | |
| Lauren Teixeira | [signature] | 21150 N Tatum | |
| Sophie Aspen | [signature] | 3712 E Potter | |
| [illegible] Susan Kneff | [signature] | 4412 E Williams | |
| KARL KASOWSKI | [signature] | | |
| Supsup Lor | [signature] | | |
| A. Itkoff | [signature] | 3901 E. Pinnacle PK RD, Phoenix 85050 | |
| [illegible] | [signature] | 2448 ec [illegible] | |
| Wes Desperis | [signature] | BLVD 85024 4823 E Patrick Ln | |
| Whitney M | [signature] | Phoenix, AZ 85054 | |
| Sara Betancourt | [signature] | 18245 N. Pima Rd, Scottsdale AZ 85255 | |
| Bill Kelley | [signature] | | |
| Fran Kelley | [signature] | | |
| MARSHALL FUND | KATHLEEN FUND | ~~1750 PINE AVE. LOS OSO~~ | |
| Sage Moffett | [signature] | 5102 E Votaire | sage moffett@gmail.com |
| [illegible] | [signature] | | |
| [illegible] | [signature] | | |
| [illegible] | [signature] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Charlie Quinn | [signature] | 21831 N 48th Pl | |
| Amelia Burton | [signature] | | |
| Brian Burton | [signature] | 21715 N 59th St. | |
| Ethan Fender | [signature] | 21320 N 56th St | |
| Jason Willson | [signature] | 211 50 N Tatum | |
| Abby Russell | [signature] | | |
| David Everett | [signature] | | |
| Darryl Lemecha | [signature] | 22227 N 51st ST | |
| Karen Lemecha | [signature] | " " | |
| Michelle Corey | [signature] | 4702 E Sands Dr 85050 | |
| Cameron Campbell | [signature] | | |
| Chatam Smith | [signature] | | |
| Christine Wallis | CHRISTIE O | 3901 E PINNACLE PEAK RD PHX 85050 | |
| Ernesto Ortiz | [signature] | | |
| Ernesto Ortiz | [signature] | 23555 N. Desert Pk #625 Phoenix | |
| Thida Uk | [signature] | | |
| Lawrence Moon | [signature] | 3517 E Adobe Dr | |
| Jadyn Shak | [signature] | | |
| Christopher [illegible] | [signature] | | |
| Lynn Konrath | Lynn Konrath | 4908 E. Kirkland Rd | |
| Julie Steelman | [signature] | 3960 E. Hummingbird Ln. | |
| Shannon Hanna | [signature] | 4810 E Rosin Ln Phx | |
| James | Smith | | |
| Nichole | [signature] | | |
| Alex | [signature] | | |
| Felix taxjhal | Felix | | |
| Travis Wells | [signature] | 21332 N 60th Place, Phoenix | |
| Sakina Pashu | [signature] | 3945 E Monona Dr. Phoenix | |
| Kendell Friess | [signature] | 5450 East Deer Valley Drive. | |
| ~~Kendell~~ Friess | [signature] | ✓ ✓ ✓ | |
| Colin | | | |

# BRING A NEW GROCER TO DESERT RIDGE

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***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| SAVANNAH ROBINSON | [signature] | 1481 N. MONTOYA PHX, AZ | |
| Mathew Mann | [signature] | | |
| Danielle Stein | [signature] | | |
| P. Haggard | P. Haggard | | |
| Sandra Shradek | | | |
| [illegible] | Logan Ritter | 3935 E Roughrider | |
| Trena Hamilton | Trena Hamilton | 11095 E Running Deer Trail Scotts | |
| Gilda Kemp | [signature] | Desert Ridge | |
| Shiloh Stewart | [signature] | | |
| Reza Parvin | [signature] | | |
| [illegible] | | | |
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CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

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*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.*
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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Johnathan Gamler | | | |
| Gianna Falco | | | |
| Nicole Wurzel | | | |
| Nathan Hawkins | | | |
| Blake Walker | | | |
| Brian Mrochinski | | | |
| Damon Brady | | 4656 E Sandra Terrace | |
| Cameron Peterson | | | |
| Gabby Mouradian | | | |
| Zach VanMore | | | |
| Erika Jesen | | | |
| Cole Gissing | | Desert Ridge | |
| Landon Shaw | | | |
| Trevor Wood | Trevor Wood | | |
| Super Chief | | | |
| Kyien Cohn | | | |
| Emily Ankeny | | | |
| Trevor Swenson | | Avino | |
| Colin Chemes | | | |
| Garrett White | | | |
| Michael Juel | | | sonovanLABS@gmail.com |
| Kadence Stout | | | |
| Scott Shopper | | | |
| Rob Prichard | | | |
| Brittany Krusze | | | |
| Lauren Taylor | | | laurenmtaylor18@gmail.com |
| Lauren Adams | | | laurenadams@gmail.com |
| Megan Gredish | | | |
| Heather S. | | | |
| Ethan Crupe | | | ethancrupe@gmail.com |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| JODY MONCRIEFF | [illegible] | 21150 N TATUM BLVD | |
| Yaqueline [illegible] | [illegible] | " | |
| Erlion Bojter | [illegible] | 21810 N 48th | |
| [illegible] | [illegible] | 26220 N. 47th | |
| [illegible] | Barbara Lerch | | horseshownana@aol.com |
| [illegible] | [illegible] | | |
| [illegible] | [illegible] | 5350 E. Deer Valley | |
| CHUCK WARREN | [illegible] | 4606 E. VISTA BONITA DR. | |
| Diana Cowen | [illegible] | | |
| Jodi Held | [illegible] | 4816 E. Daley Lane | |
| Robin Edgett | [illegible] | 2034 E Patrick Ln | |
| [illegible] | [illegible] | 4042 E [illegible] | |
| [illegible] | | 352 959 4771 | |
| [illegible] | | 505 892 2810 | |
| Teresa Perrin | | 80654 10201 | |
| Autumn Brewer | [illegible] | | |
| Scott Snelson | [illegible] | [illegible] | |
| Julie [illegible] | [illegible] | 3651 E ZACHARY DR. | |
| Allison L Wilkins | [illegible] | | |
| MICHAL | [illegible] | 21155 N 56th st | |
| Nancy | Nancy [illegible] | 1212 W. Muriel D. | |
| Angie Gayer | [illegible] | 8126 E Vista Bonita | |
| Sean Gibbs | [illegible] | 8116 W [illegible] | |
| Sheryl A Shealey | Sheryl Shealey | 22423 N 22nd Way | |
| Rita Hervey | Rita Hervey | 21150 N. Tatum | |
| Zach Lynn | [illegible] | | |
| [illegible] | Teresa Tay | | |
| Alden Sundeen | [illegible] | | |
| [illegible] | [illegible] | 3450 E. Deer Valley Dr | |
| Julianna Rivera | [illegible] | 24342 N. 27th Pl. | julianna.ri |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| David Mauhin | [signature] | | |
| Anna Mauhin | Anna Mauhin | | |
| [illegible] | [signature] | | |
| Sharon Kellogg | [signature] | | |
| Young Jung | [signature] | | yjung021@gmail.com |
| Julie Zawada | [signature] | | RCDRIVING80@yahoo |
| alex nichols | alex | | alexisnichols480 |
| Riley Mogull | [signature] | | rileymogull@icl. |
| Aidan Hague | [signature] | | 73645@cccsd93.. |
| Amberlyn Bell | Amberlyn Bell | | |
| Camden Gallasher | [signature] | | |
| [illegible] Mulhern | [signature] | | |
| Colton Alhers | [signature] | | |
| Brady Narbut | Brady Narbut | | bradynarbut@yahoo.com |
| Zachary Narbut | Zachary Narbut | | zachnarbut2@gmail.com |
| Walter Funes | [signature] | | |
| Joshua Williams | [signature] | | |
| Janice Christian | [signature] | | |
| Ker Carpenter | [signature] | | |
| Ed Rucki | [signature] | | |
| Debra Rucki | Debra Rucki | | |
| Blaise Backlund | [signature] | | |
| Ryan Wegner | [signature] | | |
| TYLER ARNETT | [signature] | RENEE DR | |
| Gilda Kemp | [signature] | Desert Ridge | |
| Abigoryce Glidden | [signature] | | |
| KEITH DUDLEY | [signature] | DESERT RIDGE | |
| Grady B | [signature] | DR | Dsgradybeegmail |
| Max Blotzman | [signature] | | |
| Julia Graham | Julia Graham | Desert Ridge | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Norbert Hofwald | [illegible] | Desert Ridge | |
| [illegible] | Maria Vittorio | Desert Ridge | |
| Kerry Malvin | [illegible] | Desert Ridge | |
| Donna Nagy | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | | |
| Ana Salomon | a Salomon | | |
| [illegible] | Schumacher | | |
| Linda Woodard | Linda Woodard | Desert Ridge | |
| Jackson McKenzy | [illegible] | | |
| Marisa Carangi | Marisa C | | |
| Joe Brown | [illegible] | | |
| Victoria Herrera | [illegible] | Desert Ridge | |
| Terry Serago | Terry Serago | " | |
| Stone Mason | [illegible] | DR | |
| Sam Oslender | [illegible] | | |
| Ethan DePue | [illegible] | | |
| Kylie Francis | Kylie Francis | | |
| Peyton P. | [illegible] | | |
| Sarah E | [illegible] | Scottsdale AZ | — |
| Sativa K | [illegible] | Scottsdale AZ | — |
| Lisa Bern | [illegible] | DR | |
| Ayden Baker | [illegible] | | |
| Ethan Moya | [illegible] | | |
| Brandon Torres | [illegible] | | |
| Jeremy Burnley | Jeremy Burnley | | |
| Avery Whitesitt | [illegible] | | |
| Isaac Reynolds | [illegible] | | |
| Henwcin Mae | Benitez | | |
| Violet Sanders | [illegible] | Cave Creek | |
| Oliver Celaya | [illegible] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Regina Arellano | | | |
| Alex Pirtle | | Fireside | |
| Isabella Renaud | | Fireside | |
| Erica Delgado | | | |
| Michael Delgado | | | |
| Hall Beyer | | | |
| Ryder Dominguez | | | |
| Tommy Wall | | | |
| Keegan | | | |
| Tristin Mahr | | | |
| MS chapman | | Desert Ridge | |
| Anahis Moreno | | | |
| Carolina Moreno | | | |
| Stephanie Moreno | | | |
| Nate Crabtree | | | |
| Tessa Crabtree | | | |
| Kate Crabtree | | | |
| JJ Watt | | | |
| Hank Webber | | Desert Ridge | |
| Srijn Parthi | | Sanctuary | |
| | | | |
| | Shaylah Satchel | | |
| | Jackson Gaertner | Aviano | |
| Charlie Larsen | | Aviano | |
| Olivia Gaertner | | Aviano | |
| Trish Dorney | | Desert ridge | |
| Srimaa | | Desert ridge | |
| Jonah Espinoza | | Desert ridge | |
| Tyler Trimaloff | | | |
| Brendan George | | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| DAVID LANUE | [signature] | | DAVID LANUE3@ |
| Chloe Jackson | Chloe Jackson | | EMAIL |
| Lanor ROE | [signature] | | Chloebeharose@xlovel |
| Ethan Penrose | [signature] | | |
| Mary Spener | [signature] | | spener@cox.net |
| Carolina Nieto | Nieto Carolina | | |
| Sayra Soto | [signature] | 16432 N 28th St | SayraSoto0908@1clov.com |
| Jesus Aguirre | | 1946 W LARKSPUR Dr. | |
| Amina Afous | Amina | East Monte Cristo 6009 | amina85259@gmail |
| [illegible] | [signature] | [illegible] | [illegible] |
| [illegible] | [signature] | | |
| Carson Smith | [signature] | | |
| Bailey Ison | [signature] | | |
| Maya Bellerer | [signature] | | |
| Alec Greenwood | [signature] | | |
| Jason Coleman | [signature] | | |
| LOWELL MANAW | [signature] | | |
| MARK Daggleby | [signature] | | |
| Felix Betancourt | [signature] | | |
| Aly Betancourt | [signature] | | |
| Lou Rodriguez | [signature] | | |
| Amy Jones | [signature] | | |
| John Burns | [signature] | | |
| Nasrin Molani | [signature] | 85032 | — |
| Eliesa Rob. | [signature] | | |
| Armin Smailagic | [signature] | | armin.1674@gmail.ca |
| Jota Oso | [signature] | | jotaoso@5919.com |
| Sara Hanson | [signature] | 85004 | |
| Samara Brown | [signature] | 85022 | Samarakrier@gmail |
| MARY KORY | [signature] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Tirsa Quartullo | | | |
| Kierre S | | | |
| Jermaine Norman | | | |
| Jocelyn Chay | | | |
| Andres Torres | | | andres.tort22@gmail.com |
| Graceek | | | |
| Josh Stelwell | | | |
| Zac Brown | | | brownzac@gmail.com |
| Josie Ramos | | | Josie Ramos@gmail |
| Paul Palmer | | | |
| Douglas Perez | | | Perdog18@hotmail.com |
| Tiffany Nowatske | | | tnowatske@gmail.com |
| Tiffini Giebel | | 3114 E Kerry ln | Tiffini Giebel |
| Jordan Thomin | | 2725 E Mine Creek Rd | Jordan.e.thomin@gmail |
| Lisa Graham | | | |
| Shyler Weber | | | |
| Mari Holtore | | | |
| Daisy Ellis | | | |
| Kanani Araki | | | |
| amber g. | | | |
| Alexis P. | | | |
| Margaret Castillo | | 22717 N 38th Way Phx, AZ 85050 | |
| Tiffany Ossoughe | | 4720 E Pinchot Peak | tvossoughe2@gmail.com |
| Emily Thai | | | |
| Isaac Lara | | | |
| Jack Lankford | | 11441 N thunderbird | Jdlankford03@gmail |
| Shreyas A | | 4038 E Saint John Rd | |
| Averie | Cowden | 4038 E St John Rd | |
| Ryker P | | 3046 East Wilbrage | Ryker Pri |
| Ethan | | 5309 E Monte | elohenz |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Robert Johnson | [signature] | 2959 N 29th st | rj732855.rj4@gmail.com |
| Jack Creelman | [signature] | 4690 S Lakeshore Drive | jackcreelman108@gmail.com |
| Jenna Jeran | [signature] | 610 W. Roosevelt | — |
| Mark Durocher | [signature] | — | Mduro8@gmail.com |
| Andreas Hacmeyer | [signature] | | |
| David Herrera | [signature] | | |
| Kristen Packard | [signature] | | Kristen.packard@me.com |
| Jared Blackstone | [signature] | | Jblackstone1977@gmail |
| Collin Hurt | [signature] | | |
| Karli Davis | [signature] | | |
| Lauren Angelo | [signature] | | |
| Nathan Padilla | [signature] | | |
| Matt Durocher | [signature] | — | mattdurocher1@gmail.c |
| Bree Durocher | [signature] | — | bread1023@yahoo.com |
| Robert Gilch | [signature] | | |
| Tyrone Brandon | [signature] | PHX | |
| Chris Potter | Chris Potter | | |
| Mya Sheppard | [signature] | | |
| [illegible] | [illegible] | Calif / PHX | [signature] |
| [illegible] | [illegible] | | |
| Jacob Newberry | [signature] | | |
| Carlyn Stalionicz | [signature] | | |
| [illegible] | [illegible] | | |
| [illegible] | Nolan Lapskin | | |
| Dylan McMullen | [signature] | PhX | |
| [illegible] | FATE TAYLOR | PHX | |
| Val Hartman | C. Tejera | | |
| Sarah Connell | [signature] | | |
| Lauren Summey | [signature] | | |
| Bibi Tejera | [signature] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Brett Bigelow | [signature] | | bbigelow55@cal |
| [illegible] | [signature] | | [illegible] |
| Anthony Reeves | [signature] | | areeves@gmail.com |
| Tristan Vanderbilt | [signature] | — | — |
| Taylor Sunset | [signature] | — | — |
| Alexis Gordon | [signature] | | lexie15boss@gmail.com |
| McKenzie Reynolds | [signature] | — | — |
| Casie Cooper | [signature] | — | — |
| Judieu Williams | [signature] | — | — |
| Alivia Judith Kagal | [signature] | | akagal3398@gmail.c |
| Soley Kilian | [signature] | | sakilian@gmail.com |
| MADISON DEES | [signature] | | MADDYDEES@GMAIL.COM |
| RICHARD CHAVEZ | [signature] | | chavezrel4@hotmail.com |
| Steve Lukasl | [signature] | | Bob@Aol.com |
| John Gallagher | [signature] | — | — |
| London Sabani | [signature] | | |
| [illegible] | | | |
| Nima Parvin | [signature] | — | — |
| Adrian Vender | [signature] | — | — |
| Brianna Balderaz | [signature] | | |
| Pawshlewin | [signature] | — | — |
| Doyle Thomas | [signature] | — | — |
| BRIAN GUTTERREZ | [signature] | | |
| Tyler Blinn | [signature] | — | — |
| Mark Kosten | [signature] | | |
| Austin Hartin | [signature] | — | |
| Don T | [signature] | | |
| Matthew | [signature] | | |
| [illegible] | [signature] | | |
| Max Valentine | [signature] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| | | 5070 83rd St | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Moorea Crabtree | | | Mooreacrabtree@gmail |
| | | | |
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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Kevin Harkey | [illegible] | | Kharkey69@gmail.com |
| [illegible] | [illegible] | | |
| Drake Barandela | [illegible] | | drakeabarandela@gmail.co |
| Jeremy Barandela | [illegible] | | drake.barandela@my.tccd.E |
| Christina Barandela | [illegible] | | christinabarandela@gmail |
| Carlie Fitting | [illegible] | | carlie197@gmail |
| Ryan Castle | Ryan Castle | | |
| Gabby Vega | Gabriel Vega | | |
| Casey Spencer | Casey Spencer | | |
| Meadow Spencer | Meadow | | |
| Erick Chavez | [illegible] | | |
| Danny Saavedra | [illegible] | | |
| Shane Thompson | [illegible] | | |
| [illegible] | S. Hannah Hoffman | | HRH@SamHoustonedu |
| Marleen Galvan | [illegible] | | |
| Lauren Thompson | [illegible] | | |
| Jeanette Madera | [illegible] | | GetLuz@gmail.com |
| Brenda Ferreira | [illegible] | | GetLuz@gmail.com |
| Jesr Rodriguez | [illegible] | | |
| Maricela Reyes | [illegible] | | [illegible] |
| Jessica Galarza | [illegible] | | |
| [illegible] | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | DR | |
| [illegible] | [illegible] | | notaeyyjb8e241@yahoo |
| [illegible] | [illegible] | | |
| Jeremiah Hyles | [illegible] | | |
| Colin Brandenberger | [illegible] | | |
| Anthony [illegible] | [illegible] | | |
| [illegible] | [illegible] | | |
| [illegible] | [illegible] | DR | |
| Doug Gonnly | [illegible] | | |

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Myles Henderson | [signature] | | Mymy Henderson44@gmail.com |
| Desirée Ayala | [signature] | | |
| Kendricks Y. Lab | [signature] | | |
| Yeriel Figueroa | [signature] | | |
| Cole Gascon | [signature] | | |
| Derek Kane | [signature] | | |
| Ana Serra | [signature] | | |
| Nolan Johnson | [signature] | | |
| Jeremy Zanganella | [signature] | | |
| Brian Kelly | [signature] | | |
| Amy Kelly | [signature] | | |
| Brett Moran | [signature] | | |
| Katie Warren | [signature] | | |
| David Hall | [signature] | | |
| Connor Gowens Bdt | [signature] | | |
| Ben Petersen | [signature] | | |
| Angel Gonzalez | [signature] | | |
| Erik Espinoza | [signature] | | |
| Cory David | [signature] | | |
| Jim Gruler | [signature] | | |
| Jill Gruler | [signature] | | |
| BRIAN MORAN | [signature] | | |
| Joe Cryan | [signature] | | joe@citywidecre.com |
| Chelsea Martin | [signature] | | |
| TREY MARTIN | [signature] | | |
| Shae Hardin | [signature] | | shaelenahardin@live.com |
| Jenna Finley | [signature] | | |
| Skye Kollmer | [signature] | | |
| Julie Crowley | [signature] | | |
| Lauren Clement | [signature] | | |
| Allison Radzel | [signature] | | |

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Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Lou Sarno | | | |
| James Wilson | | | |
| Thalia Holmstrom | | | |
| Brandon Kohli | | | |
| James Gotch | | | |
| Katrina Brunn | | | |
| Heather Wilson | | | |
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# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Jessica Bjork | | | |
| Chris Reese | | | |
| Jerry Gonzales | | | |
| Michael Rhodes | | | |
| Sally Fordham | | | |
| Patricia Blair | | 3 | |
| Betty Schley | | | |
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CITY OF PHOENIX
SEP 25 2023
Planning & Development
Department

## SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| New Grocer | | | | US | 9/1/2023 |
| David Larcher | Brooklyn | NY | 11249 | US | 9/4/2023 |
| Yvette Mayo | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Bob Mayo | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Stephanie Garcia | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Susan Hweimel | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Christine McNeal | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Monica Pereira-Guana | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Chris Cross | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Kiersten Pace | Phoenix | AZ | 85017 | US | 9/6/2023 |
| Mary Downing | Clifton | CO | 81520 | US | 9/6/2023 |
| Sandy Summers | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Cheryl Wadina | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Lina Chua | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Jill Blair | Phoenix | AZ | 85085 | US | 9/6/2023 |
| Skeleton Key | Los Angele | CA | | US | 9/6/2023 |
| Michael Vittorio | Chicago | | 97603 | US | 9/6/2023 |
| Nancy Thompson | Kennesaw | | 30152 | US | 9/6/2023 |
| Jon Inwood | Brooklyn | NY | 1123 | US | 9/6/2023 |
| Alix Cassagnol | Watertown | | 13601 | US | 9/6/2023 |
| Daniel O'Brien | MILTON | | 12547 | US | 9/6/2023 |
| Preston Towne | Burlington | | 52601 | US | 9/6/2023 |
| Arya Albritton | Terre Haute | | 47802 | US | 9/6/2023 |
| Chloe Carlton | Peoria | | 61604 | US | 9/6/2023 |
| Kieth Bryant | Seattle | | 98118 | US | 9/6/2023 |
| Shane White | Kansas City | | 66101 | US | 9/6/2023 |
| Mackenzie Griswold | Irving | | 75063 | US | 9/6/2023 |
| Max Mildebrandt | | | | US | 9/6/2023 |
| Aja Smith | Norristown | | 19401 | US | 9/6/2023 |
| Miala Wilkerson | Atlanta | | 30315 | US | 9/6/2023 |
| Gedion Yemane | Los Angeles | | 90016 | US | 9/6/2023 |
| Michael Keith | Cincinnati | | 45239 | US | 9/6/2023 |
| Frehiwot Gezahegn | Hayward | | 94544 | US | 9/6/2023 |
| Catherine Kenyon | La Quinta | | 92253 | US | 9/6/2023 |
| Andrew Floyd | | | | US | 9/6/2023 |
| Viviana Sanchez | Jamaica Plain | | 2130 | US | 9/6/2023 |
| lyssy howard | Annapolis | | 21403 | US | 9/6/2023 |
| Liliana Martinez | Caldwell | | 83605 | US | 9/6/2023 |
| Ivory Murphy | Asbury Park | | 7712 | US | 9/6/2023 |
| Trukessa Ussery | Hampton | | 30228 | US | 9/6/2023 |
| Cynthia Ervin | Winston-salem | | 27105 | US | 9/6/2023 |
| Mia Helmick | Dearborn | | 48126 | US | 9/6/2023 |
| Sennait Misghinna | Wylie | | 75098 | US | 9/6/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Melissa Winner | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Ann Jankes | Phoenix | AZ | 85054 | US | 9/6/2023 |
| Lisa Andreas | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Debbie Merrick | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Gary Lawrence | Phoenix | AZ | 85040 | US | 9/7/2023 |
| Deirdre Menchaca | Hyannis | MA | 2601 | US | 9/7/2023 |
| Melanie Stone | Phoenix | AZ | 85024 | US | 9/7/2023 |
| Carol Ditmore | Phoenix | AZ | 85050 | US | 9/7/2023 |
| Martina McConnon | Phoenix | AZ | 85080 | US | 9/7/2023 |
| Moon Knight | Los Angele | CA | | US | 9/8/2023 |
| Sheena Lamon | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Christopher Lamon | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Diane Diamond | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Shannon Garman | Phoenix | AZ | 85036 | US | 9/11/2023 |
| Chantelle Sabbath | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Jenna Huffman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Robert Caccamo | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Lina Senia | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Susan Cheeseman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Beth levine | Phoenix | AZ | 85015 | US | 9/11/2023 |
| Jamie Bush | Phoenix | AZ | 85003 | US | 9/11/2023 |
| Sonita W. | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Ginny Komlos | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Christine Nard | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Don Crosby | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Susan Almanza | Phoenix | AZ | 85059 | US | 9/11/2023 |
| Angela Marnell | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Karen Flaherty | Phoenix | AZ | 85063 | US | 9/11/2023 |
| Rita Onofrio | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Rebeka Bauer | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Juliana Fisher | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sharon Levy | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Susan Nerheim | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Maria Elizabeth Rodriguez | Phoenix | AZ | 85022 | US | 9/12/2023 |
| Sarah Levine | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Jodi Lavin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Patrice Kimmerle | Phoenix | AZ | 85003 | US | 9/12/2023 |
| Betsy Studer | Phoenix | AZ | 85009 | US | 9/12/2023 |
| Mohan Paredla | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sri Ben | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Hamsa Srinivasan | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Sunil K | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sananda Saha | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Jamie Bessler | Phoenix | AZ | 85014 | US | 9/12/2023 |
| Shachindra Pandey | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Divya Kutty | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kingshuk Choudhary | San Dimas | CA | 91773 | US | 9/12/2023 |
| Neil Hoffman | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Colleen Widdows | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Barbara Welch | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kirstin Robinson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kathy Petersen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| aaron brock | HOWELL | | 48843 | US | 9/12/2023 |
| G. Diane Matthews-Marcelin | Carson | | 90746 | US | 9/12/2023 |
| Javier Chacin | Memphis | | 38112 | US | 9/12/2023 |
| Christina Rago | Cave Creek | AZ | 85331 | US | 9/12/2023 |
| barbara coyle | San Antonio | | 78234 | US | 9/12/2023 |
| Christopher Bean | | | | US | 9/12/2023 |
| Mary Ursaki | Portland | | 97206 | US | 9/12/2023 |
| Stephen Roan | Baton Rouge | | 70807 | US | 9/12/2023 |
| Cody teawitch | Castle Rock | | 80109 | US | 9/12/2023 |
| natalie thornhill | Charleston | | 25312 | US | 9/12/2023 |
| Jonna Parker | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Niko D-R | | | | US | 9/12/2023 |
| natalie Thornhill | Elkview | | 25071 | US | 9/12/2023 |
| Jaslyn Ruvalcaba | Aurora | | 80010 | US | 9/12/2023 |
| Zach Pemberton | Santa Rosa | | 95404 | US | 9/12/2023 |
| Diana Brown | San Bernardino | | 92410 | US | 9/12/2023 |
| Cathie Andresen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Kristin Peterson | Scottsdale | AZ | 85261 | US | 9/12/2023 |
| Julie Greenberg | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Alysson Zatarga | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Sarah Williford | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Daliah Meirovits | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Liz DAnna | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Cummings | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Julie Peterson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Nancy Ackel | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tony D'Anna | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Elena Tager | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sk V | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Carole Fields | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Stephanie Gustafson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| William Getz | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Karenlee Thorpe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Joann BEVERLY | Phoenix | AZ | 85001 | US | 9/12/2023 |
| David Binkley | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sidney Mae | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Gillian Fallas | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Olivia Filippone | Phoenix | AZ | 85050 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Dinesh Chintalapuri | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Jenny Araujo | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhishek Saxena | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Robin Berning | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Jen Silverberg | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sheila Hansen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tamara Hajja | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shalimar Marshall | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Leah Mondlick | New York | NY | 10038 | US | 9/12/2023 |
| Michele Briggs | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Laurie Thrasher | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Johnston Melanie | Phoenix | AZ | 85012 | US | 9/12/2023 |
| Noel Ortiz | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Michele Sonkin | Phoenix | AZ | 85068 | US | 9/12/2023 |
| James Patterson | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Keaira Tighe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Geoff Rubin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kate Fleming | Phoenix | AZ | 85025 | US | 9/12/2023 |
| Courtney Strittmater | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Crystal Alix | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Irish Shay | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Natalie Monjoin | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Navneet Bhatnagar | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Monika Saxena | Phoenix | AZ | 85036 | US | 9/12/2023 |
| Victoria Zacchini | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Adam Polson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shilpi Gupta | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Lavanya Juttukonda | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shane Zink | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Annabel Rimmer | Phoenix | AZ | 85020 | US | 9/12/2023 |
| Chris Sinclair | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhilasha Kapur | Phoenix | AZ | 85050 | US | 9/12/2023 |
| James Watson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nancy Thomas | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Praveen avuthu | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Chris Collins | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Derek Geisinger | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lauren Barbaruolo | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Christina Peregrym | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Meredith Blythe | Phoenix | AZ | 85013 | US | 9/12/2023 |
| Keith Maclaren | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Laliberte | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Jennifer Kovacik | Scottsdale | AZ | 85254 | US | 9/12/2023 |
| Meredith Edling | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Richa Sharma | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Audrey Somers | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Preston Spriggel | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Dipti Dravid | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Katie Ray | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Cici Martin | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nathan Goldberg | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lavanya Vinjamuri | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Brooke chez | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Yana Dashevsky | Phoenix | AZ | 85007 | US | 9/12/2023 |
| Joshua Hope | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Tanner Davis | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Brianne Fischer | Collierville | | 38017 | US | 9/12/2023 |
| Neal Dubey | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shivani Dubey | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Robert Fierros | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Josh Schweser | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Leslie German | Phoenix | AZ | 85050 | US | 9/13/2023 |
| Heather Noble | Phoenix | AZ | 85001 | US | 9/13/2023 |
| Annie Maiden-Hope | Phoenix | AZ | 85001 | US | 9/13/2023 |
| David Wallace | Phoenix | AZ | 85006 | US | 9/13/2023 |
| Jodie Koltes | Phoenix | AZ | 85004 | US | 9/13/2023 |
| Brad Otoupalik | Phoenix | AZ | 85027 | US | 9/13/2023 |
| Susan Tinsley | San Diego | CA | 92101 | US | 9/13/2023 |
| Brian Sevchik | Phoenix | AZ | 85015 | US | 9/13/2023 |
| David M | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Chrissy Seibel | Phoenix | AZ | 85013 | US | 9/14/2023 |
| Raymond Rita | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Ivy Bryan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jordan Sandler | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Scott Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sean Morgan | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Monica Litt | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Melissa Gitt | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Vanessa Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Morgan Bircher | Phoenix | AZ | 85041 | US | 9/16/2023 |
| Pratiba Rachamalla | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Mark Sidorenkov | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Erin Reese | Phoenix | AZ | 85008 | US | 9/17/2023 |
| Bob Hamer | Phoenix | AZ | 85001 | US | 9/17/2023 |
| CJ Wren | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Lorraine Roberts | Rocky Poin | NC | 28457 | US | 9/17/2023 |
| Shyamsharan Prajapati | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Jaiden Dubey | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Shweta ghumre | Phoenix | AZ | 85050 | US | 9/22/2023 |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

ROBERT L. REFUERZO
3831 E HERRERA DR
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Robert Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Ross Dunpeno
ROSS
3929 E Herrera Dr

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Ameen Salfi

3459 E. Navigator Lane

Phx, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

SHEREEN SARWAT
22822 N. 39TH RUN
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Scott A. Sas

Scott A. Sas

3839 E. Daley Lane

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 1:09:13 AM

| **Name** |
| --- |
| Emily Schaefer |
| **Email** |
| emily.schaefer@me.com |
| **Address / Neighborhood (Optional)** |
| Tatum Village |
| **Support Comments** |
| Support of sprouts or Safeway |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Jigar Shah

22306 N. Fremont Rd.
Phoenix, AZ 85050

what happened to the library plans?

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Sam Tacheny
3760 E Expedition Way
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Margaret Thorstenson
3821 E Cielo Grande Ave
Phoenix, Az 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

David Walgvick
3823 E Daley Ln

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Cadence Writing
3951 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Wieslawa Floyd
Wieslawa Floyd
3957 E. Herrera Dr
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 6:02:40 PM

---

**Name**

Fan Wu

**Email**

wufan1026@gmail.com

**Address / Neighborhood (Optional)**

4723 E Parkside Ln

**Support Comments**

I am writing the comments below to support Vestar's proposal to develop the 20.5 acres of Property located at the southwest corner of Deer Valley Drive and Black Mountain Parkway as a retail shopping center called Black Mountain Village.
I believed the new grocery store will have the following benefit:
1.Local Economic Growth
2.Convenience and Accessibility
3.Community Gathering Place
4.Environmental Sustainability

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

LANCE ZAMORA
22928 E 39th PL
Phx AZ 85050

| | |
|---|---|
| **From:** | mjb cartof.com |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2) |
| **Date:** | Tuesday, July 4, 2023 12:17:10 PM |
| **Attachments:** | image002.png<br>GPA-DSTV-2-23-2.pdf<br>GPA-DSTV-3-23-2.pdf |

Anthony—

It amazes me that the applicant would want to put in a shopping center of that magnitude only 2.5 miles from Desert Ridge. Why isn't the currently designated 2-5 du/ac housing more important than changing the General Plan to provide Commercial?

Marcia Busching

---

**From:** Geno Koman [mailto:geno.koman@phoenix.gov]
**Sent:** Monday, July 3, 2023 3:11 PM
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2)

Attached for your review is an amendment to the General Plan for Phoenix that has been filed:

**DESERT VIEW VILLAGE**
Application **GPA-DSTV-2-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for a Map Amendment to change the General Plan land use designation on approximately 20.5 acres from Residential 2-5 du/acre (20.5 acres) to Commercial (20.5 acres) to allow commercial land uses.

Application **GPA-DSTV-3-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for an amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12, Parcel 12.L.

These applications are proceeding concurrently with a rezoning request (Z-39-23-2) for the same property, approximately 20.5 acres from S-1 (Approved R1-6 and R-2) to C-2 to allow a commercial shopping center.

Please forward your comments prior to **August 22, 2023** to:

**Anthony Grande**
Village Planner
City of Phoenix Planning & Development Department
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611
**602-256-5648**

**anthony.grande@phoenix.gov**

Should you have any questions or concerns, please contact the Planning & Development Department at 602-262-7811.

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:** | Paul Bierbusse |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; marybierbusse@gmail.com |
| **Subject:** | Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School |
| **Date:** | Monday, August 14, 2023 5:05:46 AM |

To: Anthony Grande, Planner, City of Phoenix Planning & Development Department
Cc: Mr. Jim Warring, Councilman – District 2, City of Phoenix

Good morning gentlemen,

My wife, Mary, and I recently purchased a home in the Sky Crossing neighborhood immediately north of the proposed rezoning on E. Deer Valley Drive and Black Mountain Boulevard near Pinnacle High School (Desert View Village GPA-DSTV-2-23-2). We are excited to become active members of the community and have been impressed by how the City of Phoenix has thoughtfully managed development. We understand that the proposed rezoning transitions the parcel from residential to commercial, and while we don't object to the rezoning of the parcel we do have a number of significant concerns.

First, we understand that proposed development plans include the construction of a gas station on part of the parcel – we would like to express our strongest reservations as to the inclusion of a gas station within the final plan given the traffic it is likely to draw, the likely extended hours of operations including intrusive late-night lighting in the area, and the environmental impact. There are nearby stations located both at E. Deer Valley Drive/Cave Creek and at E. Deer Valley Drive/Tatum which should more than suffice to address local demand.

Second, the area already deals with significant traffic challenges associated with ingress/egress to Pinnacle High School. Any rezoning and associated development should be coordinated with the traffic needs of the high school both to mitigate impact to overall traffic flow and to enhance safety in a high traffic area. As development continues north of our community, confident that the AZ-51 access point will only see increased traffic volume – plans should be made to address not only existing traffic due to the high school but increased traffic due to the proposed redevelopment.

Third, we have been made aware of increased random acts of violence associated with late night hours at Desert Ridge Marketplace and we don't wish to see those issues brought closer to our community. Should the rezoning be approved, we would ask that conditions be placed on the hours of operations for tenants to minimize late night traffic to the property (preferably no later than 9pm) and that coordination be pursued with the City of Phoenix Police Department to ensure appropriate police resources are dedicated to the area.

We understand the importance of continued development across Phoenix and believe that reasonable accommodations can be made that both permit development while addressing resident concerns. Thank you for providing us the opportunity to voice our concerns.

Warmest regards,

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

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**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 7:26:32 AM

---

**Name**

RICHARD STARR

**Email**

rtstarraz@hotmail.com

**Address / Neighborhood (Optional)**

FIRESIDE

**Support Comments**

There is an existing parking problem at Pinnacle HS that needs to be solved before the development of retail center. At 6pm last night, there were 200 overflow cars in desert on future retail center site. AZ State Land, PVUSD and possibly retail developer need to solve problem first. Perhaps retail center purchases extra 5 acres and delivers to PVUSD west of retail?

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:34:20 PM

| **Name** |
| --- |
| Susan Babendure |
| **Email** |
| susiebabendure@gmail.com |
| **Support Comments** |
| Need to know info |

**ATTACHMENT C**

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

# ADDENDUM A
## Staff Report: GPA-DSTV-3-23-2
September 20, 2024

| | |
|---|---|
| Application: | GPA-DSTV-3-23-2 |
| Owner: | Arizona State Land Department |
| Applicant: | Ryan Ash, Vestar |
| Representative: | Stephen Anderson, Gammage & Burnham |
| Proposal: | Amendment to the Desert Ridge Specific Plan Section 6.C.5.Superblock 12 to facilitate commercial development |
| Desert View Village Planning Committee Meeting Date: | October 3, 2023<br>October 1, 2024 |
| Staff Recommendation: | Approval, as shown in the recommended text in Exhibit A |

On October 3, 2023, the Desert View Village Planning Committee heard this request and recommended denial by a vote of 7-2-1. On November 2, 2023, the Planning Commission heard this request and recommended a continuance to the January 4, 2024 meeting by a vote of 9-0. On January 4, 2024, the Planning Commission heard this request and recommended a continuance to a date uncertain and remanded the case back to the Desert View Village Planning Committee for reconsideration by a vote of 7-0. The applicant has since submitted revised amendment language to the Desert Ridge Specific Plan to address community and committee concerns by limiting the size of any single retailer to 65,000 square feet and prohibiting gas stations. Staff recommends the revised Desert Ridge Specific Plan amendment language, as shown in Exhibit A.

In addition, since the staff report was published on September 26, 2023, staff has received 127 letters in opposition and 283 letters in support, which are attached as an exhibit.

**Exhibits**
A: Proposed Amendment Language (2 pages)
Community Correspondence (545 pages)

**EXHIBIT A**
**GPA-DSTV-3-23-2**
Amendment to the Desert Ridge Specific Plan Section 6.C.5.Superblock 12 to facilitate commercial development at the southwest corner of Black Mountain Boulevard and Deer Valley Drive

Staff proposed language that may be modified during the public hearing process is as follows:

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Pages 6-45 to 6-46 as follows:**

**SUPERBLOCK 12**

Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

**Size:** ~~136~~ 133.41 acres
**Maximum Number of Dwelling Units:** 347
**Average Density:** 2.55 du/ac

**12.L – Development Parcel 12.L**

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**
- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

**Special Requirements (Modifying City Regulations):**

- No attached single-family units; no multifamily units.
- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

**Recommendations:**

- Clustering permitted subject to minimum lot size.

**12.C – DEVELOPMENT PARCEL 12.C**

**SIZE**: 20.52 ACRES
**USES PERMITTED**:

- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED BELOW.

**MAXIMUM NUMBER OF UNITS**: **90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

**SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):**

- ~~**LARGE SCALE COMMERCIAL RETAIL IS PROHIBITED.**~~ **MAXIMUM GROSS LEASABLE AREA FOR ANY INDIVIDUAL RETAIL TENANT/USER (E.G. GROCER) SHALL NOT EXCEED 65,000 SQUARE FEET.**
- **AUTOMOBILE SERVICE STATIONS ARE PROHIBITED.**
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- ~~**AUTOMOBILE SERVICE STATIONS ARE PROHIBITED, UNLESS ACCESSORY TO A GROCERY STORE.**~~

**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**

- High school

**Potential Zoning to be Applied:** R1-8

***

# OPPOSITION

| | |
|---|---|
| **From:** | V H |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | OPPOSE rezoning of deer valley road and black mountain blvd |
| **Date:** | Tuesday, September 26, 2023 9:45:01 AM |

Re: **OPPOSE** Black Mountain Village/Superblock 12

Hello,

There is extreme frustration from local residents and homeowners regarding the request to rezone the parcel on the southwest corner of Deer Valley Rd and Black Mountain Pkwy (north of Pinnacle high school) proposed as Black Mountain Village.

As a homeowner in Sky Crossing, I purchased my home knowing that the parcel is residential. If it's rezoned strictly for monetary greed, there will be a host of issues that cannot be prevented such as increased traffic, homeless population loitering, vandalism, poor air quality, light pollution, litter, noise pollution, etc. In addition, residents already have to endure severe traffic issues from Pinnacle high school. If this corner becomes commercial, parents will park and pick their kids up in the parking lot. This cannot be prevented. I've lived with this exact issue in a previous neighborhood and it's awful to try and get gas, shop, or navigate the parking lot.

Not only should this not be rezoned, but the city of Phoenix needs to look into the false rumors and propaganda that is being promoted by Vestar Development. This company and their attorneys have created online petitions and facebook groups that falsely advertise support for the rezoning. In addition, Vestar actually sent local residents emails stating there will be a new grocery store in this parcel when in fact, it's not even zoned for it yet. No matter how the attorney's at Vestar spin their request, they cannot guarantee a particular grocery store or other tenants in the proposed area. Their propaganda uses phrases such as "walking village" or "decrease desert ridge traffic" to intentionally mislead residents who will be directly impacted by the rezoning.

Unethical and disrespectful behavior from Vestar and their attorney's should cause city planners to pause. Please listen and respect homeowners and residents and deny this rezone request. This shady behavior supports that Vestar doesn't care which type of store or gas station goes into this property, but they are all about the money.

PLEASE deny and stop this request. I urge you to respect the homeowners disapproval and desire to keep the area as originally planned which is single family residential.

Thank you for your time!

Vicki Hanley

| | |
|---|---|
| **From:** | Kim |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to case number SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Tuesday, September 26, 2023 4:31:45 PM |

Good Afternoon Anthony Grande,
I am currently writing to you in response to a recent request to have the zoning to the above case numbers altered.
As a resident of the community this directly impacts, I strongly disagree with a change to this zone.
There are several reasons a commercial property would adversely affect the area in regards to property value, proximity of school zones, public safety, community and lifestyle of the neighborhood.
This area was planned and sold to residents as a community super block, not for commercial use. There are plenty of spaces in the area for commercial use and the need to convert this zone is simply not there. I ask that you strongly consider the voice of the people this directly impacts.
Thank you your time and interest in this matter,
Kim Otis

Sent from my iPhone

| | |
|---|---|
| **From:** | Luke Reynoso |
| **To:** | Anthony M Grande |
| **Cc:** | heather; stellastarlucalight@gmail.com |
| **Subject:** | Opposition to Rezoning on Black Mountain Blvd for Vestar Development |
| **Date:** | Tuesday, September 26, 2023 10:23:34 AM |

Dear Mr. Grande,

I am writing to you as both a concerned member of the Desert Ridge community and an advocate for responsible urban planning to express my unequivocal opposition to the proposed rezoning on Black Mountain Blvd. This rezoning, aimed at facilitating Vestar's plans for a new grocery store, gas station, and drive-thru fast-food establishment, raises serious issues that conflict with the original intentions for land use within our community.

Desert Ridge Marketplace and City North serve as commercial hubs specifically designed to meet the needs of the Desert Ridge community. Introducing another commercial area within the neighborhood would not only be redundant but would create an unreasonable variance from the initial planning objectives for our community. This form of development would disrupt the balance between residential and commercial zones, adversely affecting the quality of life for residents.

Additionally, it's critical to consider the existing traffic issues exacerbated by Pinnacle High School. With thousands of students crossing the streets daily, the potential influx of vehicles entering and exiting the proposed Vestar establishments would invite further hazard into the lives of these young individuals. To endorse such a plan, in light of these concerns, would be nothing short of legislative malpractice.

Furthermore, I find it disconcerting that Vestar has initiated an aggressive social media campaign to garner support for their project. Using significant financial resources, they are presenting this rezoning and subsequent development as beneficial for the community, which is misleading, to say the least. I urge you to recognize this campaign for what it is: a manipulative tactic designed to gain support for a project that is clearly not in the best interest of the people it purports to serve.

I implore you to consider the will of the community and the adverse implications this rezoning would inflict upon it. By opposing this rezoning request, you will be granting us the victory we seek in preserving the integrity of our community and protecting the welfare of its residents, particularly our youth.

Thank you for your attention to this matter. I anticipate your thoughtful consideration and favorable decision in upholding the original planning ethos of the Desert Ridge community.

Sincerely,

Luke Reynoso
Owner, Law Office of Luke Reynoso, PLLC

I have CC'd my 14-year-old daughter, Stella

Luke Reynoso, Esq.
LL.M. in Taxation
Law Office of Luke Reynoso, P.L.L.C.
www.trustlawaz.com
Phone: (480) 306-6738
Fax: (480) 306-7706

**SCOTTSDALE OFFICE**
**(and Mailing Address)**
14300 N. Northsight Blvd.
Suite 203
Scottsdale, AZ 85260

**MESA OFFICE**
4140 E. Baseline Rd.
Suite 101
Mesa, AZ 85206

**PEORIA OFFICE**
14050 N. 83rd Ave.
Suite 290
Peoria, AZ 85381

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| | |
|---|---|
| **From:** | depiazzaw@aol.com |
| **To:** | Anthony M Grande |
| **Cc:** | Eric Molenaar |
| **Subject:** | No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Wednesday, September 27, 2023 4:33:38 PM |
| **Attachments:** | Vestar Black Canyon Village Proposal 9-21-23.pdf |

Dear Mr. Grande:

I am resident of Fireside Community since 2013. Our house is divided between the development of Black Canyon Village. My wife likes the idea of having a "better" grocery store as the anchor of the platform that Vestar is proposing. The grocery store of choice would be Signature Fry's. I am on the other hand, opposed to the development because of the traffic and the probability of students loitering and causing mischief within a small, confined area.

I have sent my concerns to Eric Molenaar, the Fireside Community Manager with the attachment. In my email to Eric, my thoughts are if, Vestar is going to invest in the Desert Ridge Community then Vestar should develop the full parcel, not just the area between 34th Street, Deer Valley, Mayo Blvd and of course, N Black Canyon Blvd.

Here are my concerns with pictures in the attachment:

- Pinnacle High School (PHS) only supplies enough student parking for seniors.
- PHS students are being dropped off and picked up by parents in the morning and afternoon.
- Parents of PHS students are coming off HWY 51 exit, Black Canyon Blvd making right-hand turns onto Mayo Blvd in the morning is overwhelming.
- Parents of PHS students picking up their sons & daughters in the afternoon (2:00pm- 2:45pm) are parking illegally on E Mayo Blvd between 34th St and N 36th Street (Copper View sub-division).
- Parents are parking illegally in the Copper View sub-division causing massive confusion on N 36th Way exiting onto Deer Valley. I spent close to 20 minutes trying to get onto Deer Valley heading east. A student was observed sitting on a wall in a neighbor yard.
- Students have been observed crossing into the Copper View area from Black Canyon Blvd, cutting across the water retention area onto N 36th Street where the parents are waiting to pick them up.
- If Vestar is granted the zoning change they should be held to add the following amenities to the project:
    - Be required to add a sidewalk from Black Canyon Blvd to the end of 34th Street.
    - Be required to add a color 6'- brick wall between the street across from the school property and the commercial pad, thus preventing vandalism or loitering behind the businesses. The wall should be extended a distance that extends the closest to a building lined with Black Canyon Blvd.
    - Mayo Blvd should be extended west beyond 36th Street to Deer Valley providing another exit for cars driving past the school.
    - The pie shape area between 36th Street and Deer Valley should be developed either

by Vestar or the school for extra parking, or a drop-off or pick up area.

For reference back in October 2022, I had an emergency health issue where I was taken to Abrazo Hospital across street from Paradise Valley Hugh School (PVHS). We tried to get into the parking lot, and it took 10-minutes because parents were picking up kids in front of the Medical Offices on Bell Road or driving into the multi-tiered parking structure. For reference I have included pictures of students leaving PVHS.

I will be at the meeting on October 3rd. Thanks for your time.

Regards,

Bill

William De Piazza
W & M Direct Sales and Marketing, LLC
21609 N 39th Terrace
Phoenix, AZ 85050

Business email: bill.depiazza@wmdirectsales-marketing.net
Personal email: depiazzaw@aol.com

(M) 1.818.741.8758

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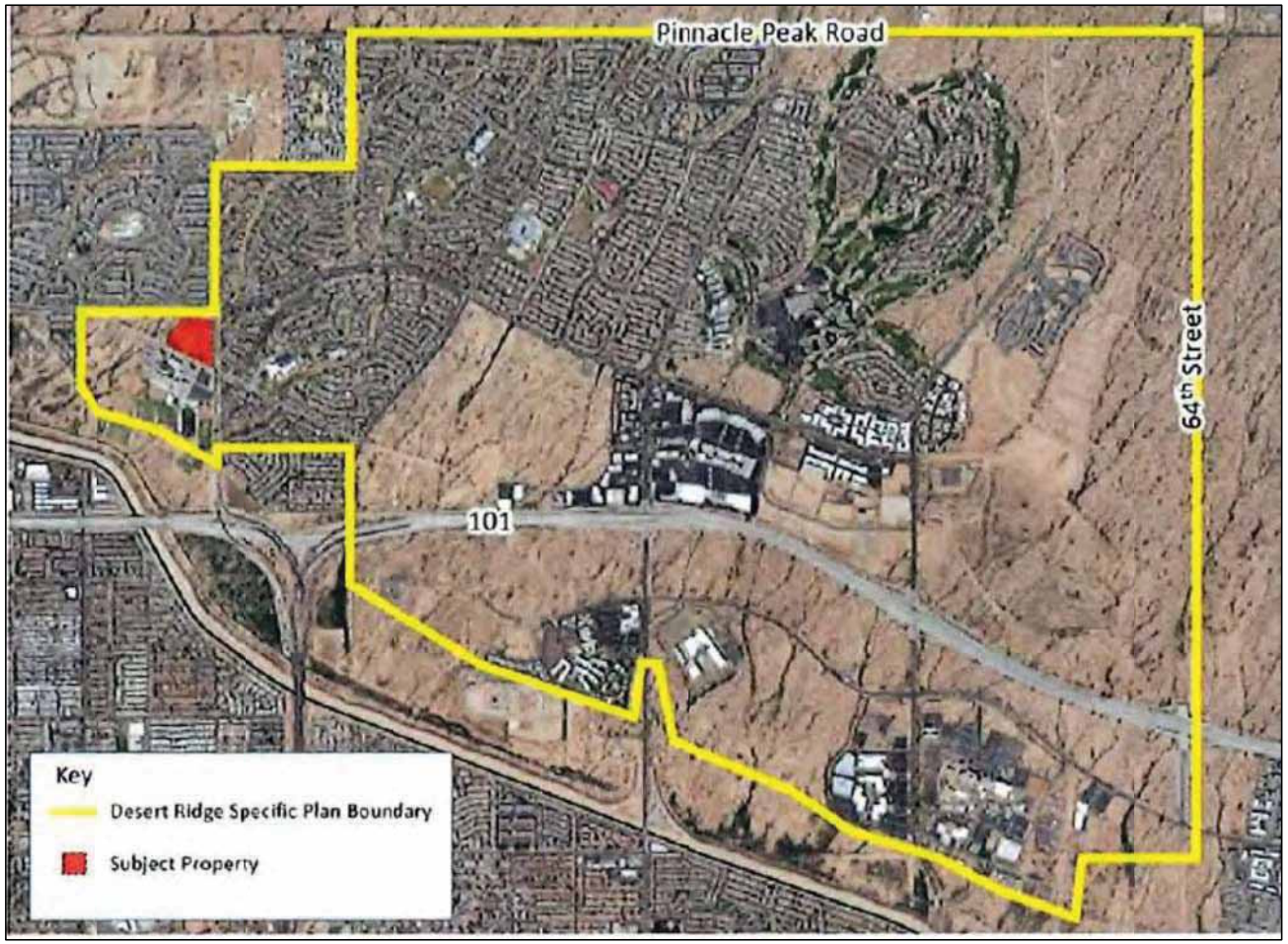


**Vestar is proposing a 20.52acre property as a retail shopping center called Black Mountain Village. The description is, "neighborhood grocery store with inline retail opportunities" with potential restaurants, with low impact.**

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**9/22/23 – submitted by Bill De Piazza (818-741-8758**

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**



2:15pm - N 36th Pl



2:15pm - N 36th Pl



2:15pm – E Mayo Blvd

Commentary: Pictures shows parents waiting to pick-up students after school on side streets and E Mayo Blvd

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**









2:30pm - Intersection Black Canyon Blvd & E Mayo Blvd looking westward. The subject property is on the right.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**







2:30pm - according to a security officer the senior student parking area is empty after 11:30. Parents are allowed to enter and park to pick up the students, but they prefer to park on the street or on the dirt property because its easier to leave. Apparently, there are only two exits both have long waiting lines to leave.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**





Students crossing E Mayo Blvd and Black Mountain Blvd to find their rides at 2:23pm





2:30pm E Cat Balue Drive off N 36th St – the cars leave via Cat Balue to Deer Valley which allows a right & left turns

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**



8:00am Mayo at Black Canyon



8:00am Mayo at Black Canyon



8:00am Mayo at Black Canyon

The above photos are cars turning off Black Canyon Blvd onto E Mayo Blvd dropping off children that are attending Fireside Elementary School. There is little traffic control, cars are frustrated waiting to turn onto Lone Cactus Drive at the risk of colliding with other cars or walking adult pedestrians in the cross walk. This situation also exist in the afternoon. Even though the street is lined with traffic signs that alert, “No Stopping Permitted”

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**

REFERENCE – PARADISE VALLEY HIGH SCHOOL located on Bell Road. Purpose of these pictures is to demonstrate how a high school in a mix use environment creates potential problems. The high school is across the street from a hospital and office buildings with commercial types of businesses on both sides of Bell Road. These pictures were taken between 2:15-2:30pm.







Bell Road and Medical Buildings & Hospital – NO RETAIL or RESTURANTS in this area between 38th Street & N 40th St

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**











Bell Road and Medical Buildings & Hospital – NO RETAIL or RESTURANTS in this area between 38th Street & N 40th St parents picking up students, park in both the garage and the outside parking lot for the hospital and medical bldg.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**






Reference Paradise Valley HS 2:30pm – students going to retail businesses waiting for rides from parents

**Notice Desert Ridge Homeowners:**
Gammage & Burham, legal representation for Vestar Development, informing homeowners of the three amendment requests below as they are looking to **rezone a section of Superblock 12 from residential to commercial property.** If you wish to voice your opposition or support to the below rezoning amendment requests, please contact Desert View Village Planner Anthony Grande using his email address below as Mr. Grande is responsible for compiling the communications received for this case. Please also remember to include the case numbers within your email communications so that these are saved correctly. I have listed the scheduled public hearing meetings within this communication as an additional option to participate.

# REFERENCE PAGE_1 of 2

**Anthony Grande, Desert View Village Planner**
anthony.grande@phoenix.gov
**(602) 256-5648**

Please remember to include the case numbers listed here within your correspondence:
**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

For any questions relating to the possible commercial development of this parcel, please contact:
Michelle Santoro, Senior Land Use Planner, Gammage & Burnham Law representing Vestar Development
msantoro@gblaw.com

# REFERENCE PAGE_2 of 2

**General Plan Amendment Request (Case No. SPA-DS1 V-2-23-2)**

The General Plan currently designates the Property for Residential 2-5 DU/AC. This amendment is to modify the designation to Commercial in order to allow for the development of a retail shopping center.

**A. Desert Ridge Specific Plan Amendment Request (Case No. CPA-DSTV-3-23-2)**

Development Parcel 12 is designated for residential uses in the Desert Ridge Specific Plan with a specific use list and development standards identified within the Plan. This amendment is a request to modify the development parcel regulations to allow for a commercial, retail development on the Property. Upon approval of the Specific Plan Amendment. Parcel 12.C will be created on the Property. The approximate 55.24-acre balance of vacant land at Superblock 12 will continue to be designated for residential development.

**B. Rezoning Request (Case No. 1-39-23)**

The current zoning of the Property is S-1 DRSP (approved R1-6 DRSP, R-2 DRSP), which would allow for the development of residential uses. This amendment is requested to modify the zoning to C-2 DRSP to allow for the development of a retail shopping center.

The following series of public hearings have been tentatively scheduled to allow the community the opportunity to learn more about these requests and make your opinions known.

**Desert View Village Planning Committee (For Recommendation)**
**Tuesday, October 3, 2023, at 6:30 pm**
*Meeting will be held at Paradise Valley Community Center (Multi-Purpose Room), 17402 North 40th Street.*

**Planning Commission**
**Thursday, November 2, 2023, at 6:00 pm**
*Meeting will be held at City of Phoenix Council Chambers (200 West Jefferson Street, Phoenix, AZ 85003) and virtually.*

**City Council**
**Wednesday, December 6, 2023, at 2:30 pm**
*Meeting will be held at City of Phoenix Council Chambers (200 West Jefferson Street, Phoenix, AZ 85003) and virtually.*

**From:** JG Ford
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 27, 2023 3:46:41 AM

---

Hi Mr. Grande,

As a home owner within Fireside at Desert Ridge, I am against this Re zoning and do not support it. Please do not allow this to happen.

Thank you,

Jay Ford

September 4, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of the residents of Sky Crossing Community, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** In proposing the zoning amendment, the developers would like to change the use from residential (2-5 du per acre) to commercial. We believe this proposed change would result in unacceptable levels of risk to health and safety.

If you reasonably estimate 2-4 cars per household for traffic planning, you'd see an increase of 200-400 cars (if 2-4 cars per house, 5 du per acre, and 20 acres) from residential development. The commercial proposal suggests parking for 580 cars and contains 3 access/egress points just off Mayo immediately across from the high school with no provision for safe crossing or pedestrian/bike safety. Further the traffic in this area is already an issue (see enclosed photos). In speaking with the Phoenix Police Traffic Bureau, it is clear they have received numerous complaints about existing safety issues experienced at the intersection of Black Mountain and Deer Valley Roads. The proposed rezoning would only exacerbate these issues.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are unproven and unsupported by the conceptual design, given the proposed rezoning contains no description of how the commercial center will cater to walking and biking. The commercial area has been designed to be reached by cars and commercial pad siting does not reflect a walkable/bikeable "village."

Additionally, it will certainly increase the emissions in the immediate area and this poses unaddressed air impacts for residential neighbors as well as the school. There is no traffic impact or air quality study mentioned. Further it will increase both light and sound pollution in the area. As such, the Sky Crossing neighbors that have signed the attached petition stand against the proposed rezoning and ask that the City reject the developer's application.

Sincerely,

Michael Coppola

847-609 9995

21810 N 31ST ST

PHOENIX AZ 85050

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Sky Crossing neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address |
|---|---|---|
| Connie Rice | Connie Rice | 3232 E. Pike St Phoenix Az 85050 |
| Jim Rice | Jim Rice | 3232 E Pike St Phoenix Az 85050 |
| Lisa Chan | | 2952 E. Crest Ln Phx Az 85050 |
| Lesley Anderson | | 22413 N. 30th St Phx, AZ 85050 |
| Lindsay Austin | Lindsay Austin | 3524 E Crest Ln Phoenix, AZ 85050 |
| Matt Austin | M. A. | 3524 E Crest Ln Phx, AZ 85050 |
| Julia Gordon | JuliaBGordon | 22806 N 55th Street, Phx, AZ 85054 |
| JALTER Reynolds | | 21924 N 33rd Pl Phx AZ 85050 |
| Jenna Reynolds | | 21924 N 33rd Pl Phx AZ 85050 |
| Victoria Thomas | | 3211 E. Louise Dr. Phx, AZ 85050 |
| Rachel Lundeberg | Rachel Lundeberg | 22417 N 35th Pl Phoenix AZ 85050 |
| Ryan Honag | Ryan Honag | 22617 N 35th Pl phoenix AZ 85050 |
| Marlene Zytai | Marlene Zytai | 21918 N 36th St Phoenix AZ 85050 |
| Rachel Haug | Rachel Haug | 3232 E Tina Drive Phoenix, AZ 85050 |
| Mike Haug | Mike Haug | 3282 E Tina Dr Phx, Az 85050 |

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| Printed Name | Signature | Address |
|---|---|---|
| Anthony Ramos | [signature] | 22109 N 31st ST PHX AZ 85050 |
| Christopher Hanley | [signature] | 3118 E. Herrera Dr. Phoenix AZ 85050 |
| Vicki Harley | [signature] | 3118 E. Herrera Dr PHX AZ 85050 |
| STEVE DUCKWORTH | [signature] | 3228 E. PIKE ST. PHOENIX. AZ |
| KATHY DUCKWORTH | [signature] | 3228 E. PIKE ST PHOENIX AZ. |
| Alan Walstad | [signature] | 3516 E Herrera Dr Phoenix AZ 85050 |
| James Casey | [signature] | 22128 N. 34th St Phoenix, AZ 85050 |
| James McDougall | [signature] | 22128 N 34th St Phoenix AZ 85050 |
| Stephanie Brewer | [signature] | 3407 E Sands Drive Phoenix 85050 |
| Deidre Perrin | [signature] | 3319 E Tina Dr. Phoenix AZ 85050 |
| David Cohen | [signature] | 22466 N 30th St, Phoenix AZ 85050 |
| Melissa Schwan | [signature] | 3244 E. Los Gatos Drive Phoenix, AZ 85050 |
| Dennis Miller | [signature] | 2952 E Crest Ln Phoenix AZ 85050 |
| Gina Walstad | [signature] | 3516 E. Herrera Dr. Phoenix AZ 85050 |
| Adam Thomas | [signature] | 3277 E Louise Dr, Phoenix, AZ 85050 |

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| Printed Name | Signature | Address |
|---|---|---|
| Michael Ofjen | | 3018 E. Bryce Lane, Phoenix AZ |
| Christina Ofjen | | 3018 E. Bryce Lane Phoenix, AZ |
| Alexandra Ofjen | | 3018 E. Bryce Lane Phoenix AZ |
| Gabriella Ofjan | | 3018 E. Bryce Lane Phoenix AZ |
| Nicholas Ofjen | | 3018 E. Bryce Lane Phoenix, AZ |
| Amit Mathur | | 3018 E Bryce Ln Phoenix AZ |
| Helana Dayle | | 22811 N 44th Place Phoenix AZ 85050 |
| Timothy Dayle | | 22811 N 44th Place Phoenix AZ 85050 |
| Layla Saikley | | 3658 E. Crest Ln Phoenix. 85050 |
| Darin Saikley | | 3658 E. Crest Ln Phoenix, 85050 |
| Anna Saikley | | 3658 E. Crest Ln. Phoenix 85050 |
| Kathy Nassar | | 2849 E. Sands Dr. Phx 85050 |
| Frank Nassar | | 2849 E. Sands Dr. Phx 85050 |
| Kim Adams | | 21831 N. 33rd St. Phx 85050 |
| Paul Adams | | 21831 N. 33rd St Phx 85050 |

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| Printed Name | Signature | Address |
|---|---|---|
| Michael Coppock | | 21810 N 31ST PHOENIX 85050 |
| Veronica TORRES | | 3327 E Robin Ln Phoenix AZ 85050 |
| Anne Waltz | | 3420 E. Louise Dr. Phx, AZ 85050 |
| JOHN WALTZ | | 3420 E. LOUISE DR. PHX, AZ 85050 |
| Carla Sexton | | 2941 E Sands Dr |
| STEVE WOZNIAK | | 22714 N. 30TH WAY |
| MELISSA WOZNIAK | | 22714 N 30TH WAY |
| Min Yoo | | 22613 N. 33rd Pl, Phoenix 85050 |
| Shin Cho | | 22613 N. 33rd Pl, Phoenix 85050 |
| Ryan Miller | | 21926 N 31st Pl Phoenix AZ 85050 |
| JOCELYN MILLER | | 21926 N 31st Pl Phoenix AZ 85050 |
| MICHAEL BOLDT | | 3436 E LOUISE DR PHX AZ 85050 |
| Suzanne Sawyer | | 21827 North 33rd Street, Phx, AZ 85050 |
| Megan Gagneur | | 3268 E Louise Dr Phoenix, AZ 85050 |
| Justin Gagneur | | 3268 E Louise Dr Phoenix, AZ 85050 |

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If you wish to reach out directly to express your concerns you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address |
|---|---|---|
| NATHAN FRIEDLAND | Nathan Friedland | 22007 N. 34th Way, Phoenix 85050 |
| ILENE FRIEDLANDS | Ilene Friedland | 22007 N 34TH Way Phoenix 85050 |
| SAM ZYTCER | Sam Zytcer | 21918 North 36th St. PHOENIX 85050 |
| PENNY FIELD | Penny Field | 2839 E Robin lane PHX 85050 |
| JOEL FIELD | Joel Field | 2839 E. Robin Ln Phx 85050 |
| JAMES FELTY | J Felty | 3925 E MONONA DR PHX 85050 |
| Jill Felty | Jill Felty | 3925 E. Monona Dr. Phx 85050 |
| VIKAS UPADHYAYA | Vikas | 3561 E TINA DR PHX 85050 |
| Xi Zhu. | | 3005 E Herrera Dr Phx 85050. |
| Shuo Yang | Shuo Yang | 3005 E Herrera Dr Phx 85050 |
| Keling Chen | | 22014 N 28th Pl, phx 85050 |
| Michelle Osborne | | 2908 E Bryce Ln, Phx 85050 |
| Rajesh Vaidya | | 3235 E Harlow Dr, Phx 85050 |
| Taylor Ungever | Taylor Ungever | 21810 N. 31st St. Phx. AZ 85050 |
| | | |

City of Phoenix Planning and Development Zoning Section
200 West Washington Street
2nd Floor
Phoenix, AZ 85003

Date: September 6th, 2023

Subject: Request City Zoning to **DENY** Rezoning Application for Black Mountain Village Project

Project: Black Mountain Village
Rezoning Case: GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23

**Desert View – City of Phoenix Planning and Zoning,**

In 2022, the Arizona Department of Housing identified shortages of over 270,000 housing units across our state. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks. Our well-established community has two schools that educate pre-school and elementary age children within four hundred yards of this proposed project. Families who walk their children to school and value the North Phoenix lifestyle live in this community for the long term. We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates.

When community leaders created the original master plan, they got it right the first time. We have an established need for housing in an already zoned housing parcel; why are we exhausting city resources on entertaining this project that simply does not fit within our community and creates considerable risk for our citizens. In November 2022, Arizona State University - Morrison Institute for Public Policy highlighted the complexity of housing zoning with City of Phoenix officials and reinforced ADOH findings of the real need for housing in our communities. We must simply look no further than two independent state institutions reinforcing the need for housing and the complexities of rezoning. While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, Vestar project and along Cave Creek Road, and HWY 51 south. In every direction we have an abundance of services of all commercial types within one mile. In addition, all these commercial properties have clearly defined real borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. The proposed project brings substantial and unnecessary risks to our community.

As residents living in this community, safety should always be our number one concern. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children under the age of five. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. Increasing transient traffic flow, especially off the high-speed HWY 51 into this area, greatly increases risks for residents, especially our younger children. Countless safety studies for many decades

show that increased traffic leads to increased incidents. Simply there is no compelling argument for this project and only increased risk.

I am requesting City of Phoenix Planning and Zoning to **DENY** this rezoning request and maintain the existing General plan based on the following data driven reasons.

- Identified need for housing across metro Phoenix.
- Safety of our youngest citizens considering two schools are within four hundred yards of the proposed project based on increased traffic to commercial property.
- Already abundant access to commercial services in all directions within one mile of proposed project..

City Planners got this right the first time in the General Plan. Schools, dog parks, walking trails, community soccer fields, and four large housing developments adjoin this property. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.
Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this application and rezoning request.

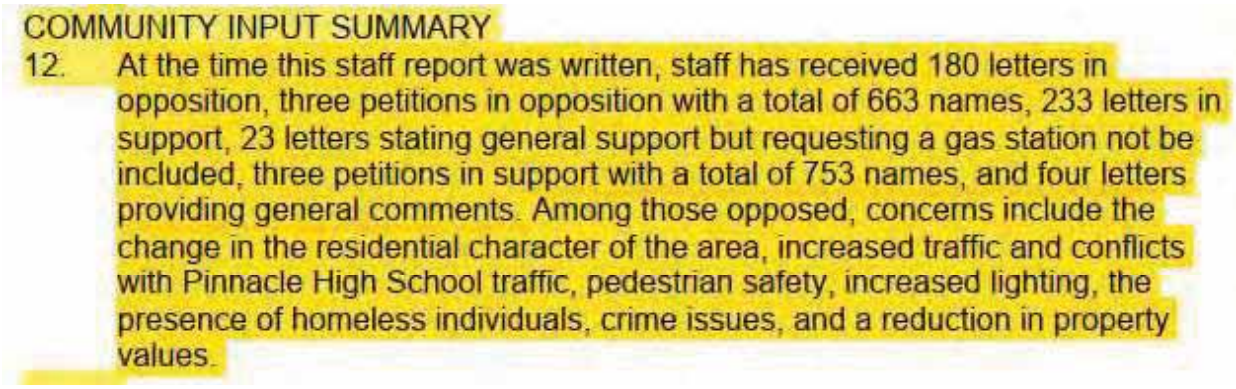
Treye Elzenga
Resident of Desert Ridge

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Case file for Black Mountain Village |
| **Date:** | Thursday, September 28, 2023 4:56:53 PM |
| **Attachments:** | image002.png<br>image003.png |

Hey Anthony,

I was forwarded the Z-39-23 Staff Report and wanted to address a couple of things:

- Quite a few people used the gblaw website to express their OPPOSITION, while the subject line is still stating NEW SUPPORT.
- Every village committee member needs to pay close attention to all of the SUPPORT NOTES. An overwhelming number of them expressed they support a SMALL grocery store and NO GAS STATION. In your COMMUNITY INPUT SUMMARY, you should add a line item mentioning that there are a number of letters stating general support but OPPOSE gas stations. Every one of these expressing both could just as easily been added to the opposition totals.
- The generic support letters printed and brought through Aviano are signature harvested. This is really sad to see. It's just a numbers game to them. People who oppose this development sent you well thought out letters, with some begging you to consider the ramifications this will have on our families and homes.



COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Please share this with the rest of the Desert View Planning Committee prior to next Tuesday.

Thanks,
Dan

---

**From:** Richards, Dan
**Sent:** Monday, September 18, 2023 1:20 PM
**To:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** RE: Compiling the case file for Black Mountain Village

Hi Sarah,

Thank you for your email, regarding this Village Planning Committee case file. Can you please confirm

that emails sent to Anthony are still going to be included in this case file as well? There are several people reaching out to neighbors and making sure they email Anthony and Councilman Waring prior to Sep 22. I will be collecting petitions later this week and will make sure to use the additional email you provided.

Thanks,
Dan

---

**From:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Sent:** Monday, September 18, 2023 11:43 AM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** RE: Compiling the case file for Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

All correspondence received will be included in the case file. The packet will go out to the Village Planning Committee on Friday, the 22nd. Any correspondence received after Friday and before the VPC meeting will be sent to the committee via email.

While Anthony is out you can send correspondence to pdd.longrange@phoenix.gov.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




---

**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, September 18, 2023 11:34 AM
**To:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** Fwd: Compiling the case file for Black Mountain Village

---

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Friday, September 15, 2023 12:01:00 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Compiling the case file for Black Mountain Village

Hey Anthony,

There was a resident from Sky Crossing that mentioned they received an auto reply from your email stating that you will be out until September 25. You mentioned that we should make sure we got letters submitted to you prior to September 22 to ensure they will be added to the case file, prior to the Oct 3 Desert View Village Planning Committee meeting. These emails will still be included in this case file, right?

Thanks,



[strand.com]

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

*Excellence in Engineering℠*

Wouter Roodenburg

Resident Fireside Desert Ridge

21507 N 39th Terrace

Phoenix, AZ 85050

CITY OF PHOENIX

SEP 27 2023

Planning & Development Department

City of Phoenix

Planning and Development Department & City Council

200 W. Washington Street, 2nd floor

Phoenix, AZ 85003

RE: SWC of Deer Valley Drive and Black Mountain Parkway; Minor General Plan and Major Specific Plan amendment request.

To whom it may concern:

I'm writing to you as a concerned resident impacted by the rezoning requests GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Upon reading the Letter of Explanation provide to you by the attorneys of Gammage & Burnham (GBlaw), dated July 16th, 2023 (rev July 10th, 2023), I feel that you should also have the other perspective to the great questions you submitted regarding this proposal.

First and foremost, GBlaw informs you at the end of their letter that *"Vestar has received positive feedback from the **Desert Ridge Community Association**. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated. "*

This statement was completely misleading and unfounded. When we confronted the Desert Ridge Community Association about this statement during their monthly meeting, they claimed that they are "just concerned with applying the CC&R's of the community and cannot be supporting either side of this proposal". Who did GBlaw quote here and in what capacity? It cannot be further from the truth.

Why did the DRCA not run this by the communities it represents? Was this the basis for your committee to decided to move forward? Did the committee assumed that the support was already there based on that statement?

A lot of people do NOT agree with this proposal, it was started under wrong pretenses and now the community has to spend our time fighting this proposal. This should have been stopped at the start

based on the guidelines – which I will highlight later on – of the specific plan and the conflict the site has near 2 schools, affecting the safety of kids going to school. It is NOT in line with the Phoenix General plan to create more residents walking somewhere, NOR do any of the fast food restaurants add to residents getting together, other than queuing up behind each other at all the drive throughs. It will ruin our community and if this passes then developers will continue to expand and try the same thing on other locations. Please stop this now, stick to the plan.

Please bear in mind that there has been zero efforts from any organization to ask our communities what we would like or need. Before this proposal, every resident was under the impression that we have a very detailed specific plan for Desert Ridge which currently perfectly describes what the community will look like once it's finished. That is what people bought into and paid a premium to live in this area.

What you will notice in subsequent events is the fact that GBlaw has started campaigning for support **AFTER** the first public meeting. Our community was getting ads (appendix 2) that created an impression of an innocent small neighborhood grocery store for people to quickly click on, not being informed of the consequences or full plans. Why did GBlaw give you the impression during the letter of explanation that community support already existed?

Giving the push back that you have seen, how much value can be placed on any other answer provided in that letter, other then GBlaw hiding the real intentions of this developer. This developer wants to make it 20 acres and put on a 50,000-100,000 sqft grocery store, fast food restaurants, gas stations, more traffic in our area. It shows complete disregard for our great community and it also conflicts with a lot of the design principles of our specific plan on many levels. Equally deceptive was the highlighting of existing traffic issues at the Desert Ridge Marketplace. Their solution: move all the traffic issues closer to 2 schools full of kids walking to school? Unacceptable.

**What are the alternatives?**

There are no compromises to the current proposal. We (those who voted NO on our petition) do not want 20 acres of commercial on that land. As a planning committee and city council, you should stick to the existing great and specific plan for Desert Ridge. This plan shows these superblock being Low Density Residential.

Perhaps you consider new stipulations in the plan for the next residential builder to take on the unintended traffic issues that have been created over time and possibly create a new drop off route for the highschool using 32nd street and increase the schools parking lots.(Appendix 8).

Or using the Vision Zero plan, approved by the council to use "Safe Route to School" grants to make our drop off areas safer.

Another consideration, which is already mentioned In our community plan, would be building a Library and/or Park and Ride parking lots. That would be a huge benefit to this community, especially considering the fact that is right next to 2 schools. These things make sense.

Ultimately, if people want more choice in grocery stores, then there are pre-approved zones available very closeby. City North also has room for an additional grocery store and currently hosts (a real!) neighborhood Sprouts convenience store. There is is land available on 56th and the freeway also. Plenty of alternatives and good enough to host their proposal, without ruining our neighborhood.

**Further details in response to original the Letter of Explanation.**

I want to continue with my response to address the way these attorneys chose to answer your questions, downplaying the impact it would have and leaving out important details that you should consider and be aware of. They are experts to provide you only with details that they've learned helps getting approvals from you and put the wheels in motion.

They described it as "low impact" commercial development. How do they determine this? They claim there is no final plan. Once approved they can do what they want. AND they're proposing this to be next to an elementary and high school and in the middle of a quit community, which is unacceptable because of the dangers they're introducing to the school and kids. Half-truths are being told.

I would like to select a few of your questions and provide another perspective and have included appendices to clarify my comments.

**Questions Selected:**

*Q3; How many potential housing units would be created or lost by approving and implementing the proposed amendment?*

GBlaw response states : "The benefit of bringing much needed commercial to this area far outweighs the minimal loss of housing from the proposed amendments"

**My Response**: They fail to mention that there are pre-approved commercial zones are only 1 block north of the proposed site along Pinnacle Peak and leave out the fact that City North still has 50% land available, which is adjacent to Desert Ridge marketplace. Why would they need to amend our residential master plan for 20 acres to insert a commercial development when bigger lots are available?
(See Appendix 1)

*Q4: Is there a need for the proposed use(s) or density(ies) in the requested location?*

GBlaw response states: "unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestions and parking issues."

**My Response**: There was never any research done or input requested from residents regarding the impact of the marketplace, nor were we asked what our needs are. This proposal is purely economical and not driven by an identified need. My response would have been that I can confirm traffic congestion caused by drive through restaurants and those will remain and new ones will be created by their proposal.

Their responses continue to emphasis the current traffic issues but their proposal will bring exponential more traffic to our neighborhood due to new (non resident) people now choosing to come off the 51 at Black Mountain blvd to get their groceries that previously went to the marketplace. Children are walking home from Elementary School and the High School are being put at unnecessary risk.

If I was asked for what this community needs, it would be more recreational parks, a promised library, preserve the land for High School expansion requirements to accommodate more students, parking and

a safer route to school and drop off areas around the school. That is what we need, not light, air, noise pollution and gas station or any other shop next to a high school and elementary school. People are also very concerned about the crimes that go along with such a commercial center.

*Q5: What impact would the proposal amendment have on adjacent or nearby land?*

GBLaw states: "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour. The Applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposal development would potentially reduce the number of off-campus trips by car"

**My Response**: The impact will be bad. More traffic, More pollution, More smells, More homeless people on corners, More cars idling, More noises and light pollution into the night.

PLUS Every parent knows that putting temptation in front of teenagers, they will jump on the occasion to skip school, find a way to buy alcohol and cigarettes and create a hangout for these teenagers that will lead to all sorts of trouble, fights and crimes. The school is a closed campus school, so only seniors that are already driving themselves might be interested, but it also highlights their commercial interests in this area and trying to capture this captive audience and provide bad fast food and other bad choices. Nothing safe about their proposal that will benefit High school students.

Secondly, I would highly recommend that you independently meet with the Principal of Pinnacle High School and Fireside Elementary School and they will paint you an entirely different picture and **strongly oppose this development.** Don't take my word for it. Please have someone verify this statement as this was another technique to give you the impression that they reached out with concerned parties and only shared what they wanted to hear. Not their full version and misrepresentation of their opinion. Parents have brought this up with the Principal during various meetings at the start of the school year.

*Q6: How will the proposed amendment affect traffic generation and the transportation system?*

GBlaw states; "Black mountain blvd and Deer Valley drive are both major arterials adjacent to the property. As such, Black mountain village is proposed at an appropriate location"

**My Response**: Notice how short this answer is compared to all the other answers. They are not even directly addressing the core of your question. Great avoiding technique of the hot potato.

See Appendix 1 – the traffic is terrible at the moment, during drop off and pickup times, during rush hour, as drivers trying to avoid the 101 and 51 take Deer Valley and they use all of our community road to take short cuts and therefor causing people speeding on mayo blvd and 40th street to get to where they need to go. With the attraction of gas stations, fast food and grocery stores, more (non resident) people will start taking this route.

*Q8: Community Benefits; How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment? See pages 18-26 in the Phoenix General Plan*

GBlaw States: One of the visions discussed in the PlanPhx 2015 General Plan, is to make Phoenix a "Connected Oasis." Put another way, residents have expressed a desire for the City to have more places at which citizens can connect with one another. This new shopping center in the Desert Ridge area will provide such a place. Moreover, the addition of a retail shopping center that can more conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike and reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment. A reduction is transportation burdens, increased opportunities for exercise and a cleaner environment lead to an overall increase in health and prosperity.

**My Response**: This is pure nonsense as there has ***NOT*** been any survey done about what we want and need or desire. And if they claim this, it can only been hearsay from a few residents close to this project or overheard in an HOA board meeting. Not even our HOA's have done such a survey to gather input from their residents. **GBLaw only started to gather signatures around September, whilst the letter is dated July 1st.**

However, if you know anything about Aviano, Sky Crossing and my community Fireside, then you know **this community is already very connected to their neighbors**, we have long time residents that have seen their kids grow up and go through each of the 3 schools in the area as well as many community events that are organized by paid community directors every month where we all connect with each other. Firework displays paid for by HOA's. Our Halloween celebrations are known throughout Phoenix and we have to block off our streets to accommodate everyone safely.

The proposal is not promoting any of the things they advertise, nor will any of their proposed commercial properties promote any new healthy activities due to the nature of the Gas station, Fast food restaurants and none of the 100,000 sqft grocery stores. They are expecting increased traffic for their tenants to be successful.

Other examples to promote these great goals outlined in your General Plan, are libraries and park areas for our families that will allow coaches to run their practices and young families to have play areas.

*Q9: How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?*

GBlaw states: "The proposed amendments will advance the land use principles in the Desert View Village Character Plan and the Desert Ridge Specific Plan. The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. The first is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires

impact-mitigating features when new nonresidential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors."

**My Response**: These design principles should simply state –

1) **DO NOT BUILD COMMERCIAL PROPERTIES NEAR HIGH AND ELEMENTARY SCHOOLS DUE TO KNOW RISK AND SAFETY ISSUES THESE TYPES OF PROJECTS BRING**, especially if there are pre-approved commercial zones already available in the same vicinity. The buffering that is mentioned is a small walk for anybody, so claiming the design being "away" from the public school is just putting lipstick on a pig.
2) **DO NOT BUILD COMMERCIAL PROPERTIES IN THE MIDDLE OF 3 RESPECTABLE COMMUNITIES DUE TO THE TRAFFIC AND CRIMES THESE TYPES OF PROJECTS BRING.** The grocery will be giving access to alcohol and tabacco near the schools. The gas stations will bring homeless people
3) **THERE NO IMPACT MITIGATING FEATURES INCLUDED FOR NON RESIDENTIAL USES.** In fact, the viability of this commercial proposal is counting on non residents to start visiting this area.

It will also affect the image of Pinnacle High School, which is putting a lot of effort into increasing their image and provide superior education and is seeing increased enrollment numbers. This include the fact that schools are graded on their students attendance and Tardiness. Having this development next door will most certainly impact their school standings today.

*Q10. Additional comments as appropriate*

GBlaw states: Vestar has received positive feedback from the Desert Ridge Community Association. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated.

**My Response:** These additional comments are possibly based on the opinion of 1 person within the Desert ridge HOA board. There will be no evidence to support these statements. In fact, every HOA meeting GBlaw has attended after the initial public hearing, has been met with more opposition. There is ZERO EAGERNESS by this community, demonstrated by all the emails you have been receiving on this proposal and further strengthened by the votes on our petition and people that have or will be speaking at the public meetings. (Appendix 5)

But first and foremost, the opposition to this proposal underlines that this proposal might be a classic bait-and-switch and they assumed this would slide under radar of this community. They were wrong.

**PETITIONS / Social Media / Advertising:**

In response to various ads and website activity by Vestar and GBlaw, our community has setup our own website ( https://defenddesertridge.godaddysites.com/ ) and our Petition on Change.org and Hand written signature petitions to make sure that we are not undercut by this corporations tactics to show support. Residents cannot match their corporate budget and social media skills, but we hope that you see that efforts were made on our side and that it should be weighed more.

ALL of their activity to back up their statements, are DATED AFTER their "Explanation Letter", thus the statements and references made to our community's eagerness for this, has been vastly overstated.

We have since also seen various ads show up on our Facebook and other social media platforms ( Appendix 2) that paint a "dream" appealing to a random public that this is a neighborhood grocer, when the fact is that it could be 50,000-100,000 sqft grocer. This is never mentioned anywhere. A gas station is never mentioned anywhere. The audience they target could be outside of Desert Ridge.

Other ads lead to a petition on Change.org, which in turn has a link back to the GBlaw website in order to submit support emails. (Appendix 3 & 4)

- There is NO Validation where these emails are coming from.
- There is NO Validation whether any of the submissions are coming from automated software
- There is NO Validation – if they were real people – where they live and even part of desert ridge
- They're sharing very little information about the full scope of the project.

**IN CONCLUSION**

I'm completely blown away by the amount of effort that these attorneys and developers put behind their proposals in order to ruin neighborhoods, endanger school areas, and negatively impact sought after communities for their profits.

There is no eagerness in this community and online petitions and handwritten signatures underline that this proposal was based on misinformation and not substantiated by any research of community needs.

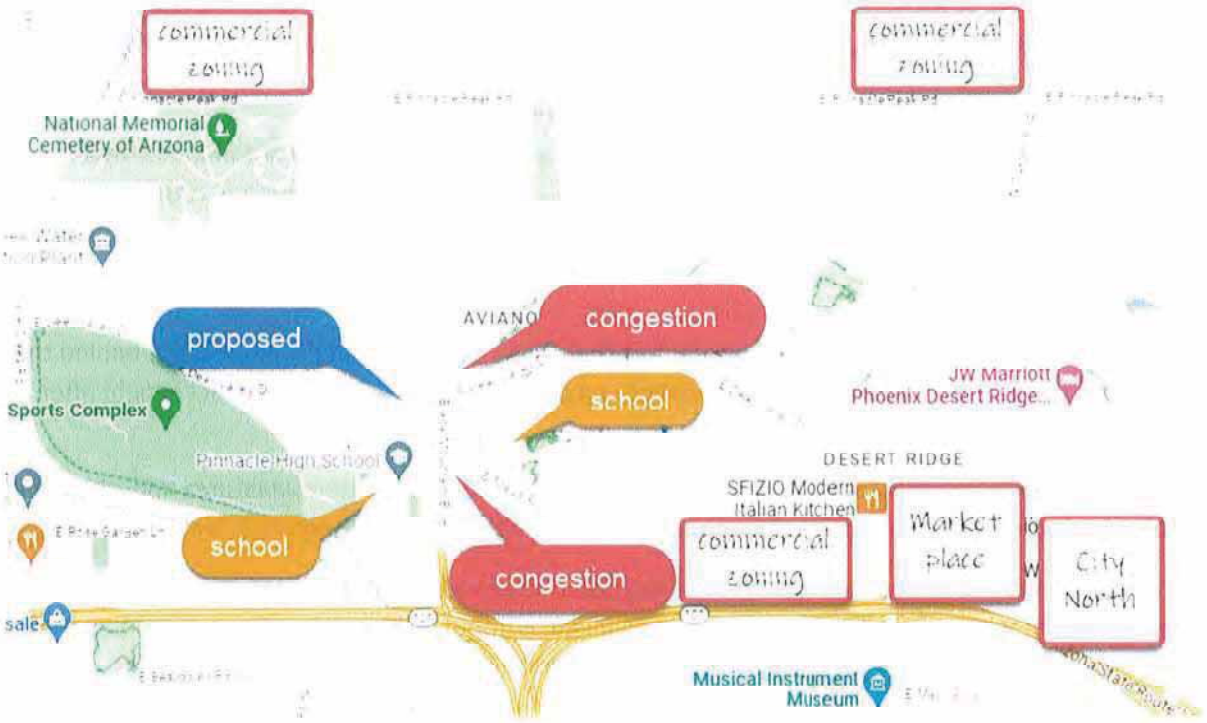
I sincerely hope that the City Planner, City Planning Committee and City Council will see this development for what it is and oppose the zoning change, **without compromise**. There is nothing that will be accepted by this community, other than the current zoning.

Please decline the entire proposal in all its forms and keep the residential zoning as it is, or pro-actively work with our community directly to find a more valuable use for this land around Pinnacle high school and near our 3 communities and stop any incoming future proposals immediately.

Sincerely,

Wouter Roodenburg

APPENDIX 1: TRAFFIC CONGESTION and COMMERCIAL ZONING



APPENDIX 2 – FACEBOOK ADS

They are misrepresenting the full plan of this proposal in order to get people to vote for this.



APPENDIX 3 GBlaw submission form and petition Link

## Why this petition matters

Started by New Grocer

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center. We believe that such a development will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

A well-planned and community-oriented development of this kind will also add significant value to our neighborhood without compromising its unique character.

Please **follow this link** to let city leaders know you support more grocery options.



APPENDIX 4 – Gblaw petition: BRING NEW GROCER petition (per 9/19/23)

https://www.change.org/p/help-bring-a-new-grocer-to-desert-ridge-please-sign-our-petition

This was started in September, a full 2 months after the letter of explanation was send.

# Help Bring A New Grocer To Desert Ridge. Please Sign Our Petition.




Started September 1, 2023

220 Signatures

500 Next Goal

Support now

## Sign this petition

Defend Desert Ridge

I'm signing because... (optional)

Display my name and comment on this petition

Sign this petition

## Why this petition matters

Started by New Grocer

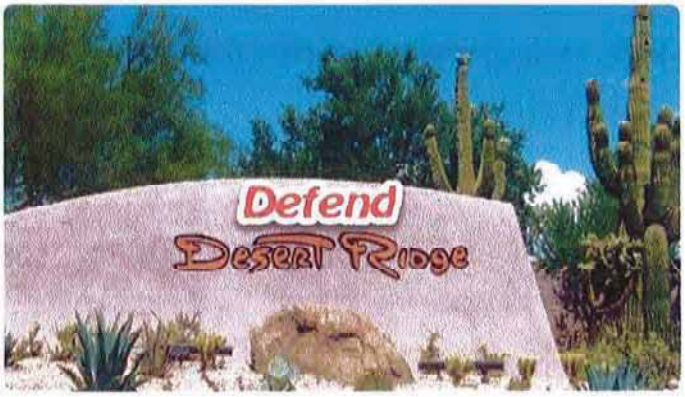
A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

APPENDIX 5 – RESIDENTS PETITION : Oppose Commercial rezoning in Desert Ridge

https://www.change.org/p/oppose-commercial-rezoning-in-desert-ridge

So far we have TWICE the support to oppose the proposal, excluding written signatures.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

408 Signatures

500 Next Goal

402 people signed this week

Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

## Why this petition matters

Started by Defend Desert Ridge

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

APPENDIX 6 Desert Ridge Specific Plan – Current Plan around 3 acre neighborhood centers

NOTE: I thought it would be helpful to include these chapters around the original intent of neighborhood convenience commercial.

1) Convenience commercial NOT more then 3 acres max
2) Neighborhood convenience store can be 5000 sqft max (see site design) NOT 100,000
3) Away from Arterial streets
4) No Drive Through
5) Only Beer/Wine allowed

*Neighborhood Unit Concept as the Basis for Community Design*

One of the principal problems of our sprawling western cities is the lack of connection residents feel to each other, and any sense of identification with the population at large. Desert Ridge is structured to build in a strong sense of identification and orientation.

Each neighborhood superblock generally consists of one square mile of residential uses. At the heart of most superblocks is a neighborhood park, an elementary school and no more than 10,000 square feet, excluding child care facilities, of neighborhood convenience commercial uses on a minimum of one acre and maximum of three acres. The convenience commercial uses are intended to be very limited in size, yet provide a range of necessary goods and services. They will be located internal to superblocks, at least 600 feet from arterial streets, so as to be accessible only from the internal collector road system and from a pedestrian path system. This location will present an opportunity to reduce the number of potential automobile trips taken for convenience shopping purposes. Potential neighborhood convenience centers are illustrated on Figures 7 and Figure 8. *1

The relationship between the convenience commercial, elementary school and neighborhood park uses will require special attention to inherent conflicts between and among these uses (e.g. school children and park users with vehicular traffic). As a rule, the convenience center will be located a minimum of 300 feet from any school uses. There should be no commercial development located adjacent to elementary schools. Possible relationships between these uses are illustrated on Figures 9 and Figure 10. *1

A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development. *1

Depending on each residential development, a neighborhood could include a small community center, a swimming pool, tennis courts and other recreational facilities. These recreational facilities may be located in all superblocks. These facilities may be developed in conjunction with local subdivision associations. Child care facilities, however, will be located in all but three of the smallest superblocks. Each neighborhood is designed to be developed independently, encouraging individual character and identity; a range of housing densities is included in each neighborhood, allowing for a healthy economic mix. Provisions should be made for housing for the elderly and retired persons, as well as persons living in assisted care facilities. *1

The neighborhoods are bounded and served by major arterial boulevards, with collector streets accessed from the boulevards occurring at no less than one quarter mile intervals. The local streets will loop through residential areas creating a neighborhood character. No shortcuts between arterials through the neighborhoods will be found, discouraging any traffic other than local.

The majority of residences will be within a five to ten minute walk of the local park, elementary school and neighborhood convenience commercial uses in most superblocks. A system of pedestrian/bicycle paths along the wash corridors will meander through most neighborhoods, providing direct linkage to the neighborhood center, encouraging walking and reducing dependence on the automobile for local trips. Children will, in most cases, be able to walk to their elementary school on paths within wash corridors without ever having to cross an arterial street. Each neighborhood will feel pedestrian oriented, encouraging a sense of community among residents. *1

## C.3 Convenience Commercial Uses

### C.3.A General

Most residential superblocks have neighborhood convenience commercial centers. These centers are planned to be located in proximity to the elementary school, and neighborhood park within each superblock as presented in Chapter 5. These centers are located internal to superblocks at least 600 feet from an arterial street, so as to be accessible only from the internal collector residential loop road system and from the pedestrian trail system within the wash corridors. This presents an opportunity to create a self-sustaining community within a superblock thereby reducing the number of potential automobile trips taken for convenience shopping purposes.

The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and are not intended to serve a population outside the superblock boundary. The maximum total acreage for neighborhood retail uses, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, shall be three (3) net acres, while the minimum acreage will be one (1) net acre.

### C.3.B.2 Modified City of Phoenix Regulations Imposed by this Specific Plan.

a. Minimum Lots Size/Maximum Lot Size

The minimum lot size shall be one (1) acre exclusive of street rights-of-way. The maximum lot size shall be three (3) acres exclusive of street rights-of-way.

b. Maximum Building Area

Maximum of 10,000 square feet of gross leasable floor area per superblock, exclusive of floor area required for one child care facility per superblock (in other words, the child care facility may be in addition to the 10,000 square feet of gross leasable area); no more than 7,500 square feet of gross leasable floor area per superblock devoted to convenience market retail uses. The convenience parcel must be landscaped similar to the surrounding area until development of the parcel occurs. *2

c. Permitted Uses:

Only the following uses are permitted in this district:

- Child Care Center
- Dry Cleaner/Laundry outlet, not plants +2
- Convenience Market (selling and display space for beer and wine shall be limited to a maximum of 15% of total selling space) +2
- Delicatessen or other sales of prepared food limited to maximum of 1,000 square feet exclusive of outdoor dining areas *2
- Bakery, retail sales +2
- Beer and wine sales only, no hard liquor sales
- Beauty/Barber Salon
- Video tape rentals as part of convenience market.
- Florist
- Pharmacy
- Shoe Repair
- Booksellers and Rentals, except adult bookstores +2
- Candy Shops/Confectioneries, retail sales +2
- Gift Shops/Novelties/Stationers, retail sales +2
- Hobby Goods Stores +2

- Ice Cream Shops **+2**
- Picture Framing, custom **+2**
- Residential Office **+9**
- Travel Bureau **+2**
- The Boys and Girls Club **+10**

d. Prohibited Uses:

Other than the uses listed above as permitted uses, all uses are expressly prohibited including the following:

- Mechanical or electronic video games or arcade - type devices for amusement purposes.
- Drive-through uses
- Sales of package liquor other than beer or wine.

e. Maximum Building Height: 1 story not to exceed 20 feet

f. Minimum Building, Parking Lot, and Setbacks: 25 feet away from any property line and/or right-of-way line. **-2**

g. Parking requirements: One stall per 300 square feet gross building floor area, or per City Ordinance. **+2**

h. Signage

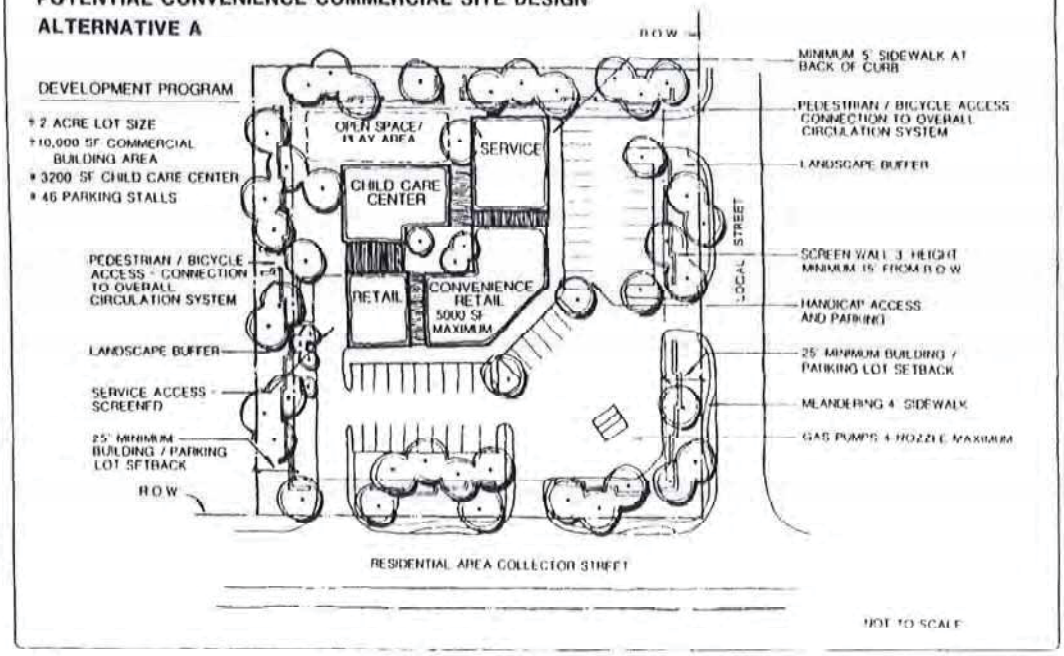
1. Temporary signage

   Signage will be developed during a subsequent planning stage. See Appendices

2. Permanent Signage

   Signage will be developed during a subsequent planning stage. See Appendices.

## POTENTIAL CONVENIENCE COMMERCIAL SITE DESIGN
## ALTERNATIVE A




DESERT RIDGE NORTHEAST HOUSTON PARTNERS

BRW

Appendix 7 – Desert Ridge Specific Plan – Public Facility Plan

This chapter describes the provisions for public facilities like Ride-and-Go and Libraries

These are currently in the planning and would increase our sense of community.
What if a Planning Commission would decide to put library next to 2 schools for kids to go to.
What a great concept and it fits right into the goal of bringing a neighborhood together.

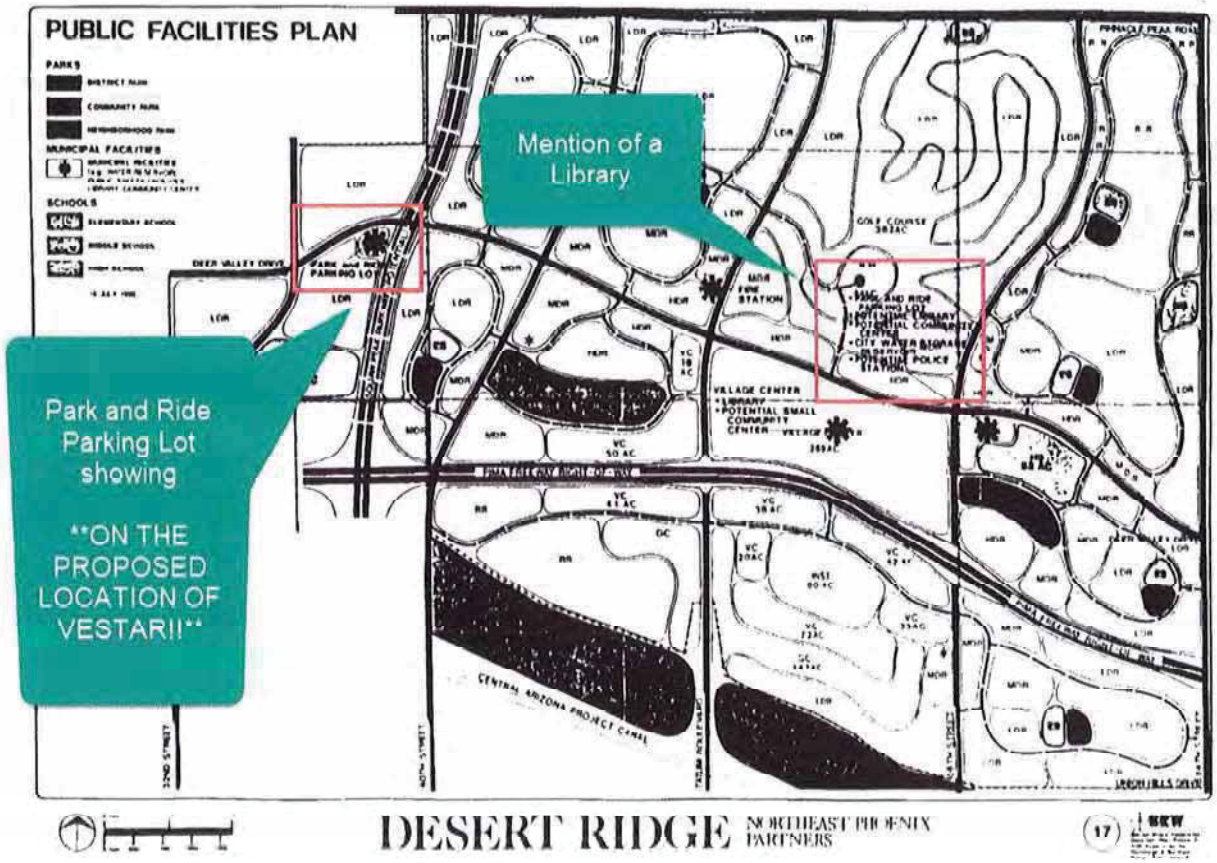
Also – please note that in this version of the plan, a Park and Ride parking lot is showing on the proposed site. Why wouldn't we want to do that and execute the plan.

## F. PUBLIC FACILITIES PLAN

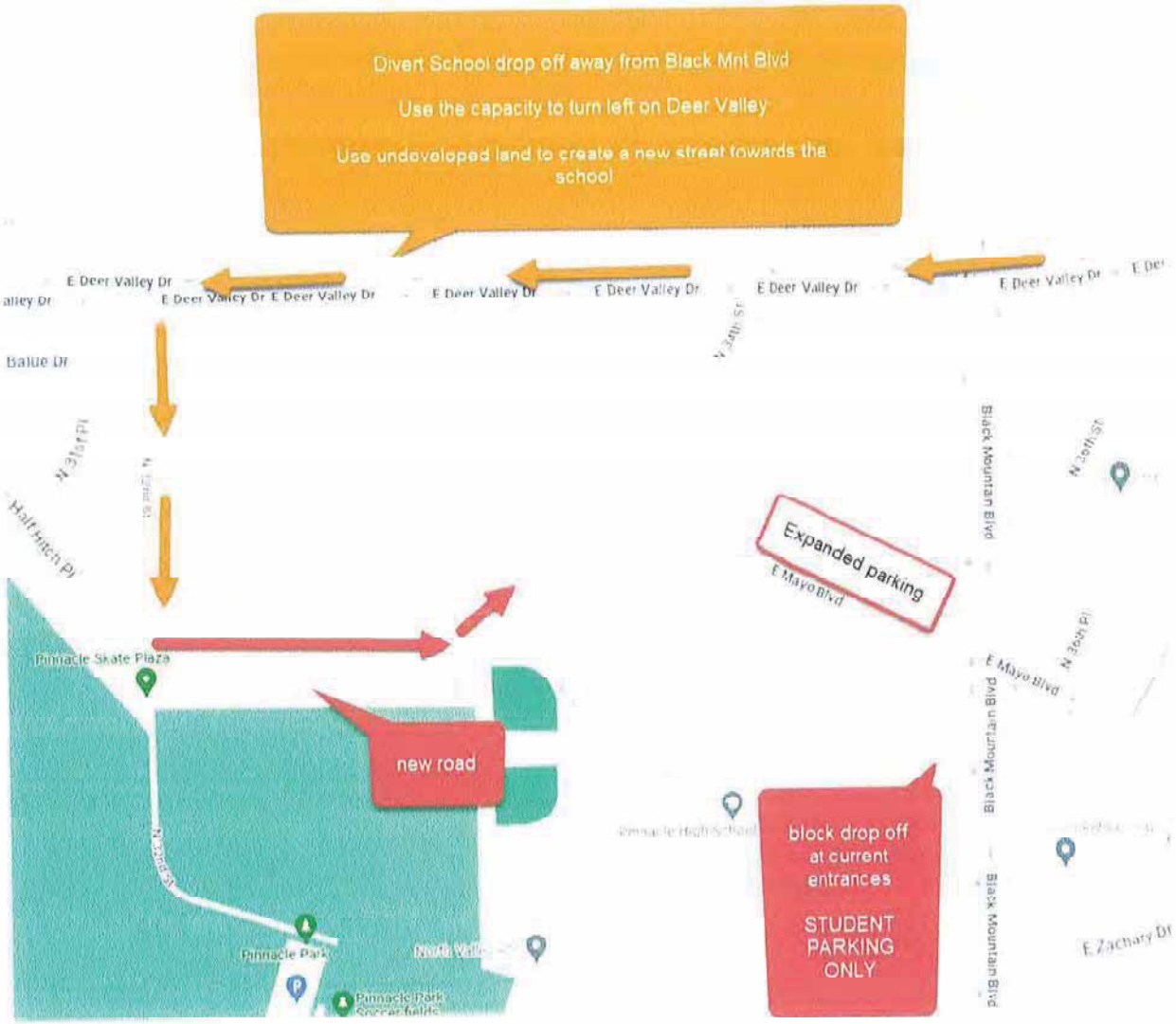
At buildout, Desert Ridge is a planned community for over 59,000 residents and 20,000 employees. Public facilities are an essential element for the planning and development of a large master planned community such as Desert Ridge. The following public facilities have been located within Desert Ridge using the approved planning criteria of each responsible government agency, department and school district.

- Parks
- Library
- Fire Station
- Community Center
- Public Schools

The locations of these facilities are illustrated on Figure 17, *Public Facilities Plan*.



Appendix 8 – New Drop off Route



**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 3:04:05 PM

---

| **Name** |
| --- |
| tammy nyne |
| **Email** |
| tknyne@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| No - another grocery store is absolutely unnecessary and will eat into the margins of the existing store at Desert Ridge. No liquor stores either. |

**From:** Richards, Dan
**To:** Anthony M Grande
**Subject:** RE: Case file for Black Mountain Village
**Date:** Friday, September 29, 2023 9:20:11 AM
**Attachments:** image003.png

Hey Anthony,

I just realized this morning that I didn't read through my message that I sent you at the end of the day, yesterday. I updated my previous email, with edits in red. You already have a breakdown of 23 general supports stating NO GAS. What I'd like people to pay attention to is there are many people asking for a small grocer. That means they OPPOSE large grocers, which is exactly what Vestar is pushing to add. I would suggest a tally of all general supporters that used the words Small Grocery, or Sprouts, or Trader Joes. These are not supporters of a Fry's or Safeway with an attached gas station.

-Dan

**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Friday, September 29, 2023 8:04 AM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Case file for Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Dan, I will share this email with the committee.

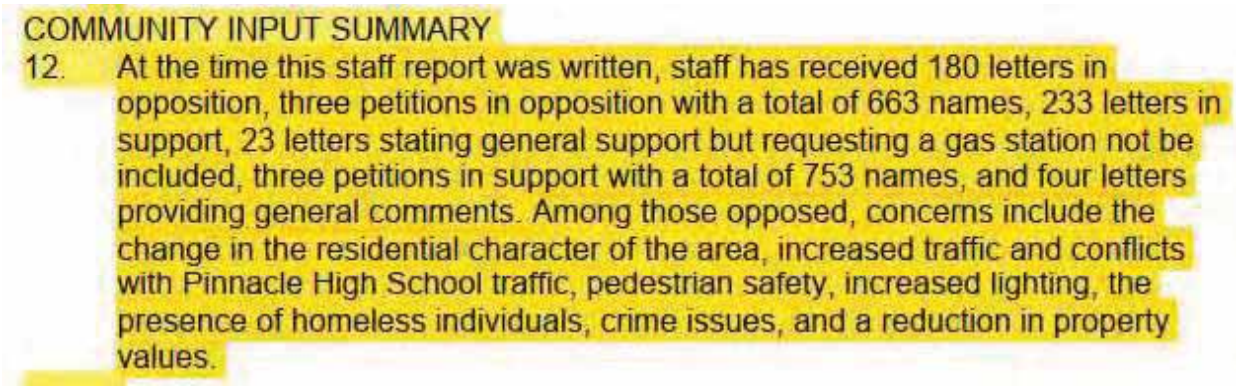
**Anthony Grande, AICP**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Thursday, September 28, 2023 4:56 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** Case file for Black Mountain Village

Hey Anthony,

I was forwarded the Z-39-23 Staff Report and wanted to address a couple of things:

- Quite a few people used the gblaw website to express their OPPOSITION, while the subject line is still stating NEW SUPPORT.
- Every village committee member needs to pay close attention to all of the SUPPORT NOTES. An overwhelming number of them expressed they support a SMALL grocery store and NO GAS STATION. In your COMMUNITY INPUT SUMMARY, you should add a line item mentioning that there are a number of letters stating general support but OPPOSE large grocers and gas stations. Every one of these expressing both could just as easily been added to the opposition totals.
- The generic support letters printed and brought through Aviano are signature harvested. This is really sad to see. It's just a numbers game to them. People who oppose this development sent you well thought out letters, with some begging you to consider the ramifications this will have on our families and homes.



COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Please share this with the rest of the Desert View Planning Committee prior to next Tuesday.

Thanks,
Dan

*Excellence in Engineering*[SM]

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 9:19:41 PM

---

| **Name** |
| --- |
| Ellen Busch |
| **Email** |
| ellencita2@me.com |
| **Support Comments** |
| Maybe a Trader Joe’s. Most of the supermarkets are all owned by the same companies and they offer bad service and no competition since they are all the same parent company. It is deceptive to use the square footage of the market as your rubric. Additionally the fact that Vestar has a large portfolio of business takeovers is not comforting. I vote a strong “No.” I vote small business |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 9:14:14 AM

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**Name**

Jennifer Moeckel

**Email**

Donot@email.me

**Address / Neighborhood (Optional)**

Tatum Village

**Support Comments**

I was on board with this plan until I learned about the fuel station accessory. That makes it perfectly clear that it's going to be either Safeway or Fry's which isn't needed in this area; we already have both within driving distance.

When I took the phone survey, it was indicated that the store would be a small, niche-type store leading me (and my husband who also took the survey) to believe it would be a Trader Joe's, Sprouts, or similar. I think it's pretty sheisty of you to lead people to believe the plan includes one of those specialty type stores when all along you planned to build a Safeway or Fry's. If that's the case, I change my answer to no, thank you.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:19:33 PM

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| **Name** |
| --- |
| Marci Payne |
| **Email** |
| azpaynes@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22710 N. 39th Ter. |
| **Support Comments** |
| No, not a good place for commercial development. The traffic is a nightmare at that intersection, would be great if Vestat would donate it to the high school for parking! I had 2 kids go through Pinnacle and not being able to Fri e to school until their senior year is bull! |

**From:** Nikki Branstiter
**To:** Michelle Santoro
**Subject:** New development near black mtn and deer valley
**Date:** Saturday, September 30, 2023 4:05:31 PM

---

I do NOT think it is a good idea to put shopping in this area. It is already too congested. Also kids will be parking in your lots. We don't need more people in this area shopping it is already too congested. A store north of their near Tatum rd and pinnacle peak road would be a better idea and would not disrupt the flow of traffic.

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande |
| **Cc:** | PDD Desert View VPC; PDD Long Range Planning; Council District 2 PCC |
| **Subject:** | Road Safety Action Plan - aka "Vision Zero" / Pedestrian Safety initiatives and programs |
| **Date:** | Monday, October 2, 2023 11:11:12 AM |
| **Attachments:** | Vision_Zero_Road_Safety_Action_Plan.pdf |

Anthony,
In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2, I would like to submit some of my research regarding Pedestrian Safety.
It seems this topic has not received any attention in the staff report for the committees to consider. This is pertinent because the commercial proposal will target to increase traffic in this area significantly with the addition of a big box grocery store.
A grocery store that is bigger than the one currently in the village core where all of the commercial development was originally planned.

Why would the report not inform the recipients and committee members that a significant increase in traffic and higher risks are being introduce to an area where we have an elementary school and a high school.
The staff report seems to focus on some of the links to existing city general plans, but it does not point out that there is an increased risk for pedestrian and bicycle fatalities.
It is not evident from the findings and stipulations that the developer or the city planner is concerned about this and implement effective solutions to ensure it will not cause casualties amongst school going kids.

Attached is a copy of the city's Road Safety Action Plan (Vision Zero). Our community has participated in this survey and help support this initiative.
Focus area 3 (pages 46) is dealing specifically with Safe Routes to Schools and actions are proposed to address the rise in fatalities.

Stipulations listed are referring to pathways within the development, but none of them are addressing the need for improved pedestrian and bicycle safety measures on the arterial roads of black mountain boulevard, Deer Valley and Mayo blvd as the existing measures are just not enough for this developer to guarantee their safety. (NOTE: The new HAWK crossing on Mayo is a measure, but does nothing to increase the safety of school going students that walk out of the community to school).

As the sole focus of this commercial proposal is to increase traffic to these establishments for locals but especially non-residents, would it be possible to provide a statement that could help clarify why the increased risk to pedestrian / bicycle safety is not clearly mentioned in the findings of the staff report, but only references in the report are to the phoenix general plan, the monarch butterfly, the archaeological plan and other plans.
Perhaps it's possible to update the report to outline this big issue and perhaps specifically mention what this proposal is going to address (or not). Currently there are no references to Vision Zero and their objectives around school zone safety and I'm wondering if there is any input from the Office of Pedestrian Safety.

Other research that I would like to be considered are the following reports

- references to Safe Routes to School programs and funding opportunities from the Pedestrian Safety Fund.
- Other references are in the Pedestrian Safety Action Plan (2017 Update)
- Pedestrian safety reports : (CLICK HERE [azdot.gov]) There were 302 pedestrian fatalities during 2022, a 16.2% increase from 260 in 2021. Forty-eight bicyclists died in crashes during 2022 compared to 45 in 2021. Bicycle-related fatalities have risen each year since 2018.
- Any input from the office of pedestrian safety. Vision zero references that Phoenix was at the forefront of cities to establish the Office of Pedestrian Safety as a resource hub that educates residents on a variety of traffic safety issues through community engagement, and promotes increased driver, pedestrian, and bicyclist awareness, especially around school zones and residential neighborhoods.
- Pedestrian Safety | Arizona Governor's Office of Highway Safety (az.gov) [gohs.az.gov] / key statistics on Children and traffic related casualties : 2017 Data: Children (dot.gov) [crashstats.nhtsa.dot.gov]
- Arizona Department of (azdot.gov) [azdot.gov] ; ADOT traffic safety for school area guidelines. Pages 14-16

Kind regards,
Wouter Roodenburg

**From:** ks
**To:** Anthony M Grande
**Subject:** Re: Black Mountain Blvd & Deer Valley Drive
**Date:** Monday, October 2, 2023 1:33:57 PM

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Mr. Grande:

We plan on attending the meeting but probably not speak at it so we are putting our comments here regarding the rezoning of Black Mt Blvd and Deer Valley:

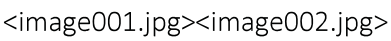
We live a mile from this intersection and go through it several times on a daily basis. We are AGAINST the rezoning of this corner! We are especially against a gas station. We bought here knowing this to be a residential area and it is busy enough with a large high school there. There are many discussions about this on Nextdoor and 95% of the people in this area are also AGAINST it.

Thank you.

Edward & Kristin Simko
Desert Ridge NW

> On Oct 2, 2023, at 10:49 AM, Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> Hello,
>
> I see that you inquired with the Council District 2 office about the upcoming meeting regarding the rezoning proposal at Black Mountain Blvd and Deer Valley Drive. There is a Village Planning Committee meeting tomorrow (October 3) at 6:30pm at the Paradise Valley Community Center. The proposal in question is items 5 through 7 on the agenda. Please see the agenda for the meeting at the link below. You may submit written comments before the meeting by emailing them to me. Any comments received will be provided to the committee members ahead of the meeting. You may also attend the meeting and register to speak on the item during the public hearing.
>
> https://www.phoenix.gov/cityclerksite/PublicMeetings/2301003004.pdf
>
> Please let me know if you have any further questions.
>
> Thank you,
> Anthony
>
> **Anthony Grande, AICP**
> Planner II – Village Planner
> City of Phoenix
> Planning & Development Department
> Long Range Planning

Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



**From:** Anthony M Grande
**To:** Anthony M Grande
**Subject:** FW: We vote no!
**Date:** Monday, October 2, 2023 11:06:49 AM

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From: Taylor Ungerer <taylorungerer3@gmail.com>
Sent: Saturday, September 30, 2023 9:28 AM
To: Michelle Santoro <msantoro@gblaw.com>
Subject: We vote no!

As you can see, most of our community is against this rezoning. It makes no sense for the area. 40th and Deer Valley makes sense. DV & BM does not!

| | |
|---|---|
| **From:** | Ryan Waddington |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning Interest of Superblock 12 |
| **Date:** | Monday, October 2, 2023 10:13:23 AM |

RE: Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

To Whom It May Concern,

I am writing to express my deep concern regarding the proposed new commercial development in close proximity to our homes in the Fireside neighborhood of Desert Ridge.

While I understand the importance of progress and economic growth, I believe it's crucial to consider the potential impacts of such a development on our community. As a resident in close proximity to this proposed project, I have experienced firsthand the unique charm and tranquility that our neighborhood offers. I have also witnessed the increase in traffic congestion and noise resulting from the addition of the on/off ramp of the 51. I am worried that this new commercial project will lead to further increases in noise levels, traffic congestion, and significant alterations to the overall character of our surroundings.

The transformation of Black Mountain and Mayo Boulevard from quiet neighborhood streets to major thoroughfares has been concerning. They have become racing zones at times, driven by individuals who seem to disregard our neighborhood's well-being, the safety of our children, and even our overall quality of life due to the escalating traffic noise. Given the proximity of Pinnacle High School and Fireside Elementary School, it is only a matter of time before unfortunate accidents occur due to the surge in traffic and the lack of infrastructure to manage this increase safely.

Moreover, I am concerned about the potential increase in crime that often accompanies large commercial developments. Studies have shown that areas with concentrated commercial spaces can attract a higher incidence of criminal activity, posing a threat to the safety and security of our community. As a neighborhood that has prided itself on its safety and tight-knit nature, introducing a large commercial establishment nearby could undermine the peace we currently enjoy.

I kindly ask that you prioritize the well-being and opinions of the individuals who call this area home. Our collective voice should play a pivotal role in shaping any developments that could impact our neighborhood's identity and quality of life.

Thank you for your time and consideration to this matter.

Ryan Waddington

Sent from my iPhone.

| | |
|---|---|
| **From:** | NA NA |
| **To:** | Anthony M Grande; Adam Grant; Council District 3 PCC; Council District 2 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Council District 1 PCC; Mayor Gallego |
| **Cc:** | candysfamily@cox.net; candyhuether1@gmail.com |
| **Subject:** | Stop the Rezoning change on Parcel 212-38-0238B Black Mountain village |
| **Date:** | Monday, October 2, 2023 7:09:01 PM |
| **Attachments:** | Rezoning Black Mtn Blvd.pdf |

RE: Case Number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23
Please read my letter to help preserve our residential land. Can you assist in any way? You time is very much appreciated.

Good Evening Mr Chairman and Members of the Desert View Village Planning Meeting. My name is Candy Huether and I live at 21712 N 36th st in Firesides Copper view neighborhood. My backyard backs up to the wash on Black mountain blvd. We signed documents that the land across the street was zoned residential, we also paid a lot premium and was told that our view fence was the perimeter fence for desert ridge and we could not touch it or put in a block wall. We also signed these such documents that said no more than 3 acres for commercial conveniences with the ONE exception of Kinder care and the office next to it. Early on in living here we had such a problem with all the high schoolers parking up and down the street that we had to initiate no parking signs not because we could not park in front of our house but because of the safety for my family. You see every day the local drug dealer would pull in an set up shop right in front of my house or across the street on the corner. I witnessed many fights till one day the knives came out and someone got hurt. We have also had an instance of homeless in the wash. Can you imagine putting in this huge grocery store, fast food, gas right next to the high school and in my backyard? Well you can bet the drug dealer will come back and let me tell you that Arizona ranks 13th for human trafficking in the nation, children account for half of all sex trafficking as young as 9 yrs of age. You can bet those traffickers will be there watching every move those high schoolers make,easy prey, from the time they walk out those doors till they cross the street and follow them home. Did you know that the traffickers biggest intimidation threat and why the victims stay is telling the victims that they

are going to harm their family, well now we just made it even easier for them to know exactly where they live with little effort. And we really need this when we have 9 grocery stores within a 4 mile radius, not to mention 2 within 2 miles for modern conveniences and 12 gas stations within a 3 mile radius and 2 within 2 miles, oh yah but we wont need gas because we can ride our bike or walk in 100+ degree weather to pick up our milk and ice cream! I wonder how many people actually do that now at desert ridge, I bet there is a LOT. And yet what about the land just 2 miles up the road already zoned for commercial? Let's put the kids at risk, devalue homeowners property, increase crime, vandalism, light and smoke pollution and just ignore that property already zoned, all for the all mighty dollar!! Opps I let the cat out of the bag. Please let's just call it what it is. Wait but I forgot the best part there are no traffic issues according to Mr. Andersen (Sky crossing meeting notes) since school opens and closes at different times,I guess the stores will be closed during those times and the fast food, and during rush hour when Black mtn blvd is grid lock, morning and evening, see I don't know this because Im blind looking through my view fence and not being able to get to work, I guess he hasn't been by yet so lets give him the benefit of the doubt, but reality is its grid lock during rush hour. Not to mention on my street in front of MY house we call it 36th speedway because all the parents rush through to dump their kids off because its grid lock out there. So now lets add more to it because those drivers trying to get home are going to want to avoid that 99,000 square foot store, plus fast food and gas just like they avoid desert ridge and loop through our neighboorhood, the traffic through this neighborhood will never stop. Lets just talk a little of what we have seen at desert ridge at In and out in the last year. According to my High schooler everyone knows In and Out is the hang out for the high schoolers,and that's where all the fights happen. So now let's put fast food right next to the school so we can see the crime like on 5.30.23 Kevin Durkin was there late night with his high school

friends having burgers. They saw another group touch his car so they asked them why mess with the car only to be pumeled in the face with brass knuckles, knocked his teeth out leaving $15,000 worth of damage and emotional scars for life. July 6th Lockdown because of a possible shooting when teenagers got into a verbal fight and one pulled out a device that made a loud sound and smoke. And 4 years ago my daughter and friends where accosted by another girl saying she gave them a dirty look. All these instances are backed up by police reports. Lets look at the current homeless ness, that I just know about, 32nd and unions hills starbucks currently everyday is kicking Homeless people out because they do drugs in the bathroom, vandalize it and sleep in there lobby. And at my work I have been chased many times in the early morning by the homeless guys on crack that live in the wash and under the freeway, they break down the fences cause lots of damage, the city knows about all the issues with them at Costco and under the freeway at cave creek and beardsley rd.
All this to build on an already zoned residential area, with zoned commercial right up the street. Please save our children from what's to come. You know they all are going there after school since it's so close. Do we really need more stores right next to a high school? Thank you for your time

| | |
|---|---|
| **From:** | Zach S. |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to proposed development near Pinnade High School |
| **Date:** | Tuesday, October 3, 2023 10:03:40 AM |

Anthony,

My name is Zachary Stahmer and I am strongly opposed to the proposed commercial development near Pinnacle High School (Case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 ). I currently have a child who attends Pinnacle and I believe any development there is detrimental to their and other student's safety as well as to the entire surrounding area.

First and foremost, the proposed development greatly increases the risk factor for both the high school students as well as the nearby elementary schools. The increase in traffic would put a strain on the already overburdened primary and secondary roads in that area. Many students walk to Pinnacle both before and after school and the additional traffic would put them at risk. Each day, there is a line of cars on Deer Valley Rd, Black Mountain Blvd, and Mayo Blvd that stretches for many blocks and people parking in areas they shouldn't as well as doing dangerous U-turns. Already this school year, there have been at least two near misses with drivers not paying attention and almost hitting students. Adding more drivers to the areas will only increase the chances of a fatal accident.

Right now, there is a huge amount of traffic before and after school, making even casual conveyance through the area very difficult. Now if you add in delivery semis, inattentive shoppers, and additional school traffic, it will only make the congestion worse.

The amount of traffic in the area will only increase as the new housing development on Cave Creek Rd. will add thousands of residents to the area, many of whom will send their high school kids to Pinnacle, thus making the traffic situation even worse and increasing the risk to our kids.

Secondly, the area is currently a mix of residential and leisure use with Reach 11 and a dog park nearby. Adding stores would only decrease the family-centered nature of the area while adding more concrete and decreasing any open space. The heat island effect will only get worse as you add more concrete and buildings to the area. Desert Ridge Mall is only 2 miles away and has room for additional retail stores. There are additional approved commercial lots on Pinnacle Peak Rd and Cave Creek Rd. Adding another grocery store and gas station to this particular corner will not improve people's lives but detract from their ability to enjoy the land and open space in that area.

Adding commercial space just north of Pinnacle High School puts our kids at greater risk for a benefit that doesn't exist. That is why I strongly oppose the potential development of that land. For once, let's leave some open space so we can enjoy nature. For once, let's not pave over the desert to build another strip mall. For once, let's say no to a developer so we can leave things better for our kids. For once, let's put our kid's safety ahead of unneeded retail development.

Thank you for your attention to this matter,

Zachary Stahmer

| | |
|---|---|
| **From:** | Ellen Stewart |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Development near Pinnacle High School |
| **Date:** | Tuesday, October 3, 2023 11:01:42 AM |

My name is Ellen Stewart and I am strongly opposed to the proposed commercial development near Pinnacle High School (Case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 ). I currently have a grandchild who attends Pinnacle and I believe any development there is detrimental to their and other student's safety as well as to the entire surrounding area.
First and foremost, the proposed development greatly increases the risk factor for both the high school students as well as the nearby elementary schools. The increase in traffic would put a strain on the already overburdened primary and secondary roads in that area. Many students walk to Pinnacle both before and after school and the additional traffic would put them at risk. Each day, there is a line of cars on Deer Valley Rd, Black Mountain Blvd, and Mayo Blvd that stretches for many blocks and people parking in areas they shouldn't as well as doing dangerous U-turns. Already this school year, there have been at least two near misses with drivers not paying attention and almost hitting students. Adding more drivers to the areas will only increase the chances of a fatal accident.
Right now, there is a huge amount of traffic before and after school, making even casual conveyance through the area very difficult. Now if you add in delivery semis, inattentive shoppers, and additional school traffic, it will only make the congestion worse.

The amount of traffic in the area will only increase as the new housing development on Cave Creek Rd. will add thousands of residents to the area, many of whom will send their high school kids to Pinnacle, thus making the traffic situation even worse and increasing the risk to our kids.

Secondly, the area is currently a mix of residential and leisure use with Reach 11 and a dog park nearby. Adding stores would only decrease the family-centered nature of the area while adding more concrete and decreasing any open space. The heat island effect will only get worse as you add more concrete and buildings to the area. Desert Ridge Mall is only 2 miles away and has room for additional retail stores. There are additional approved commercial lots on Pinnacle Peak Rd and Cave Creek Rd. Adding another grocery store and gas station to this particular corner will not improve people's lives but detract from their ability to enjoy the land and open space in that area.
Adding commercial space just north of Pinnacle High School puts our kids at greater risk for a benefit that doesn't exist. That is why I strongly oppose the potential development of that land. For once, let's leave some open space so we can enjoy nature. For once, let's not pave over the desert to build another strip mall. For once, let's say no to a developer so we can leave things better for our kids. For once, let's put our kid's safety ahead of unneeded retail development.

Thank you for your attention to this matter,

Ellen Stewart

| | |
|---|---|
| **From:** | Anju Baluja |
| **To:** | Anthony M Grande |
| **Subject:** | We Do Not Want Back Mountain Village |
| **Date:** | Tuesday, October 3, 2023 2:51:57 PM |

Dear Mr. Grande -

I am writing in reference to case numbers GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 (I hope those are right!)

I am a resident of the Fireside community, and have lived here since 2010 when my boys were just 1 and 2 years old. I now have one son at Pinnacle High School and 2 more that will start there next year. And I am opposed to the development that Vestar is proposing for the land at Black Mountain and Deer Valley.

We purchased our home here because it offers a quiet solitude in the middle of the daily chaotic lives we all lead. We purchased our home knowing how many grocery stores were in the area, we purchased our home knowing that we could comfortably walk and bike around the area because it is all residential, we purchased our home knowing that our kids could safely walk to their schools, and we purchased our home because this whole area was supposed to be residential.

We do not want the additional noise pollution, light pollution, and traffic from cars and delivery trucks that will come with a commercial development in that area. And why is it even under consideration next to a public high school? The safety and traffic issues for our children alone should take this location out of consideration.

I understand that Vestar's current plans call for a grocery store and a gas station as well as other storefronts. I just read an article in the Phoenix Business Journal regarding the rezoning, and in the article, Ryan Ash, vice president of development for Vestar, says that "the site plan is also subject to change over time". I read that to mean that once the rezoning is approved, they can change what the commitments are, which is exactly why residents are opposed to this project.

I also believe that Vestar has been gathering support for this proposal by conveniently omitting the discussion of a gas station. "Do you want another grocery store in the area?" - sure, that sounds harmless enough. Until you add in that there will also be a gas station and a drive-thru coffee shop, and access to the school becomes more and more difficult.

I ask that the city vote 'no' on rezoning this land.

Thank you for your time -

Anju Baluja

CITY OF PHOENIX

**DESERT VIEW VILLAGE PLANNING COMMITTEE**

OCT 0 3 2023

Planning & Development Department

My name is Paul Dunn, and I am a resident of Desert Ridge. I live a few blocks from what Vestar has promoted as a "**low-impact commercial development**" that would feature a "**neighborhood grocery store.**"

**VESTAR'S SITE PLAN**

Vestar's latest Site Plan, filed on September 22nd, features a **96,582 square foot grocery store pad**. This is almost **40,000 square feet larger** than the pad square footage of the Albertsons store at Desert Ridge Marketplace. **Obviously**, Vestar never intended their project to be a "smaller retail center" with a Sprouts or Trader Joe's as the "neighborhood grocery store."

Vestar's initial communique acknowledged that their "neighborhood grocery store" would also have a "**Fuel Station.**" Whether called a Fuel Station or a **Gas** Station, this ancillary service would be a significant source of air, light, and soil pollution. It would also seriously depress the values of nearby homes.

**TRAFFIC IMPACT**

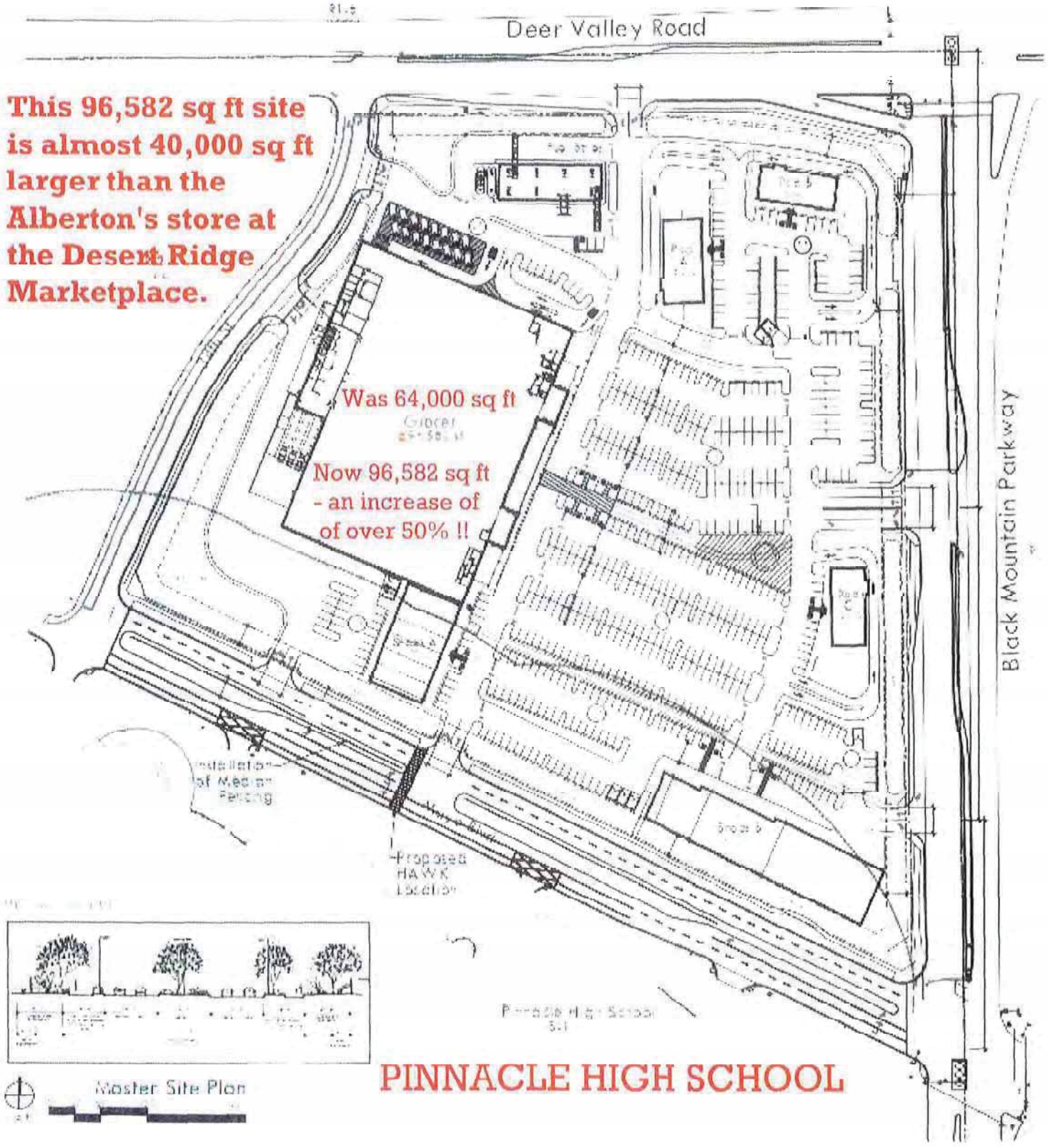
The Traffic Impact Analysis commissioned by Vestar acknowledges the current traffic problems at the proposed development site. In addition to documenting that the site would include a "Grocery **Supermarket**," the Analysis also documents the project would have almost 20,000 square feet of fast-food restaurants with drive-through windows and eight (8) access points. Vestar's proposed development would indisputably exacerbate the undeniable chaotic traffic problems occurring during school hours.

**SUMMARY**

It is patently obvious that Vestar's proposed development is NOT a "LOW" IMPACT Commercial Development. It is a MAJOR IMPACT Commercial Development designed to line Vestar's corporate pocketbook.

As Abraham Lincoln once stated, "You can fool some of the people all of the time, and all of the people some of the time. But you cannot fool all of the people all of the time." I choose to believe this Committee will not be fooled into rubber-stamping an ill-advised Staff Report approving Vestar's re-zoning request.

**VESTAR MASTER SITE PLAN REVISION (9/22/2023)**
**Increasing "Grocer" pad size from 64,000 to 96,582 sq ft**




C:\Users\Paul\OneDrive\Documents\Vestar updated 96,582 sq ft plan.docx

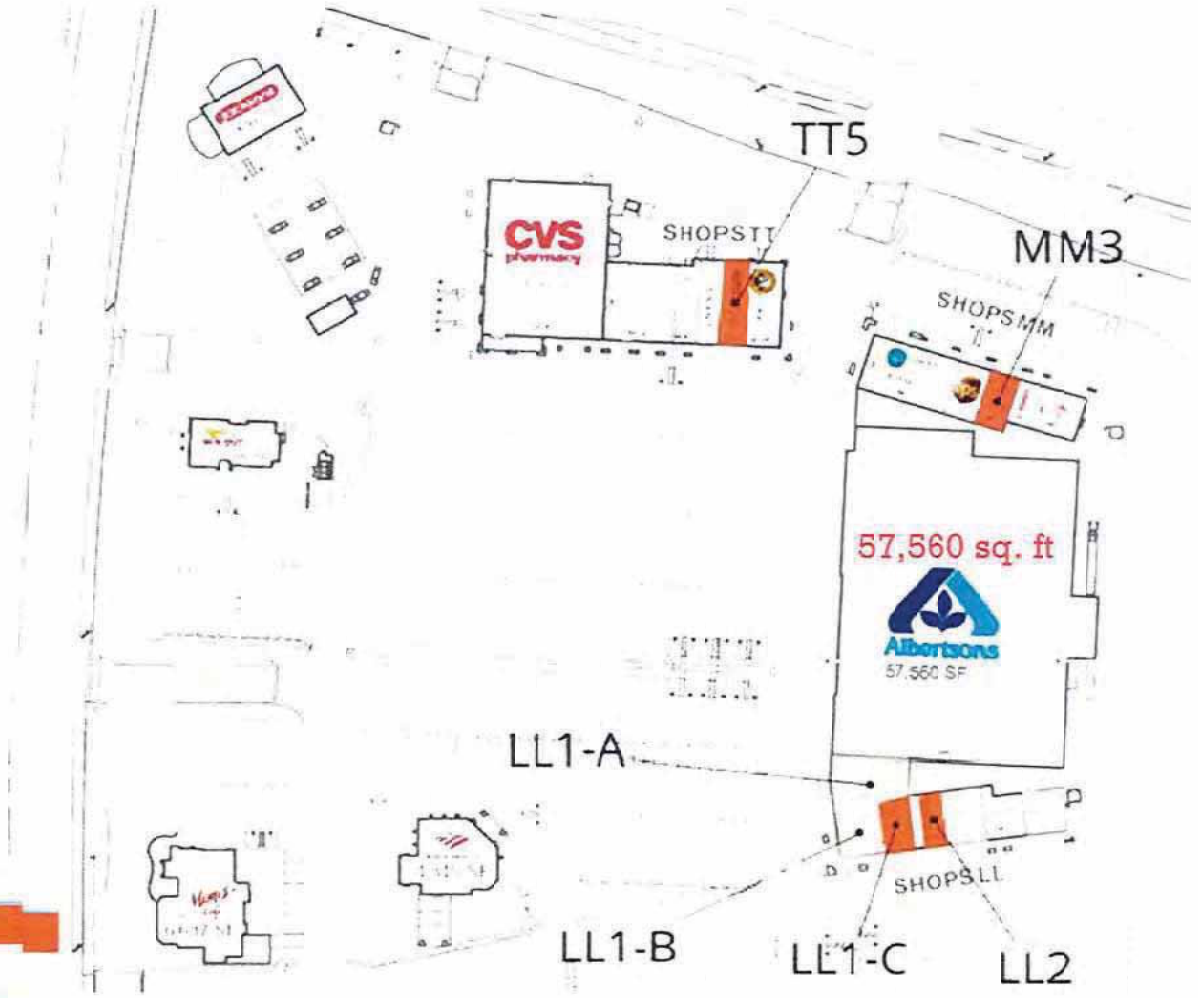
# SHOPS AND PADS - DESERT RIDGE MARKETPLACE

21001 N Tatum Blvd Phoenix, AZ 85054

Vestar's latest site revision filed with the Phoenix Planning & Development Dept. on September 22, 2023 features a 96,582 sq ft site for a grocery store.

This latest site revision for a "Grocer" is almost 40,000 sq ft larger than the Albertson store at Desert Ridge Market Place.

It appears Vestar never intended their Black Mountain Village to be a "smaller retail center" with a "neighborhood grocery store."




LEGEND

Available

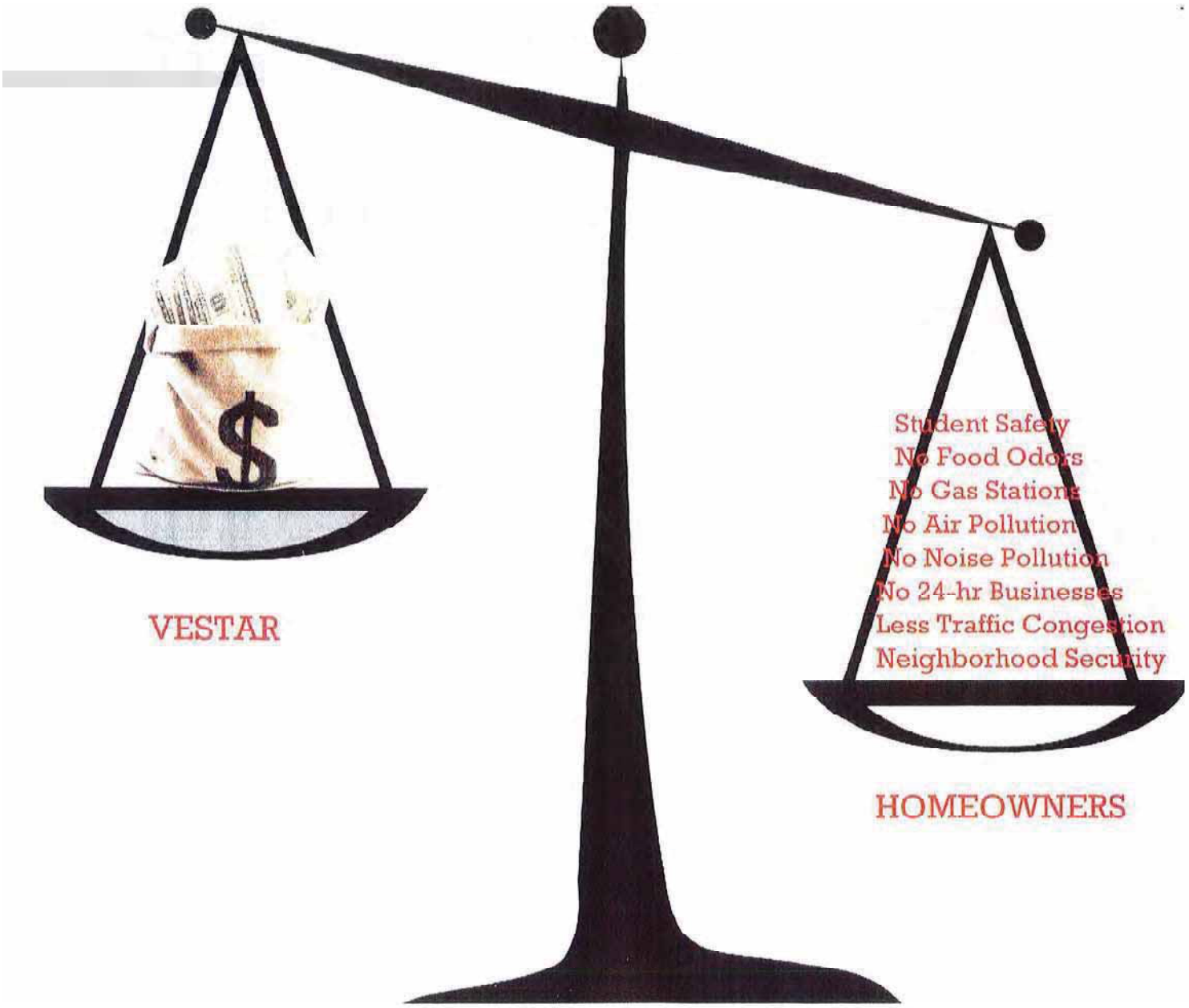
[illegible]

WESTERN RETAIL ADVISORS

WESTERN RETAIL ADVISORS
2555 E Camelback Rd, Suite 200, Phoenix AZ, 85016
602.778.3747 | w-retail.com

# VOTE "NO" ON VESTAR'S REZONING REQUEST

## The Scales of Justice Favor The Homeowners




VESTAR

HOMEOWNERS

**From:** Chris Knapp
**To:** Anthony M Grande
**Subject:** Re-zoning at Black MTN and Deer Valley
**Date:** Wednesday, October 4, 2023 6:59:22 AM

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Hi Anthony -

I attended the meeting at PV Community Center last night. I am a young professional home owner with a young family that lives in Sky Crossing. Re-zoning this land from residential to commercial has got to be a joke. It is a very, very bad idea and as many speakers mentioned and would lead to more traffic, noise, pollution, crime, etc to our community. The attorneys and spokespersons for Vestor are clearly lying to people to stating that there is a possibility of a higher end shopping center which could include a possible AJs, Trader Joe's, Whole Foods, Sprouts, however the proposal is for a store the size of 99,000 sq ft?! We all know there that none of those stores are that size. That is the size of many Walmart and Target. I know they said neither would go there, but also that they can not control who would rent the space. We all know it would most likely be a mega Fry's or Walmart as those two stores have options with an accompanying gas station. Also, them stating that there aren't enough options for grocery shopping or gas is a such a joke. Desert Ridge Marketplace has both an Albertsons and Target for food and so does Sprouts at High Street, there are plenty of options. There are also plenty of other options a short way from Tatum and 101. I often shop at Desert Ridge, but also go to Costco on Beardsley and plenty of other places on Bell Rd just a short drive away. Don't be lazy! Phoenix is not a walking city like NYC where you are from. people here have cars and drive significant distances daily whether to work or other community activity. Everything that was presented by Vestor and their reps are complete lies and over exaggations. The school is also over capacity and we often have students parking in our neighborhood and walking across Deer Valley to school. The students often crowd our streets and leave trash every day when school is in session. Not to mention, if there is already land zoned for commercial north of this area, why the heck does this have to go there? Also, Hi Street, which has been under construction/development for about 20 years has yet to be completed. Why not worry about completing other project like this first. You guys are a joke for considering the re-zoning and the proposed project. Keep it residential!

Chris Knapp

**From:** Bill Smith
**To:** Anthony M Grande
**Subject:** RE: Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar
**Date:** Thursday, October 5, 2023 7:53:01 AM

Good Morning Anthony,

Thank you for conducting a well organized meeting Tuesday evening and for all the work you folks have to deal with when bringing large groups of minds together.

I didn't speak last evening knowing so many others were anxious to share their viewpoints which many pointed out similar concerns I've written to you about already.

Something that came to mind when I had heard the applicant mention there was a lack of grocery markets within a specific proximity of Desert Ridge Market Place was over the years; members in our HOA spoke about how back when Desert Ridge was originally planned *Albertsons agreed to lease with stipulation;* no other grocery stores would be allowed to do business within a specific distance within and around Desert Ridge for a period of 25 years. Some might say this has nothing to do with any decisions made beyond the original master plans and it's design, but I wonder.

As I stated below in my previous opposition email below I agree any additional need for a grocery chain close to desert ridge only makes sense if we choose a location designated commercial without changing any exiting residential zoning.

I really hope the City someday will build access roads along the 101 so that vehicles can enter Super blocks 8 or 12 from access roads which would take some stress off existing Tatum. I can already see 56$^{th}$ street becoming over taxed with vehicle use now that we are building so much in that vicinity over the next 5 years.

*Regardless of how people feel about this application the process and the management demonstrated so far has been above and beyond.*

Thanks for the opportunity to be a part of the process.

Bill Smith

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**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Tuesday, September 5, 2023 3:13 PM
**To:** Bill Smith <billbreakaleg@outlook.com>
**Subject:** RE: Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,
Anthony

**Anthony Grande, AICP**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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**From:** Bill Smith <billbreakaleg@outlook.com>
**Sent:** Tuesday, September 5, 2023 6:50 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar

September 5, 2023

Greetings,

I'm writing you today regarding a rezoning request made here by Vestar application No. **GPA-DSTV-2-23-2** and some comments heard by residents resulting from a recent HOA board meeting held by Desert Ridge Community Association.

My name is William Smith and I am a resident of Regalia Bear Subdivision which is located just off Tatum Blvd and North of Marriott Drive in Desert Ridge for 13.5 years. Formally a resident in Vista Norte located at Dynamite and 57th Streets for 14 years. I've been a resident in Arizona since 1969 and have lived the majority of my life in North Scottsdale / North Phoenix 25 miles or more from downtown.

When my wife and I moved to Desert Ridge I began participating in many of the community

HOA meetings assisting mostly on the Awareness Committee. I believe it's important we continue to live in a safe and healthy community. The many challenges I've witnessed over the past 13.5 years have been noise pollution, traffic congestion and bottle neck due to lack of arteries (roads), vandalism and crimes committed by an increase number of teenagers.

Noise pollution continues from above with fly overs; also truck deliveries made during overnight or early morning hours are heard by vehicles creating those loud safety warning beeps when backing up. With the increase of home deliveries since the pandemic we've seen an more delays within our Desert Ridge community and about. Thankfully a great deal of the air traffic above was reduced after our Desert Ridge community associates worked with the aviation department to reverse a decision that was made several years ago that allowed commercial places to fly directly over Desert Ridge using a new flight path. We still have a few non commercial planes and helicopters that don't always follow the appropriate flight path, but we are thankful the majority of commercial planes are no longer constantly flying low overhead. In addition, we reported to the Marriott about the noise issue from trucks backing up that could be heard for a mile in the silence of the early morning hours and that has stopped. Our voices are being heard!

As far as vehicle noise issues we continue to hear traffic due to the type of road surface and proximity of both Tatum Blvd and Marriot Drive. Everyone is racing to be first coming in both directions cutting through our community because as we all know there aren't enough arteries (roads) that allow traffic to flow around the heart of Desert Ridge. Traffic on Tatum Blvd has met it's maximum capacity 5 years ago and its only getting worse. ***Deer Valley road is starting to show signs of stress unless we start now and think forward***.

Let's talk a little about Desert Ridge planning and how Vestar was originally involved in the design and planning of this community. I believe just 13.5 years ago when we moved here I heard mention Desert Ridge was just over 40 percent built out. Since then we seem to continue cramming more and more condos, apartments, schools, single family homes in addition to the huge development along the 101 from 56$^{th}$ to Tatum Blvd. There seems to be this need to fill up every inch of both Super Blocks along the 101 from 56$^{th}$ through to Black Canyon Blvd. We all know growth brings congestion and headaches.

Listening to representation by Vestar at community planning meetings they talk about building another marketplace in an area of Desert Ridge that is zoned **low** residential. I'm writing you here today to provide my opinion about why we ***shouldn't*** change this residential parcel as this application suggest to commercial and that we should consider looking for a location that has better access to the 101 and has the ability to get vehicles in and out of the area from all four directions without impeding traffic and causing delays. For the past 8 years or so all I've brought up to anyone that would listen that the City of Phoenix must work on a plan that will open up more arteries (roads) that allow traffic to flow more around Desert

Ridge Market Place and through our community as well.

***We can not continue to build both up and out; allowing thousands of more residents, merchants, delivery vehicles and visitors to move about and not have additional access roads and arteries (roads) that will provide additional alternatives to Tatum Blvd and Deer Valley Road.***

Everyone knows it will be expensive and we need it; an access road along the 101 that will allow traffic to access both super blocks from 56th street to as far as Cave Creek Road if we have too. The idea is to take excess traffic away from Tatum Blvd and Deer Valley Road when everyone is either trying to get to and from their residence in Desert Ridge, pass through it to get home in Tatum Ranch or visit Desert Ridge Market Place to enjoy all the shops, restaurants and planned activities Vestar an their business partners plan throughout the year. Additional roads that could help the flow of traffic could be at 40th street, Black Mountain Blvd, 56th street and any additional roads developed during the super block expansion phases which should include access roads along the 101 freeway. **We can't even head east or west using Black Mountain Blvd at the 101 to help avoid using Tatum Blvd at the 101?**

We understand change is necessary and some people believe we need more growth and there is no stopping it. However, the reason Desert Ridge has lasted as long as it has being in the spotlight a community most desirable for its amenities and location is because we live in a place beyond the boundaries of the City. ***A place between Rural and the big City life; simply a suburban experience like no other.***

If we allow another marketplace with a gas station at the location of Southwest Corner of Black Mountain Boulevard and Deer Valley Drive we are going to have big disappointment with additional traffic, noise, crime, vandalism not only during the day, ***but all night as well.*** We don't want or need any more attention drawn to close to existing residential community during the overnight hours. If you have to rezone **which I'm not for**, bring in medical therapy centers, Dental, Vision, Day Care Centers, Animal Veterinarians businesses that will bring value to the investment and more in line with education and health without attracting any negative impact we currently have going on at Desert Ridge Market Place and our Community City Parks by individuals that hang out in groups in public places with no regard for others property. There is so much open space in super block there where the fitness center is and the hotels are located that if Vestar thinks Desert Ridge needs another grocery store well go big and ***put a Walmart there along the 101***; build the access road along the 101 and make it easy to visit the store without impeding any more traffic delays on Tatum Blvd and Deer Valley Road and push the traffic away from our beautiful neighborhoods.

***Final thoughts that come to mind you can all think about …***

Observation #1 – The traffic gets so bad moving North and South on Tatum sometimes it takes 3 minutes just to exit out of my subdivision from Williams Drive onto Tatum. The traffic gets backed up so bad the distance on Tatum between Deer Valley and the 101 one can spend 6 minutes waiting for lights going in any direction. When there is construction, emergency vehicles or an accident forget being on time for any scheduled appointment. **This is not right**!

Observation #2 – Recently in the past 4 years after the completion of this new condos and new single family subdivisions we noticed in addition to Vestar bringing live entertainment along with Sip and Stroll attractions among other big events, that traffic delays have now extended everywhere including Tatum Blvd to 56th street going North or South along Deer Valley road. Drivers are in such a big hurry they speed illegally North on 56th to Pinnacle and in addition there is so much traffic during rush hours on Deer Valley from 56th all the way to Cave Creek and beyond due to the 101 bottlenecks experienced when approaching the 51 freeway from either direction. Drivers are not only using Deer Valley, but they are using Pinnacle Peak from Scottsdale all the way to Cave Creek Road to escape the 101 traffic debacle during rush hours.

Observation #3 -

Recently we've seen a huge increase in teenagers committing crimes and they seem to like hanging out at Desert Ridge Marketplace. This was brought up at our meetings and Vestar did speak out regarding our community concerns about the lack of security and care anyone we would expect to be responsible for managing issues of this nature. Concerns about Target, Albertsons, In&Out Burger and Panda Express have been going on for as long as I can remember brought up at Community gatherings with our neighbors for coffee and other meetings. It's been on the news this summer about a gang of teenagers sucker punching a teenager from another group causing 15,000 worth of dental work needed. Teenagers hang out at Target and act like the sports department is there personal playground. Teens stealing a cell phone right out of another teenagers hand who was picking up a take out order from Panda Express and too often homeless people coming up to you for money in front of and in the parking lot of Albertsons. These attractions that are enticing young people to party drink and get high not only occur in the marketplace, now we are seeing these young people come into the neighborhoods within Desert Ridge causing quite a bit of damage. Our Cashman park has been vandalized at least 3 times within the last couple years that I've heard about.

**Conclusion**:

Please consider another location for this grocery store and gas station to be developed. Lets choose a location away from existing residential and try to develop existing locations already designated residential and take the idea of bringing another grocery store and gas station to already designated commercial zones.

We don't need any **24 hour a day business** on Deer Valley and Black Mountain Blvd. We already have Desert Ridge Market place a gas station on the intersection at Tatum Blvd and Deer Valley Road. Take this proposed plan and build on 20.5 acres closer to the 101 and Black Mountain Blvd. Even if you were to propose moving this development to 40th Street and Deer Valley Road my suggestion would be to insure there are enough roads leading away from Tatum and Deer Valley for vehicles to maneuver towards the 101 without impacting the already congested traffic flow on Tatum and Deer Valley.

We should consider bringing in a large super center like Walmart along the 101 in the super block between Tatum and Black Mountain Blvd's. Get the City of Phoenix and the Army Core of Engineers to build functional access roads and lets see how well traffic flows around Desert Ridge. Spread things out a bit, petition for business to build on one of the two corners on the north side of Pinnacle Peak Road.

Leave the corner next to the high school open for **residential** or if you really think businesses deserve to come in an take over that property; like I said before consider those businesses that would help families with their children's education, day care, health services (mental health services), vision and dental care along with considering Veterinarian services.

Look I could write a book on how if think about all this push for growth here in Desert Ridge, but I'm sure in the end people that have the most funding will win. In the past whenever there was a decision made about something that didn't entirely make good sense and I would later bring up my thoughts I was told where were you when during the planning stages and why didn't you speak up then. Well I decided maybe its time I did.

Thanks so much for the opportunity to speak my thought and for listening.

As Ever,

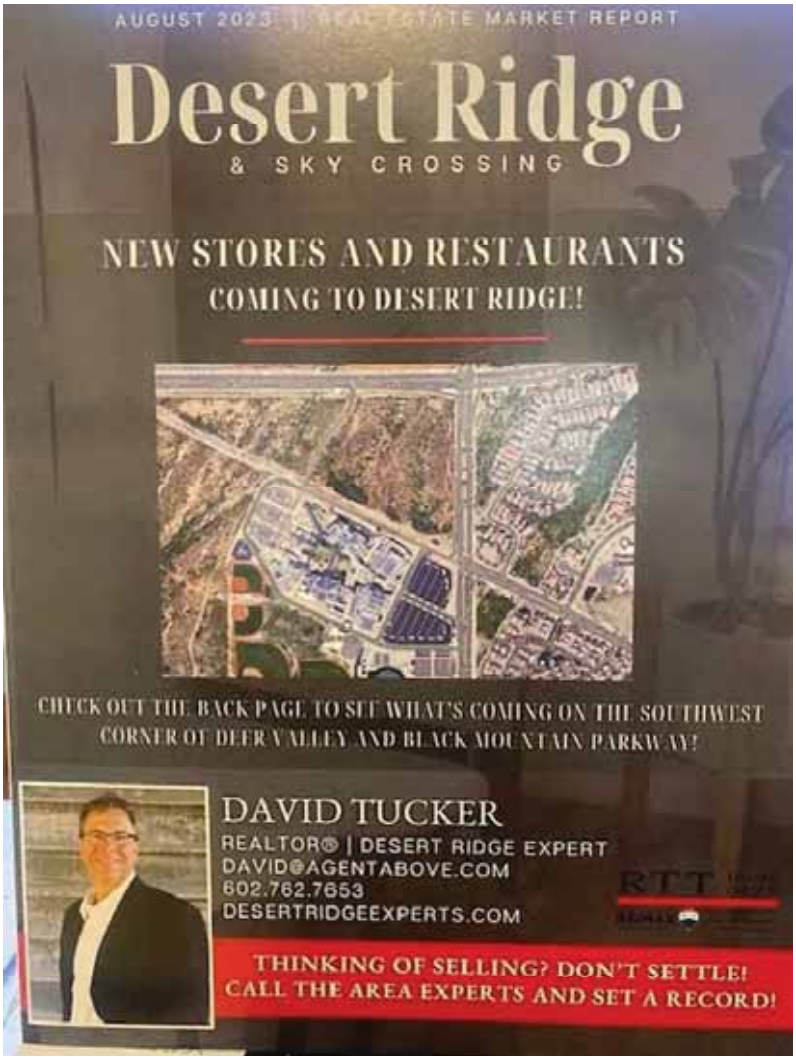
Bill Smith

| | |
|---|---|
| **From:** | Chad Modra |
| **To:** | msantoro@gblaw.com; Anthony M Grande |
| **Subject:** | Black Mountain Village project opposition |
| **Date:** | Friday, October 6, 2023 11:45:56 AM |
| **Attachments:** | image.png |

Ms. Santoro and Mr. Grande,
I am writing to object to the "proposed" Black Mountain Village development project on the southwest corner of Black Mountain Boulevard and Deer Valley Road. I included quotes around proposed as the neighborhoods surrounding the development area have already received marketing brochures (see included brochure picture) asserting that the project is already approved. This is insulting to the community and runs contrary to due process for allowing the project to move forward. How can an advertisement be published with the assertion that the development is already finalized when the public meeting has yet to be held? This is reckless, misleading and at the very least false advertising.
Besides the already congested intersection of Black Mountain Blvd and Deer Valley Road, developing every last available space in this area into commercial properties is unnecessary and unwanted by the community. This proposal is less than two miles away from an extremely congested shopping and entertainment area, Desert Ridge, which contains many of the same features and elements for shopping and convenience that this development will have.
Creating this development so close to Pinnacle High School is likely to cause unwanted issues with teenagers and congestion which are currently on the rise at Desert Ridge. We've had numerous violence and gun related incidents at Desert Ridge and this development will only spread those to a location both close to the high school and further embedded into the surrounding housing communities.
We don't need this and don't need to develop every last square inch of desert. The land was originally zoned to exclude this kind of development for a reason. This development needs to be stopped.

A concerned citizen.

Chad Modra
3713 E Cat Balue Drive
Phoenix, AZ 85050


AUGUST 2023 | REAL ESTATE MARKET REPORT
Desert Ridge
& SKY CROSSING
NEW STORES AND RESTAURANTS
COMING TO DESERT RIDGE!
CHECK OUT THE BACK PAGE TO SEE WHAT'S COMING ON THE SOUTHWEST CORNER OF DEER VALLEY AND BLACK MOUNTAIN PARKWAY!
DAVID TUCKER
REALTOR® | DESERT RIDGE EXPERT
DAVID@AGENTABOVE.COM
602.762.7653
DESERTRIDGEEXPERTS.COM
THINKING OF SELLING? DON'T SETTLE!
CALL THE AREA EXPERTS AND SET A RECORD!

**From:** Beth Salem
**To:** Anthony M Grande
**Subject:** Black mountain development
**Date:** Saturday, October 14, 2023 12:15:25 AM

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Please do not allow the rezoning on black mountain and deer valley road near pinnacle high school. When buying our home we loved that the location was far enough from anything commercial. We urge you to please help not allow this to happen. Thank you, Buthaina ans Robert Salem, Sky Crissing community members.

Sent from my iPhone

**From:** Debbie Bolde
**To:** Council District 2 PCC
**Cc:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 SW Black Mountain & Deer Valley
**Date:** Tuesday, October 17, 2023 12:43:25 PM

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Dear Councilman Waring, we are writing you in reference to the rezoning request of the above parcel from residential to C2 Commercial. We live in Sky Crossing and we are within 600 feet of this development. We are opposed to any commercial development for the following reasons;

1. When we purchased our property three years ago with the understanding that this was a residential super block under the Desert Ridge Master Plan, this means no large commercial developments except in designated areas and the common core on Tatumn blvd. This ensures a quiet, low traffic ,low vehicle emissions and low light environment. After 6pm weekdays there is a significant reduction in noise and traffic, however this will not be the case if this is a commercial development.
2. We have plenty of Gas Stations, Grocery stores and Fast Food Restaurants on cave Creek and Tatumn blvd. Further more, with the decline in Gasoline Vehicles and increase in Electric Vehicles, Gas stations are becoming less in less demand and could present a potential hazard to surrounding neighborhoods. Our air quality would be adversely affected by the Gas station alone, people live here.
3. I would like to see it to remain residential or for the city to find a way to preserve it, such as a park and offer additional parking for Pinnacle High School. A commercial development like this provides a haven for homeless, drug trafficking, sex trafficking and other crimes, because it is difficult to know who belongs in the area and who doesn't. This is not good for PHS or the neighboring communities.

In the best interests of this community and High School, we ask that you vote against this rezoning request.

Sincerely Mike & Debbie Bolde
3436 E Louise Drive
Phoenix Az 85050

## Racelle Escolar

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, October 17, 2023 4:44 PM
**To:** Anthony M Grande
**Cc:** Racelle Escolar; PDD Planning Commission
**Subject:** Case Nos: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village - opposition
**Attachments:** Supporters with conflicting comments.pdf; Grocery Store Flyer.pdf

Good afternoon, Planning Commission,

My name is Dan Richards, and I am one of a growing number of residents that lives near the intersection of Deer Valley and Black Mountain Boulevard, opposed to the Black Mountain Village project that Vestar is currently trying to push through the rezoning process. This growing number of residents that are opposing this development feel Vestar and their attorney, Gammage and Burnham, are intentionally misleading our neighbors with false hopes, to gain their support. They are intentionally spreading lies to get people to sign their ONLINE petitions. I would be very interested to know how many of these people that have signed their ONLINE petition live outside of the Desert Ridge area.

I have thoroughly examined the Staff files that were submitted to the Desert View Village Planning Committee, prior to the Oct 3 meeting, and wanted to share some thoughts that should be seen by everyone on the planning commission.

From the Z-39-23 Staff Report, the Community Input summary mentioned the following:
**At the time of the staff report was written, staff received 180 letters in Opposition, three petitions in opposition with a total of 663 names, 233 letters in in support, 23 stating general support but requesting a gas station not to be included, three petitions in support with a total of 753 names, and four letters providing general comments.**

Attached is a file of comments that were all taken from the 233 letters that are considered supporters. You will find 99 comments from the 233 letters of support ( 42% of supporters ) that should not be considered support for what Vestar is currently proposing. These people were all sold the illusion that this development is going to be a small, boutique type grocery store development. The current iteration of the proposal, showing a 99,000sf grocery store and gas station combo, was established prior to Gammage and Burnham, and Vestar, promoting Trader Joes as a potential tenant through their online survey. It's simply not true, and unethical for them to continue to promote this as an option. We all know there are only a couple options that have gas stations attached to a grocery store. Trader Joes, Sprouts, and Whole Foods are not options. They knew this but continued to promote all three to generate buzz for their project.

I humbly ask the planning commission to please take into consideration all the young families that moved into this part of Desert Ridge to be away from the Commercial portion of this master planned community. We do not want this close to our homes. We did our due diligence prior to building where we built. Please keep this residential corridor zoned as it was planned.

Thank you for your consideration,

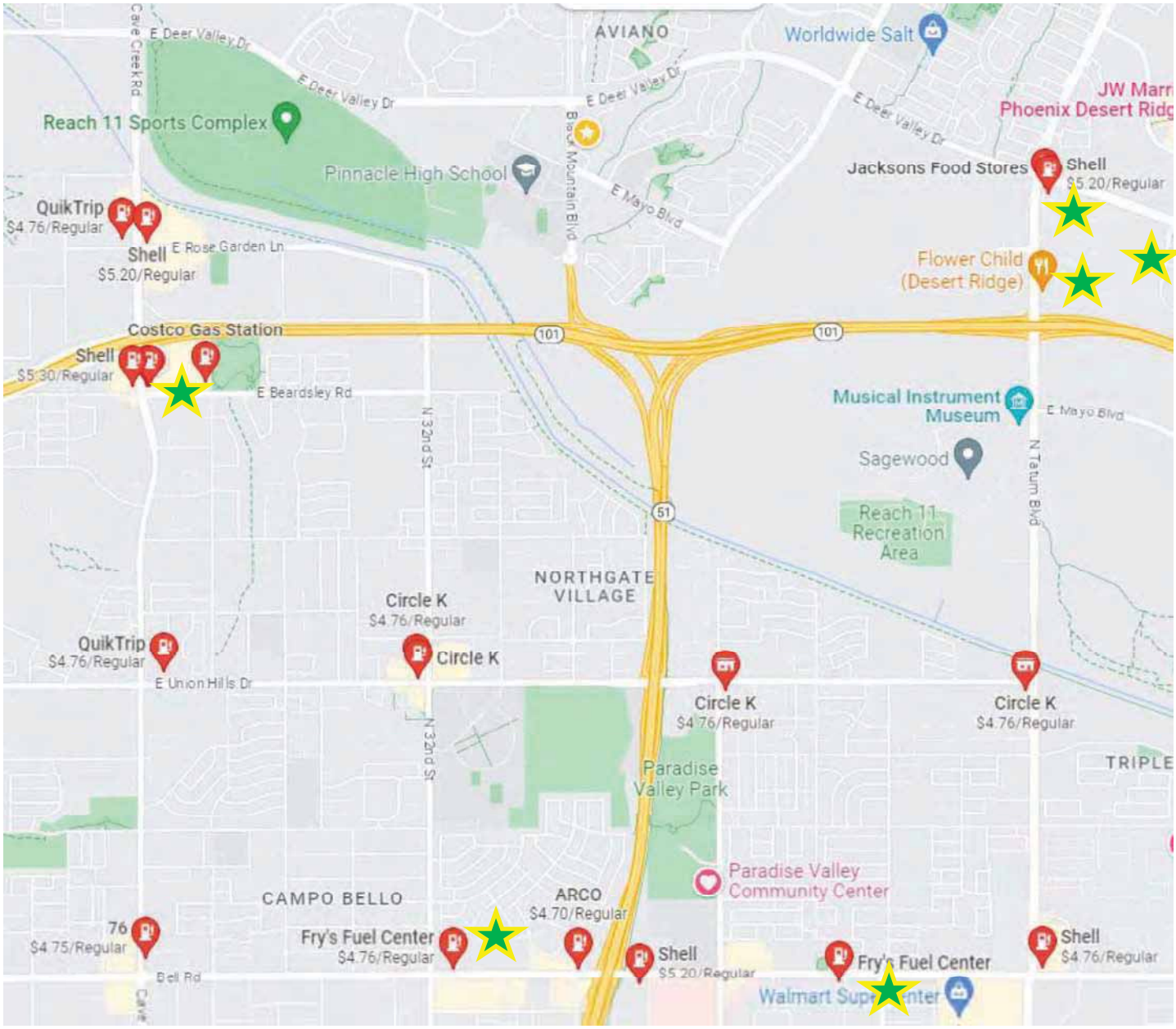
Dan Richards

# DESERT RIDGE IS NOT LACKING GAS AND GROCERY OPTIONS!

**12 gas station within a 3-mile radius** of future development location.
**18 gas stations shown within a 4-mile radius** of future development location.

**Grocery Stores within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City




Grocery stores within 3-mile radius.

**People listed as supporters had the following comments:**

1. Small grocery store
2. I am against gas stations and drive-thru fast food
3. I would STRONGLY prefer there was no gas station
4. No gas station.
5. Grocery must be smaller, neighborhood store. Frys would not fit.
6. We moved here because it was quiet, we do not want to see it turn into another corner of concrete and loitering.
7. Please consider prohibiting gas
8. I would love a small grocery store and no gas station
9. Neighborhood grocer but no gas station please
10. No gas station, small grocery store, ie Trader Joes, Whole Foods
11. Neighborhood grocer but no gas station please
12. No gas station
13. It would be great to have a Trader Joes or Spouts.
14. We would love to see something smaller scale
15. This might cause too many traffic problems for the surrounding area
16. Site should focus on a smaller, high-quality grocer.
17. While I love the concept, I do oppose the gas station idea
18. I'm not opposed to a smaller shopping mall. I would be opposed to a gas station.
19. I absolutely hate the idea of a gas station being part of this project.
20. *I am in the mortgage lender world. If a gas station is placed at the very northern edge of the parcel, it would render the homes on the other side of Deer Valley unlendable for certain mortgage products, which seems incredibly unfair to the folks who bought homes here 3 years ago.*
21. We have had a big increase in homelessness in north Phoenix. This will increase homeless presence.
22. Small grocery stores typically don't attract homeless.
23. Small grocery store like Trader Joes. Traffic is already so bad. Don't need a big retail store there. And No gas station .
24. Support the project, minus the gas station.
25. Small grocery store. Would rather not have gas station
26. No Walmart. An AJ'S or Trader Joes
27. I support the zoning change to a small commercial to allow a small grocery store
28. Would very much welcome Trader Joes or Sprouts. We don't need fast food.
29. I would ask the planning committee to not support a gas station.
30. I would love a Trader Joes of similar grocery store. Not a gas station.
31. Some serious traffic mitigation would need to take place. It's already a disaster
32. Please add a Trader Joes
33. We would support Trader Joes
34. Do traffic studies to assess impact to BMB. Change the entrances and egress points.
35. I realize the location is not ideal.
36. Trader Joes please.

37. Please bring a Sprouts
38. *Hey Gammage and Burnham - these silly Facebook groups are not a good idea. Creating a Facebook group to drum up support for the project makes your law firm look absolutely desperate , pathetic, and borderline deceptive. Please discontinue this type of advertising.*
39. Hoping for boutique style.
40. I do not want gas station on deer valley
41. I would love a Trader Joes
42. It's a busy corner already with the high school
43. Whole Foods or Trader Joes would kill here.
44. Trader Joes and Sprouts would be great.
45. I'd love a grocery store but no gas station.
46. Trader Joes please!!!!!1
47. Hopefully Vestar will attract Trader Joes
48. Trader Joes
49. Would like to see a Trader Joes
50. Please bring Trader Joes
51. Would greatly appreciate a grocery store like Sprouts
52. Trader Joes would be a perfect size store for this location
53. We need a Trader Joes!
54. NO to a gas station
55. Sprouts or Whole Foods would be great!
56. It would be very beneficial to build a Trader Joes.
57. Trader Joes would be great!
58. It would be good to have a Trader Joes at Desert Ridge
59. Sprouts Please!
60. Would love to see a Trader Joes or a Sprouts at this location.
61. I would love to see a Trader Joes there.
62. Trader Joes
63. I prefer a smaller grocery store like Trader Joes over a larger store like Fry's.
64. I am opposed to having a gas station
65. Trader Joes!!! We need one in our area
66. Would love to have a Sprouts nearby. Second choice Sprouts
67. scrap the gas station idea
68. Trader Joes would be great
69. Would love a Trader Joes or Whole Foods. Perfect size.
70. A neighborhood Sprouts of Trader Joes would be wonderful
71. I would like a Trader Joes or a Sprouts
72. Trader Joes would be great.
73. Trader Joes!
74. I vote Whole Foods and Trader Joes
75. Would love a Trader Joes
76. Huge NO for gas of any kind. Yes to Trader Joes
77. I would love to see Trader Joes
78. Trader Joes Please!

79. This area needs a Sprouts!
80. Trader Joes Please!
81. Please make it a Trader Joes
82. Support mini grocer like Trader Joes or Sprouts
83. Trader Joes would kill it up in this neighborhood.
84. Trader Joes
85. Prefer Sprouts or Trader Joes
86. Give us Trader Joes and Whole Foods
87. My support is contingent on 3 things:
    a. Grocer is Sprouts, Whole Foods or AJs
    b. No gas station
    c. Lighting plan similar to Gainey Ranch
88. Trader Joes!!!!
89. Trader Joes please
90. We'd like a Whole Foods or Sprouts.
91. I would be interested in a Trader Joes
92. Please only specialty like Trader Joes Whole Foods Sprouts. Please NOT Fry's or Safeway!!! No fuel station please!!!!
93. I would love to see Trader Joes or something similar
94. I would strongly support C-1 with no gas station or fast food
95. The current proposal isnt' aligned with the "feeling" of the immediate surrounding neighborhood, which is quieter, more residential, and further from the Desert Ridge core.
96. I strongly support Trader Joes store
97. Trader Joes. I'm all in. Sprouts for sure.
98. I would support a Trader Joes or Whole Foods.
99. Support a Sprouts

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Of the 233 letters in support of this project, 99 letters expressed comments that would not align with the support of what Vestar is proposing!

The correct numbers are:

- 279 letters of opposition
- 134 letters of support
- **68% letters oppose this project!**

| | |
|---|---|
| **From:** | V H |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | deny application GPA-DSTV-2-23-2 |
| **Date:** | Tuesday, October 17, 2023 10:03:55 AM |

As a resident of Sky Crossing, I ask that you **DENY** the application GPA-DSTV-2-23-2, Southwest corner of Black Mountain Boulevard and Deer Valley Drive, Z-39-23-2.

Please listen to the residents who have made a strong case against this rezoning. The few letters that were in favor of the rezone were generic and wanted a small grocery store, not the 100,000 sf proposed large store with a gas station.

We already have multiple grocery stores within a few miles as several homeowners have proved. We also have gas stations and every other commercial and retail option within a mile or two. We do NOT need more of the same and the troubles the rezoning will bring.

I am asking for the team to **DENY** the rezoning out of respect for the homeowners and residents that will be directly impacted by this potential monstrosity.

Please review the documents and sound arguments residents have made opposing the rezoning.

This is an emotional issue as you can imagine. I ask that you acknowledge this, respect resident requests, and **DENY** the rezoning request.

Thank you,
Vicki

| | |
|---|---|
| **From:** | Greg Nelson |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 Opposition |
| **Date:** | Wednesday, October 18, 2023 6:19:12 PM |

RE:

Case numbers

GPA-DSTV-2-23-2

GPA-DSTV-3-23-2

Z-39-23-2

Mr. Anthony Grande,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us within a 5 mile radius of this location.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

## Racelle Escolar

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Thursday, October 19, 2023 11:00 AM
**To:** PDD Planning Commission; Council District 2 PCC; Anthony M Grande
**Subject:** Oppose Black Mountain Village

Dear Members

Vestar's proposed zoning change to the parcel at the corner of Deer Valley and Black Mountain Roods is not consistent with the PlanPHX interim report. On page 24 of the report participants and I quote "Love the large master planned communities in North Phoenix." The proposed zoning flies in the face of this master planned community and is not consistent with the Desert Ridge Specific Plan. In fact the developer's own statement is that this is Major Amendment to the DRSP.

Vote no to this rezoning proposal.

Mike Coppola

**Racelle Escolar**

---

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Thursday, October 19, 2023 10:32 AM
**To:** PDD Planning Commission; Council District 2 PCC; anthony.grands@phoenix.gov
**Subject:** Black Mountain Village Proposal - OPPOSED

Dear Members:

I am a resident of Sky Crossing and oppose the proposed rezoning for the parcel at the corner of Deer Valley and Black Mountain roads.

The traffic impact study from October 2022 and the updated from 2023 as prepared by Civtech has undersized the grocery store by 20,000 sq ft as compared to the developers own conceptual site plan. The analysis appears to omit any impact of future traffic flow exiting the 51 Northbound at Black Mountain to access the proposed gas station. The traffic study further indicates the intersection of Deer Valley and Black Mountain to today have a Level of Service (LOS) of an “F”. The applicants stated desire to move traffic from Desert Ridge Marketplace to this corner will only further exacerbate the existing traffic issue.

Vote no to this proposal

Mike Coppola

**From:** Sue
**To:** Anthony M Grande
**Subject:** Zone change from Residential to commercial at Deer Valley & Black Mountain Boulevard
**Date:** Thursday, October 19, 2023 10:26:44 AM

---

We are AGAINST changing the zone from Residential to commercial.
We do not want more traffic, noise, & light pollution. We bought this house with the understanding that this area across the street from us was to remain Residential.

Suzanne Sayegh
21827 North 33rd Street, Phoenix 85050
Sent from my iPhone

## Racelle Escolar

**From:** paul dunn <paul@dunn.ws>
**Sent:** Friday, October 20, 2023 8:42 AM
**To:** Racelle Escolar; Anthony M Grande; Council District 2 PCC
**Cc:** PDD Planning Commission
**Subject:** Memorandum to Phoenix Planning Commission re Vestar Rezoning Request.
**Attachments:** Memorandum to Phoenix Planning Commission re Vestar Rezoning Request.pdf

Ms. Escolar / Anthony Grande / Councilman Waring -

Attached in PDF format is a three-page Memorandum I have prepared in opposition to Vestar's rezoning and plan amendment requests. I will appreciate your distributing this Memorandum to those individuals responsible for making decisions on this issue. I will also appreciate your acknowledging receipt of this Memorandum. Thank you.

Paul J. Dunn - Attorney at Law
3752 E. Covey Lane
Phoenix, AZ 85050
(928) 778-1988
paul@dunn.ws
https://urldefense.com/v3/__http://www.ArizonaEstateAndTrustLaw.com__;!!LkjWUF49MRd51_ry!bFIFTKTnqBYSL7sZYQgC9Q_WXLHBh70l-UceRm0CrMdvfrpAFUBFl9tANIGO2axjSuQTbNgCtLWMZOSdqcaYRIk$

# MEMORANDUM

**TO**: Phoenix Planning Commission (via Racelle Escolar)

**FR**: Paul J. Dunn (Desert Ridge Resident at 3752 E. Covey Lane)

**CC**: Anthony M. Grande, AICP (Phoenix Planning & Development Department)
**CC**: James Waring (District 2 Councilman)

**DT**: October 20, 2023

**RE**: Vestar Rezoning and Plan Amendment Requests for Desert Ridge Superblock 12

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The purpose of this Memorandum is to address two significant issues regarding Vestar's commercial rezoning proposal:

**Issue 1**: Vestar's misinformation campaign touting a "neighborhood grocery store."

**Issue 2**: Existing traffic problems at proposed site across from Pinnacle High School

## ISSUE 1 – VESTAR'S MISINFORMATION CAMPAIGN

I live a few blocks from what Vestar has promoted as a "low-impact commercial development" that would feature a "neighborhood grocery store." However, nothing could be further from the truth.

### Vestar's Site Plan

On September 22nd, Vestar filed a Site Plan for their "neighborhood grocery store" that features a 96,582 square foot grocery store pad. This grocery store pad is almost **40,000 square feet larger** than the pad square footage of the Albertsons store at Desert Ridge Marketplace. Obviously, Vestar never intended their project to be a "smaller retail center" with a Sprouts or Trader Joe's as the "neighborhood grocery store."

Vestar's initial communique acknowledged that their "neighborhood grocery store" would also have a "Fuel Station." Whether called a Fuel Station or a Gas Station, this ancillary service would be a significant source of air, light, and soil pollution. Moreover, numerous studies shown that homes in the vicinity of gas stations suffer depressed values.

### Grocery Supermarket

The Traffic Impact Analysis commissioned by Vestar confirms that Vestar's proposal includes a Grocery "Supermarket", over 40,000 square feet of commercial shops, and almost 20,000 square feet of fast-food restaurants with drive-through windows.

The plan also includes eight traffic access points to handle the traffic generated by these businesses. It is readily evident that this would **not** be a "low impact" development!

**Issue One Summary**
How can anyone honestly describe grocery stores, gas stations, and fast food restaurants with drive through windows as "low impact" uses? It is patently obvious that Vestar's proposed development is not a "Low" Impact Commercial Development. It is a Major Impact Commercial Development designed to line Vestar's corporate pocketbook at the expense of the surrounding residential neighborhood and adjacent high school.

## ISSUE 2 – TRAFFIC PROBLEMS AT PROPOSED SITE

**Vestar's Traffic Impact Analysis**
It is indisputable that the area affected by Vestar's proposal already has a traffic problem. The 366-page October 2022 Traffic Impact Analysis commissioned by Vestar acknowledges this existing problem. Please note the following excerpt from that Analysis:

> *The results of the existing conditions analysis indicate that all study intersections operate with acceptable levels of service (LOS D or better) with the exception of the northbound approach at the intersection of Black Mountain Boulevard & Deer Valley Drive and the northbound and southbound left at the intersection of Aviano Way & Deer Valley Drive.*

**Omitted Traffic Analytics**
This Analysis does not analyze the traffic impact of the nearby Garden Communities 882-unit apartment complex currently underway at the northeast corner of Tatum Blvd and Deer Valley. It also does not analyze the impact of the planned development of the 410-acre parcel at the southeastern corner of Deer Valley and 40th Street purchased by Taylor Morrison and Pulte Homes for a 1,200-lot master planned community. Because the west boundary of this parcel directly abuts Mayo Blvd, traffic from this planned community would likely use Mayo Blvd for ingress and egress. The vehicular traffic entering and exiting the proposed site would cause a substantial increase in 40th Street and Deer Valley traffic.

**Increased Traffic at Proposed Site**
The Executive Summary of the Traffic Impact Analysis reads as follows:

> *The Black Mountain Village proposes to rezone approximately 16-acres of undeveloped land from existing R-2 (residential) to C-2 (commercial) to consist of approximately 76,200 square feet (SF) of grocery supermarket [increased to 96,582 square feet on September 22, 2023] 41,500-SF of various commercial shops each under 40,000 SF, and 19,700-SF of fast-food restaurants with drive through window.*

**Issue Two Summary**
Each of the operations described in the Traffic Impact Analysis would result in increased traffic entering the proposed site from all four bordering streets. That increased traffic would include gas tankers and delivery trucks. This increased traffic would be in addition to the traffic already generated by 2,600 students and their parents entering and exiting the Pinnacle High School twice daily during the school year. Even now there are not enough traffic lanes on Mayo Blvd to efficiently handle the vehicular traffic entering and exiting the high school parking lots. Vestar's proposed development would exacerbate the chaotic traffic problems already occurring during school hours.

**Legal and Equitable Considerations:**
In relevant part, Section 102 of the Phoenix Zoning Ordinance reads, "Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."

Any approval of Vestar's requested zoning and plan amendments would be inequitable. It would disrespect the adversely impacted residents of Desert Ridge who purchased their homes justifiably believing they would never border a commercial development. These homeowners should not have their legitimate expectations sacrificed on an altar of money.

**Conclusion:**
The wording and spirit of the applicable Phoenix Zoning Ordinance require that Vestar's requested Zoning Change and the General and Specific Plan Amendments be denied.

**From:** Paul Bierbusse
**To:** Anthony M Grande
**Subject:** RE: Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School
**Date:** Monday, October 23, 2023 9:45:40 AM

Good morning Anthony,

I wanted to follow-up on the rezoning case below. Due to travel my wife and I were unable to attend the open community meeting held regarding this rezoning but understand conversations continue. As you continue to secure feedback from the community, I wanted to reiterate our stance with respect to the rezoning.

We understand that development may be needed on this parcel – but we continue to object to any rezoning that would permit the construction of a gas station on this parcel. Many stations maintain hours of operations well outside normal commercial business hours – either being open 24 hours or opening very early / closing very late that would make its impact on the neighboring community detrimental. While not thrilled about this parcel being rezoned, with reasonable accommodations, as noted below, we could be supportive of limited development.

Thank you for enabling to continue to be on record on this important matter.

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

---

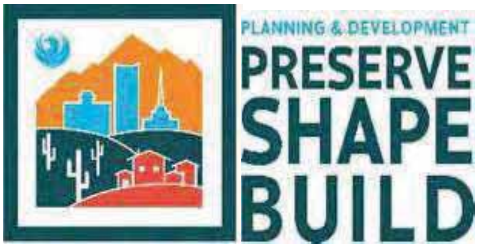
**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, August 14, 2023 6:52 PM
**To:** Paul Bierbusse <Paul.Bierbusse1@ey.com>
**Subject:** RE: Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,
Anthony

**Anthony Grande**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003




**From:** Paul Bierbusse <Paul.Bierbusse1@ey.com>
**Sent:** Monday, August 14, 2023 5:05 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; marybierbusse@gmail.com
**Subject:** Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School

To: Anthony Grande, Planner, City of Phoenix Planning & Development Department
Cc: Mr. Jim Warring, Councilman – District 2, City of Phoenix

Good morning gentlemen,

My wife, Mary, and I recently purchased a home in the Sky Crossing neighborhood immediately north of the proposed rezoning on E. Deer Valley Drive and Black Mountain Boulevard near Pinnacle High School (Desert View Village GPA-DSTV-2-23-2). We are excited to become active members of the community and have been impressed by how the City of Phoenix has thoughtfully managed development. We understand that the proposed rezoning transitions the parcel from residential to commercial, and while we don't object to the rezoning of the parcel we do have a number of significant concerns.

First, we understand that proposed development plans include the construction of a gas station on part of the parcel – we would like to express our strongest reservations as to the inclusion of a gas station within the final plan given the traffic it is likely to draw, the likely extended hours of operations including intrusive late-night lighting in the area, and the environmental impact. There are nearby stations located both at E. Deer Valley Drive/Cave Creek and at E. Deer Valley Drive/Tatum which should more than suffice to address local demand.

Second, the area already deals with significant traffic challenges associated with ingress/egress to Pinnacle High School. Any rezoning and associated development should be coordinated with the traffic needs of the high school both to mitigate impact to overall traffic flow and to enhance safety in a high traffic area. As development continues north of our community, confident that the AZ-51 access point will only see increased traffic volume – plans should be made to address not only existing traffic due to the high school but increased traffic due to the proposed redevelopment.

Third, we have been made aware of increased random acts of violence associated with late night hours at Desert Ridge Marketplace and we don't wish to see those issues brought closer to our community. Should the rezoning be approved, we would ask that conditions be placed on the hours

of operations for tenants to minimize late night traffic to the property (preferably no later than 9pm) and that coordination be pursued with the City of Phoenix Police Department to ensure appropriate police resources are dedicated to the area.

We understand the importance of continued development across Phoenix and believe that reasonable accommodations can be made that both permit development while addressing resident concerns. Thank you for providing us the opportunity to voice our concerns.

Warmest regards,

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

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| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Racelle Escolar |
| **Cc:** | Council District 2 PCC; PDD Planning Commission; Anthony M Grande |
| **Subject:** | My comments for the Nov. 2 Hearing on Vestar"s Rezoning and Plan Amendment Proposals |
| **Date:** | Tuesday, October 24, 2023 10:32:14 AM |

Vestar wants approximately 20 acres of Superblock 12 in Desert Ridge rezoned from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come an opportunity for them to develop a shopping center comprised of the following:1) a supermarket, 2) a gas station/fuel pumps, 3) several fast-food restaurants with drive-through windows, 4) over 40,000 square feet of retail space, and 5) a city bus stop. There are many troubling issues associated with Vestar's proposal. However, the most disturbing is their intent to locate their commercial development on land adjacent to Pinnacle High School and just a short block from Fireside Elementary School. If we are to put the health and safety of our children first, it is ludicrous to think that a commercial development such as Vestar's would be appropriate for this location.

To All Concerned:

With Vestar's desire to build a supermarket and several fast-food restaurants by Pinnacle High School comes concern for the health of our teenagers. It's apparent that both grocery stores and fast-food restaurants sell an inordinate amount of junk food. It's also apparent that teenagers don't always make good decisions about what they eat and drink. Unfortunately, junk food is often their preferred choice. Medical studies have shown that long-term consumption of junk food can lead to serious health issues such as cardiovascular disease, high cholesterol, liver disease, and obesity. Obviously, our teens aren't concerned about this, but we must be. A first step toward controlling this junk food phase would be to stop commercial developments, such as Vestar's, from building right next to our schools.

Vestar's proposal also includes the installation of fuel pumps on site. Whether you call them fuel pumps or gas stations, they are still one of the most significant environmental pollutants. They emit fumes from fueling, fumes from overspills, and fumes from tank vents. Even an idling car engine spews hydrocarbons into the air. Our young people are vulnerable to so many pollutants when they walk to school, participate in outdoor sports, or enjoy outside neighborhood activities. Why would we want to exacerbate pollution problems or create health issues by allowing fuel pumps in our neighborhood? We have a large gas station just minutes away at the Desert Ridge Marketplace. We don't need one here.

Recent studies suggest there is a strong relationship between crime and commercial land use. We have already had instances of vandalism and crime here in Desert Ridge. A development such as Vestar's - with a supermarket selling beer, wine, and liquor - would compound the problem. Any commercial development is certain to attract individuals seeking handouts, looking for shelter or simply wanting a place to "hang out." These situations can quickly escalate to serious criminal activity. We want our children to grow up in a healthy, secure environment. A commercial development in our neighborhood would negate any hope of that.

Please vote NO to Vestar's proposals.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050
928-925-4893

## Racelle Escolar

**From:** Jost, Kevin <kevin.jost@molsoncoors.com>
**Sent:** Tuesday, October 24, 2023 9:50 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Case Nos: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

Hello,
I currently live in the Sky Crossing neighborhood near Black Mountain Blvd and have also lived in Fireside as well as Aviano.

**I DO NOT support the Black Mountain Village project**.

Thanks,
Kevin

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## Racelle Escolar

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Wednesday, October 25, 2023 12:09 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Attachments:** 09192023 opp.pdf; opposition.pdf

Dear Planning Commissioners and Council Members,

I write to supplement my letter of August 23, 2023 , and email of September 19, 2023, copies of which are attached for ease of reference.

The requested amendments and rezoning should be denied. Vestar's proposal to install no less than three drive-through food and coffee operations [Vestar Updated Conceptual Site Plan], at a location where they are currently prohibited, is antithetical to general plan core values and principals, a radical departure from existing planning, and will destroy the residential character of the area. The Planning Commission and City Council should take the advice of the Desert View Village Planning Committee and deny all three requests related to the proposed Black Mountain Village.

**Failure to build low-impact conveniences does not justify imposition of prohibited drive-through fast food and coffee operations.**

Staff Report Z-39-23-2 (Sept. 16, 2023), contends that because "most retail superblocks have been developed without any convenience retail . . . this proposal fills a gap." The staff report overlooks the fact that, under the Desert Ridge Specific Plan ("DRSP"), drive-through uses are specifically prohibited from neighborhood conveniences:

> d. **Prohibited Uses**: Other than the uses listed above as permitted uses, **all uses are expressly prohibited including the following:** ● Mechanical or electronic video games or arcade - type devices for amusement purposes. ● **Drive-through uses** ● Sales of package liquor other than beer or wine [Desert Ridge Specific Plan, 6.C.3.B.2.d @ p. 6-8 (emphasis supplied)].

DRSP acknowledges that **"[t]his criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.**" [DRSP 5. C.1, @p. 5-5 (emphasis supplied)]. There is no logic whereby failure to build the allowed low-impact conveniences can justify imposing prohibited drive-through operations on a residential community.

Drive-through operations do nothing to connect people and places, celebrate diverse communities, or promote non-vehicular transportation. In its explanatory letters, Vestar does not discuss how drive-through operations are in any way compatible with core values or the existing plans or uses, and the staff reports do not specifically address this question.

**Connection of SR 51 to Black Mountain Boulevard as an arterial street does not justify putting drive-through operations in the middle of a residential area.**

The General Plan, the DRSP and the Land Use Principles of the Desert View Village Planning Committee Character Plan all specify that the residential uses planned for Deer Valley Road should be left in place.

The General Plan Map ( https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00473.pdf ) shows extensive commercial development on nearby Bell Road and, to a lesser extent, Union Hills Drive. A substantial parcel is designated commercial at the intersection of Pinnacle Peak and Cave Creek Roads, which will easily provide shopping options for residents at the western part of Desert Ridge. Residents to the east have easy access to shopping at Mayo Boulevard and Pinnacle Peak Roads near their intersections with Scottsdale Road. To the north, substantial commercial parcels are designated along Happy Valley Road.

One of the Land Use Principles of the Desert View Village Planning Committee Character Plan is to "[e]ncourage properties and **neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.** (Cave Creek Road, **Deer Valley Road**)" [Desert View Village Character Plan, 022218 DESERT VIEW Character Plan.indd (phoenix.gov) , @ p. 12, (parenthetical in original, emphasis supplied], accessed 10/22/2023].

DRSP recognized that SR51 could one day connect on "a projected arterial street alignment" (DRSP 5.D.1.A @ p. 5-13). The plan made it clear that the designation of arterial streets does not justify disturbing the residential character of neighborhoods through which they pass : "[t]he arterial street system is designed to carry all through project traffic, as well as traffic destined for the Village Center **without impact to the neighborhood" [**DRSP 5. D.1.B @ p. 5-14) (emphasis supplied)].

The Future Land Use Map incorporated in the Final Environmental Assessment for Black Mountain Boulevard, approved by the City of Pheonix and the State of Arizona, does not include any commercial development in the area of Black Mountain Boulevard south of Pinnacle Peak Road [Black Mountain Boulevard Final Environmental Assessment, fig 6 @ p. 13 (104448.pdf (phoenix.gov) , accessed 10/25/23)]. The environmental assessment specifically noted that "[i]n undeveloped areas north of PHS [Pinnacle High School], Phoenix and ASLD plans indicate future residential development occurring" [id., @ p. 14]. Facilitating new commercial development along Deer Valley Road was not among the purposes and needs identified in the assessment.

**Conclusion**

Vestar's proposal not only does extreme violence to the Desert Ridge Specific Plan, it also seeks to undermine the General Plan. The City carefully designated commercial centers to the north of Desert Ridge to facilitate the needs of residents as construction continues in that direction. Vestar's obvious aim is to discourage commercial development to the north by capturing traffic as close as possible to the terminus of SR 51.

For these and all the other reasons stated in my previous communications, and by so many of my neighbors, I urge you to deny Vestar's request for amendments of the City of Phoenix General Plan and Desert Ridge Specific Plan, and to deny rezoning of the parcel in question.

Respectfully,

James W. Tuffin
21214 N. 36th Pl
Phoenix, AZ 85050
(516) 359-6420
james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

**From:** Rita Hachem
**To:** Anthony M Grande
**Subject:** Oppose Commercial rezoning in Desert Ridge
**Date:** Thursday, October 26, 2023 1:19:20 PM

---

Hey,

I just signed the petition "Oppose Commercial rezoning in Desert Ridge" and wanted to see if you could help by adding your name.

Our goal is to reach 1,000 signatures and we need more support. You can read more and sign the petition here:

https://chng.it/FN8MFHjT52 [chng.it]

Thanks!
Rita Hachem Barakat
21606 n 36th street

**From:** MIke Dillon
**To:** Anthony M Grande
**Subject:** Commercial Re zoning next to Pinnacle HS
**Date:** Thursday, October 26, 2023 11:10:47 PM

---

I live in Fireside just a couple of blocks away and want nothing to do with commercial buildings on that corner next to the school. That area is zoned residential and is used by a lot of high school students making it even more unsafe to place businesses right there. Anything there would be a horrible idea.

Mike Dillon
Fireside resident

Sent from my iPhone

**From:** Johnson, Kimberly A.
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** OPPOSED to rezoning at Black Mtn Blvd/E Deer Valley
**Date:** Thursday, October 26, 2023 12:29:15 PM
**Attachments:** image001.png

---

To Whom It May Concern,

I would like it to be known that I am strongly opposed to the proposed rezoning of the residential area at the corner of Black Mountain Boulevard and E Deer Valley Drive. This area is already way too busy to add more congestion due to commercial development. Any new commercial development needs to be located two miles to the North at Black Mountain Boulevard and Pinnacle Peal – which is ALREADY zoned commercial.
My home is located a mile to the East of this intersection and my kids have already graduated from Pinnacle so either way this will not directly affect me, but I know this proposal is NOT a good idea.
Thank you.

Desert Ridge resident since 1997,
Kimberly Johnson

Kimberly A. Johnson, RPh (She. Her. Hers) | Clinical Pharmacist-Lead, Formulary Management, CVS Caremark
**p** 480-797-4669
9501 E. Shea Blvd, Mail Code 150, Scottsdale, AZ 85260-0613




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**From:** Pascale Levin
**To:** Anthony M Grande
**Subject:** No vote for the proposed development next to pinnacle high school
**Date:** Thursday, October 26, 2023 1:36:45 PM

---

I do not think that this proposed commercial property is a good idea. It's bad for the school it's bad for the area. I totally agree that it should not go through. Put the commercial properties to the west off of Cave Creek Road. That would be a better area it's still close for the neighborhood. Still profitable for the companybut does not interfere with the neighborhood. That neighborhood is way too crazy in terms of traffic. You're just gonna be adding more traffic off that 51 next to the high school you will see more accidents in that area.
Sent from my iPhone

**From:** Carefree Builders
**To:** Anthony M Grande
**Subject:** We do not want refine
**Date:** Thursday, October 26, 2023 6:26:43 PM

---

Hello Anthony ,

We live is SkyCrossing
And are opposed to this rezoning..
please put me on recorded of that.

# Best Regards,

Mike Paluscio,

602.499.5955
Carefree Builders LLC
100 Easy St. #5607
Carefree, AZ 85377
ROC: 342992

| | |
|---|---|
| **From:** | Frank Soldano |
| **To:** | Anthony M Grande |
| **Cc:** | Frank Soldano |
| **Subject:** | Rezoning next to Pinnacle High |
| **Date:** | Thursday, October 26, 2023 7:33:35 PM |

Mr Grande,

As an Aviano resident since 2008, I want to clearly communicate my opposition to the proposed rezoning near Pinnacle High. The intersection is already heavily traveled and frequently congested. Adding a shopping center would make that situation much worse. Also, this is a residential area with similar shopping options only a short distance away. An additional shopping center in the middle of the residential area is not needed and is not consistent with the rest of the area. The current zoning should be maintained.

Frank A. Soldano
3927 E Crest Ln
Phoenix, AZ 85050
Fnksoldano@yahoo.com

Sent from my iPhone

Frank A. Soldano
Cell phone - 480-258-7144
fnksoldano@yahoo.com

Sent from my iPhone

**From:** Denise Von Linsowe
**To:** Anthony M Grande
**Subject:** Oppose rezoning area near PHS
**Date:** Thursday, October 26, 2023 8:35:24 PM

---

I am writing to state my firm opposition to rezoining the area near Pinnacle high school to commercial. I currently have a junior there and will have 2 more kids there next year. There are plenty of other areas to build a gas station and whatever else. Keep the area by Pinnacle residential for our kids' safety!!!

Sincerely.

Denise Von Linsowe
2207 E Heston Dr

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android [aka.ms]

## Racelle Escolar

**From:** abbottcorp@comcast.net
**Sent:** Friday, October 27, 2023 11:31 AM
**To:** abbottcorp@comcast.net
**Subject:** Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

October 27, 2023

RE: Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

To Whom It May Concern:

As a resident of Sky Crossing Community and a concerned citizen, this is to request a denial of the above application to rezone.

The area of concern is currently zoned for residential, primarily because it is bordered by Pinnacle High School, and in close proximity to Sky Crossing, Fireside, and Aviano residential subdivisions. This area is already impacted by heavy traffic, especially during school hours. All neighborhoods are within seven minutes to shopping at Desert Ridge, including grocery and service station, as well as five minutes away from retail and service stations near Cave Creek Rd. and Rose Garden Ln. Costco is ten minutes away. The argument by developers that this development is needed does not hold water.

Additionally, the aforementioned neighborhoods will be negatively impacted by undesirable elements, such as unwanted foot traffic and panhandlers migrating from the intersection of SR101 and Cave Creek Rd., five minutes away.

It is my understanding that the majority of residents in the area are against the proposed rezoning effort. With this in mind, it is a sensible decision that this rezone application be denied forthwith.

Yours truly,

Robert W. Abbott
Sky Crossing Resident

## Racelle Escolar

**From:** V H <vickihanley19@gmail.com>
**Sent:** Friday, October 27, 2023 9:09 AM
**To:** Council District 2 PCC; PDD Planning Commission
**Subject:** AGAINST - GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

As a resident of Sky Crossing, I am against the rezoning of the southwest parcel on the corner of Black Mountain and Deer Valley north of Pinnacle high school.

## Racelle Escolar

**From:** V H <vickihanley19@gmail.com>
**Sent:** Friday, October 27, 2023 9:13 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** DENY- GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

As a resident who will be directly affected by this proposed rezoning, I ask that the request be denied. I live in Sky Crossing and purchased my home knowing there would not be any retail, gas stations, or grocery stores across the street.

Deny black mount village.

We DO NOT want the traffic, pollution, vandalism, trash, noise, light, homelessness, or smell that this rezoning and subsequent development would bring.

**From:** martin harris
**To:** Anthony M Grande
**Subject:** Rezoning at pinnacle high school
**Date:** Friday, October 27, 2023 6:52:06 AM

---

We do not want commercial buildings right next to the high school.  Is there a petition for us to sign

Martin Harris

Sent from my T-Mobile 5G Device
Get Outlook for Android [aka.ms]

## Racelle Escolar

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, October 27, 2023 7:41 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Planning Commissioners and Council Members,

I wish to correct an inadvertent error in the below email. I misquoted the Staff Report Z-39-23-2 (Sept. 16, 2023) as saying "most *retail* superblocks have been developed without any convenience retail . . . ". I should have typed: "most *residential* superblocks have been developed without any convenience retail . . . "

I apologize for any inconvenience and thank you for considering this matter.

---

**From:** James Tuffin
**Sent:** Wednesday, October 25, 2023 12:09 PM
**To:** pdd.planningcomm@phoenix.gov; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Planning Commissioners and Council Members,

I write to supplement my letter of August 23, 2023 , and email of September 19, 2023, copies of which are attached for ease of reference.

The requested amendments and rezoning should be denied. Vestar's proposal to install no less than three drive-through food and coffee operations [Vestar Updated Conceptual Site Plan], at a location where they are currently prohibited, is antithetical to general plan core values and principals, a radical departure from existing planning, and will destroy the residential character of the area. The Planning Commission and City Council should take the advice of the Desert View Village Planning Committee and deny all three requests related to the proposed Black Mountain Village.

**Failure to build low-impact conveniences does not justify imposition of prohibited drive-through fast food and coffee operations.**

Staff Report Z-39-23-2 (Sept. 16, 2023), contends that because "most retail superblocks have been developed without any convenience retail . . . this proposal fills a gap." The staff report overlooks the fact that, under the Desert Ridge Specific Plan ("DRSP"), drive-through uses are specifically prohibited from neighborhood conveniences:

> d. **Prohibited Uses**: Other than the uses listed above as permitted uses, **all uses are expressly prohibited including the following:** ● Mechanical or electronic video games or arcade - type devices for amusement purposes. ● **Drive-through uses** ● Sales of package liquor other than beer or wine [Desert Ridge Specific Plan, 6.C.3.B.2.d @ p. 6-8 (emphasis supplied)].

DRSP acknowledges that **"[t]his criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.**" [DRSP 5. C.1, @p. 5-5 (emphasis supplied)]. There is no logic whereby failure to build the allowed low-impact conveniences can justify imposing prohibited drive-through operations on a residential community.

Drive-through operations do nothing to connect people and places, celebrate diverse communities, or promote non-vehicular transportation. In its explanatory letters, Vestar does not discuss how drive-through operations are in any way compatible with core values or the existing plans or uses, and the staff reports do not specifically address this question.

**Connection of SR 51 to Black Mountain Boulevard as an arterial street does not justify putting drive-through operations in the middle of a residential area.**

The General Plan, the DRSP and the Land Use Principles of the Desert View Village Planning Committee Character Plan all specify that the residential uses planned for Deer Valley Road should be left in place.

The General Plan Map ( https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00473.pdf ) shows extensive commercial development on nearby Bell Road and, to a lesser extent, Union Hills Drive. A substantial parcel is designated commercial at the intersection of Pinnacle Peak and Cave Creek Roads, which will easily provide shopping options for residents at the western part of Desert Ridge. Residents to the east have easy access to shopping at Mayo Boulevard and Pinnacle Peak Roads near their intersections with Scottsdale Road. To the north, substantial commercial parcels are designated along Happy Valley Road.

One of the Land Use Principles of the Desert View Village Planning Committee Character Plan is to "[e]ncourage properties and **neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.** (Cave Creek Road, **Deer Valley Road**)" [Desert View Village Character Plan, 022218 DESERT VIEW Character Plan.indd (phoenix.gov) , @ p. 12, (parenthetical in original, emphasis supplied], accessed 10/22/2023].

DRSP recognized that SR51 could one day connect on "a projected arterial street alignment" (DRSP 5.D.1.A @ p. 5-13). The plan made it clear that the designation of arterial streets does not justify disturbing the residential character of neighborhoods through which they pass : "[t]he arterial street system is designed to carry all through project traffic, as well as traffic destined for the Village Center **without impact to the neighborhood" [**DRSP 5. D.1.B @ p. 5-14) (emphasis supplied)].

The Future Land Use Map incorporated in the Final Environmental Assessment for Black Mountain Boulevard, approved by the City of Pheonix and the State of Arizona, does not include any commercial development in the area of Black Mountain Boulevard south of Pinnacle Peak Road [Black Mountain Boulevard Final Environmental Assessment, fig 6 @ p. 13 (104448.pdf (phoenix.gov) , accessed 10/25/23)]. The environmental assessment specifically noted that "[i]n undeveloped areas north of PHS [Pinnacle High School], Phoenix and ASLD plans indicate future residential development occurring" [id., @ p. 14]. Facilitating new commercial development along Deer Valley Road was not among the purposes and needs identified in the assessment.

**Conclusion**

Vestar's proposal not only does extreme violence to the Desert Ridge Specific Plan, it also seeks to undermine the General Plan. The City carefully designated commercial centers to the north of Desert Ridge to facilitate the needs of residents as construction continues in that direction. Vestar's obvious aim is to discourage commercial development to the north by capturing traffic as close as possible to the terminus of SR 51.

For these and all the other reasons stated in my previous communications, and by so many of my neighbors, I urge you to deny Vestar's request for amendments of the City of Phoenix General Plan and Desert Ridge Specific Plan, and to deny rezoning of the parcel in question.

Respectfully,

James W. Tuffin
21214 N. 36th Pl
Phoenix, AZ 85050
(516) 359-6420
james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

## Racelle Escolar

**From:** bridget brown <bridget.brown77@gmail.com>
**Sent:** Saturday, October 28, 2023 2:44 PM
**To:** PDD Planning Commission; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

City of Phoenix,

I have lived in the Fireside community for over 10 years and chose to buy because of the safe neighborhood Fireside provides me and my kids.

I do NOT want Black Mountain Village built! I'm sure you've heard it all, but my biggest concern is it will turn into a homeless encampment and lots of drug use just as Desert Ridge Marketplace has become over the last couple years. The "zombies" I see high as a kite near Tatum and Deer Valley are extremely sad and scary. Black Mountain Village will become this in due time if it is built.

We need to keep our kids safe! I didn't move here to fight against big corporations who just care about making money!

Sincerely,
Bridget Brown

## Racelle Escolar

**From:** Chris Hanley <c3hanley@gmail.com>
**Sent:** Saturday, October 28, 2023 1:03 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

My name is Chris Hanley and I live in the Sky Crossing community. I moved into this neighborhood in March 2020 and am the original owner of my home.

I understand there is a zoning hearing for the parcel of land on Deer Valley, West of Pinnacle High School. I also understand that a commercial developer wishes to buy the land to develop a shopping center and needs the land to be rezoned from residential to commercial.

I am opposed to this rezoning.

Sky Crossing is a new neighborhood. Many of us bought here in the last few years with the knowledge of the open land to our south being other homes, not a grocery store, gas station, and other retail. This isn't an old neighborhood where things have changed over the decades, we're less than 5 years into this.

As you know, Deer Valley is a 3 lane road in each direction. It is heavily travelled. The high school contributes to the traffic load at certain times of day. WIth Black Mountain as a feeder onto SR 51, there is high traffic already.

While I understand how that would appeal to a commercial developer, the community is highly concerned about the added traffic and congestion a shopping center would bring. In addition, the shopping center would add light pollution and added noise pollution.

As you also know, shopping centers draw in pan handling, the homeless, and additional trash. We don't need that in a family community, next to a high school and close to Sky Crossing Elementary.

Cave creek road to our West has 2 gas stations on it (north of the 101) and plenty of retail. We have an Albertsons at Tatum and Deer Valley, with a gas station, and again lots of retail at Desert Ridge. There is also a Safeway and Frys north of us at Tatum and Cave Creek. We don't need any more grocery stores and there are plenty of gas stations.

Please do not approve the rezoning. Thank you for your consideration on this matter and please reach out if you desire to discuss.

Thank you,
Chris Hanley
c3hanley@gmail.com

## Racelle Escolar

**From:** Nathan Friedland <nlfriedland@gmail.com>
**Sent:** Saturday, October 28, 2023 10:32 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

Good Day:

My wife and I live directly north of the subject parcel, and from our home in Sky Crossing we currently can see Pinnacle High School and can hear the sporting events as they occur in their sports field.

We are pleased that the Village Planning Commission rejected the Vestar proposed development.

We are not against change, and we are not against progressive and positive development in our area. What we are against is the current proposal as has been submitted by Vestar.

The key factors in our rejection of their proposal is as follows:

1. The size of the proposed grocery is in the area of 100,000 square feet. This is enormous and is nearly twice the size of the Albertsons' Grocery Store at Desert Ridge - approximately 2 miles away from this parcel plus this store is only 58,000 square feet. It would make more sense to have a grocery store similar in size; i.e. 50,000 to 60,000 square feet. I would venture to guess that most residents of our area would be open to a grocery of this size vs a Mega store that Vestar is trying to force upon us.

Additionally with the pending consolidation of Fry's and Safeway/Albertsons, the need for such a large behemoth is absurd.

2. We are adamantly opposed to a gas station for this parcel. There are plenty of gas stations in the area and an additional location is not needed. Problems with a gas station are as follows:

a. Excessive Noise as drivers rev their engines and race out of the station
b. Air pollution from the exhaust systems of vehicles
c. Underground soil pollution from leaking gas tanks
d. Light pollution from the bright lights of the station that will stream into our homes during the night
e. Increased traffic will be created as drivers wanting to get onto Route 51 will purposely come down Black Mountain to get gas first vs taking Cave Creek to the 101 and then the 51
f. The future of our transportation industry will be electric and/or hydrogen powered vehicles. This may take 10 to 20 years to achieve but the need for a gas station will be further reduced. An electric vehicle charging point would make more sense for today and the future.

3. We are also concerned that the overall shopping center will be lit up so much that the bright lights will interfere with our ability to enjoy life in our yards and inside our homes. Additionally this will be a negative impact upon the value of our homes. The developer must install desert lighting that directs all lighting towards the ground and not into the sky.

Thank you for your attention to this matter.

*Nathan Friedland*
22007 North 34th Way

Phoenix, Az 85050
nlfriedland@gmail.com

## Racelle Escolar

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Monday, October 30, 2023 7:13 AM
**To:** Anthony M Grande; PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** Black Mountain Village Continuation - Opposed

It is my understanding that the developer has requested their application for rezoning be pushed to the December 7, 2023 Planning Commission meeting. The community is prepared to share our objections to the development as an agenda item on the November 2, 2023 meeting of the Planning Commission. The developer has had ample time to prepare for this meeting and significantly more resources than members of the community and yet they are not prepared to present their application for rezoning.

I urge you to deny this request and the let matter come before you on November 2, 2023

Mike Coppola

## Racelle Escolar

**From:** wroodenburg@cox.net
**Sent:** Wednesday, November 1, 2023 2:35 PM
**To:** PDD Planning Commission; PDD Long Range Planning
**Cc:** Council District 2 PCC; Anthony M Grande
**Subject:** Further information and questions related to Black Mountain Village Commercial Rezoning case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2
**Attachments:** PlanningCommitteePhotoAppendix.docx

Dear Planning Committee members,
The above mentioned rezoning request will be on the agenda for your November meeting tomorrow and is currently showing in the section to request a "continuances and withdrawals".

My name is Wouter Roodenburg and I am a concerned resident of Fireside and have spoken on numerous occasions during the meetings in the past as well as emailed the various people involved.

I am part of a group which has shown our commitment to stopping this proposal and represent the now 825 people who have signed our online petition currently.
Our opposition group has only grown in the past few weeks following the Desert View Village planning commission motion to deny this proposal 9-1.
This denial should count for a lot given the fact that these are people from our community and are very familiar with commercial rezoning requests near schools. I urge you to consider their views on this matter.

Because a picture is worth a 1000 words, please review the document attached in which I have gathered some pictures for you to see the challenges like accidents and the traffic congestion and other unsafe situations this community is dealing with. Currently no mitigation efforts have been presented by the developer and their attorneys that could resolve these situations, nor have they been acknowledged.

To highlight the fact that many of our residents purchased in this area because of its core value of creating a family-oriented and safe community I included the types of activities that our residents participate in to achieve this, such as our locally recognized and honored Halloween festivities that we provide which will become the childhood memories they will remember.

The proposal on Black Mountain Boulevard is not only in the center of this very connected and active community in which we raised our families, but it is also disrupting the lifestyle and property rights that we have come to enjoy over the years.

I am a resident since 2007 when my first son was born. We enjoyed this safe community and felt confident to have them play outside and cycle or walk to schools and allowed them to roam the neighborhood as it is a safe place currently. This image was suddenly disrupted when my son had to go to Pinnacle High School. The chaos around the High School was frightening and I have since been an active participant in the city's Road Safety Action Plan (Vision Zero).

Members of this committee are about to decide whether to disrupt this community and significantly add to the issues surrounding Pinnacle High School.
This proposal will create many new issues to this community that it doesn't have to worry about today.
Traffic, light/noise/odor/environmental pollutants, and loitering, to name a few.

We have learned that this land was approved for commercial rezoning because – according to Arizona State Land department official reply - "**The Desert Ridge Community Association (DRCA) has said additional grocery anchored retail is needed in Desert Ridge.**".

I therefore have the following questions for you to consider;

- Is this proposal all because 1 person on the DRCA was of the opinion that we needed 1 extra grocery for our convenience, whilst we have plenty of grocery stores within 5 miles?
    - Is this person even allowed and authorized to make this statement?
    - What was the basis for this statement? The community was not consulted in any manner.
    - Should it have included a reference to be in compliance with the **existing** Desert Ridge master plan.
- Is this all because the developer has subsequently provided disingenuous information about the number of grocery stores in our area (claiming on Albertsons) by not including stores south of the 101 in their presentation.
    - Does Target groceries and Sprouts express not count in the developers' own Marketplace?
    - Have they substantiated why the existing commercial sites are not appropriate for their plans?
- Should the Arizona State Land Department have looked deeper into this request?
    - its mission is "**to responsibly to manage the State's Land Trust and to generate maximum revenues, through prudent planning decisions for the beneficiaries**".
    - Was "Prudence" applied in this case by the ASLD when they are introducing a commercial center which is deemed "materially detrimental to a neighborhood" and planned right next to schools who should be the beneficiaries? The traffic increase will jeopardize our kids going school.
- Isn't the fact that "Criteria and Standards in Chapter 6 are to **minimize the adverse environmental impact on residential neighborhoods typically associated with commercial development**", recognized in our master plan.
- Isn't it true that there are already sites in the neighborhood which are commercially zoned that the developer can build on?

Please carefully consider your vote on this proposal and would also like to ask you to consider reaching out to the Village Planning committee members to understand their views and reasons for denial.

Please vote to dismiss this proposal in all its forms and let's work together to execute the vision for Desert Ridge, through the Phoenix General Plan, the Desert View Village specific plan and the current Desert Ridge master plan.

Kind regards,
Wouter Roodenburg
480-567-2716

Appendix In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

October 21st – Home Coming Pinnacle High school
Rollover Accident on Black Mountain Blvd and Mayo
Student Driver involved



October 31st – Morning traffic Pinnacle High school
Accident on Black Mountain Blvd and Mayo
Student Driver involved



Morning Traffic MAYO Blvd
Access Road are all blocked with traffic



Morning Traffic – INTERSECTION Black Mountain Blvd and Mayo Access Road are all blocked with traffic




Morning Traffic – Kids walking to school, crossing wherever they feel like



Morning Traffic – Deer Valley.
Frustrated drivers making dangerous manouvres to cut into waiting lanes



Morning Traffic
Girl walking along side 34st without sidewalk






Morning Traffic blocking the Deer Valley Intersection





COMMUNITY SPIRIT

Fireside Halloween Parties

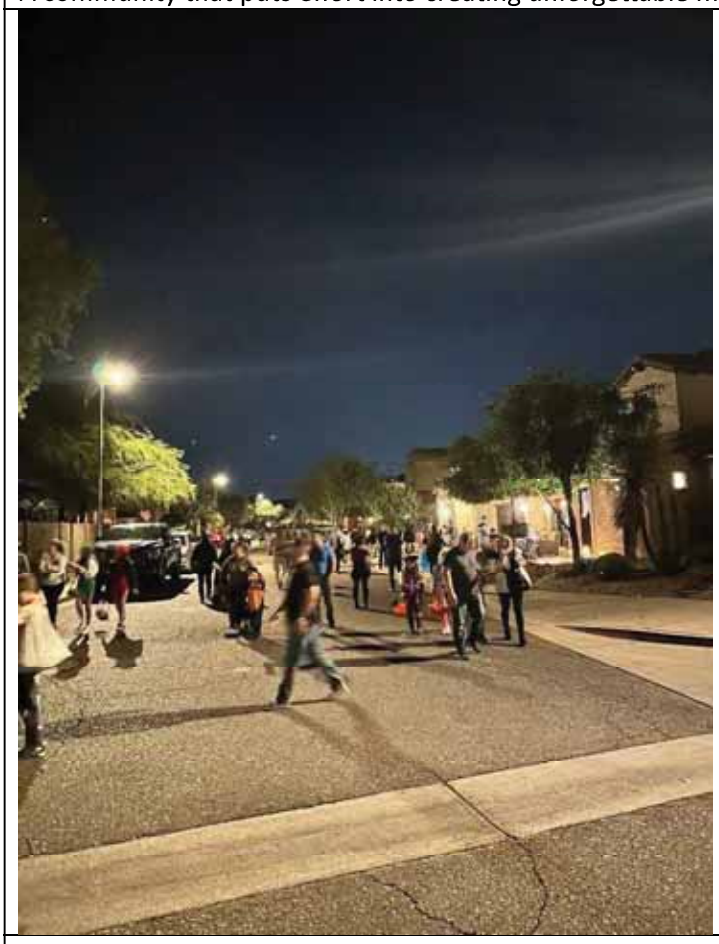
Connected community where neighbors know and help each other

A community that puts effort into creating a safe environment





Fireside Halloween Parties
Connected community where neighbors know and help each other
A community that puts effort into creating unforgettable memories for their children



Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

November 29, 2023

Dear Members of the Desert View Village Planning Committee,

We are unable to attend the upcoming Planning Committee meeting; however, we wish to provide you with an update on the developments since our correspondence dated September 1, 2023.

Following our initial communication, the district engaged in discussions with the proposed developers, Vestar. While Vestar presented plans that address some of the school and district's concerns, the full impact of these measures remains uncertain until their implementation is observed.

Furthermore, during this interim period, we have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. Rather, their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development. Given the district's declining enrollment, the introduction of additional housing in the vicinity would contribute positively to our enrollment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,

Troy J. Bales

Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

## Racelle Escolar

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Friday, December 1, 2023 2:27 PM
**To:** Council District 2 PCC; Racelle Escolar
**Subject:** FW: Vestar's Rezoning Proposal

For your information, below is an email I have sent to Dr. Troy Bales regarding Vestar's rezoning proposal. Thank you for your attention to this matter.
Carolyn Dunn

---

**From:** C Dunn
**Sent:** Friday, December 1, 2023 2:22 PM
**To:** tbales@pvschools.net
**Subject:** Vestar's Rezoning Proposal

Dear Dr. Bales -

Unless you have personally been involved with transporting students to and from Pinnacle High School, as I have for the last three years, you cannot appreciate the traffic challenges that occur on a daily basis. Even under the best of conditions, students can be seen darting across traffic, crossing against the light, and jaywalking. Add to that a plethora of parents anxious to get their students to school on time, inexperienced student drivers, and the crush of daily traffic --- you have nothing less than an accident waiting to happen.

We can avoid compounding the already existing traffic issues on Black Mountain Boulevard by prohibiting commercial development there. Vestar's proposed development, or any commercial development, can only promise round-the-clock businesses with round-the-clock traffic. The negative impact far outweighs any alleged benefits.

Please consider the safety and well-being of our students and say NO to rezoning Superblock 12.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

**From:** C. Taylor Morgan <tigertail1984@gmail.com>
**Sent:** Tuesday, December 5, 2023 1:22 PM
**To:** PDD Planning Commission; Mayor Gallego; council.district2@phoenix.gov
**Subject:** Opposition to Vestar Development near Pinnacle High School
**Attachments:** Letter from PVUSD Superintendent.pdf

To Whom It May Concern,

My name is C. Taylor Morgan and I live at 3621 E. Zachary Drive, in Phoenix Arizona in the area of Desert Ridge. My neighborhood is next to Pinnacle High School and the proposed Vestar development parcel at the corner of Black Mountain Boulevard and Deer Valley Road. I have written before speaking of my deepest concerns over this development which was zoned to be residential and Vestar's determination to rezone the parcel as commercial. My concerns are for the increase in traffic coming off the 51 highway and the 101 highway (so busy as it is) which will bring in many non-locals, increased pollution and traffic dangers for residents and students of Pinnacle High School. My home also abuts an open desert and has no border or fence to protect my house and I am concerned also about people cutting through here to get to the development or perhaps unhoused people setting up shelter in this desert area. The corner is already a disaster area for school drop-offs and pick-ups and the increased traffic for the shopping center will make it even worse. It makes no sense. There are plenty of other commercially zoned parcels within Desert Ridge that do make sense for a grocery store, drive-thru food or coffee, or smaller stores. I am pleading with you to see the residents of this area point of view on the dangers of this proposed commercial development and say NO to Vestar. I am including a letter from Paradise Valley Unified School District where they state they are also AGAINST this development. Thank you for your time.

Sincerely,

C. Taylor Morgan

Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

November 29, 2023

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We are unable to attend the upcoming Planning Committee meeting; however, we wish to provide you with an update on the developments since our correspondence dated September 1, 2023.

Following our initial communication, the district engaged in discussions with the proposed developers, Vestar. While Vestar presented plans that address some of the school and district's concerns, the full impact of these measures remains uncertain until their implementation is observed.

Furthermore, during this interim period, we have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. Rather, their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development. Given the district's declining enrollment, the introduction of additional housing in the vicinity would contribute positively to our enrollment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,

Troy J. Bales

Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, December 5, 2023 2:36 PM
**To:** PDD Planning Commission
**Cc:** Council District 2 PCC; Mayor Gallego
**Subject:** FW: Superblock Parcel 12 - Vestar Rezoning efforts
**Attachments:** Letter from PVUSD Superintendent.pdf

Good afternoon, Mayor Gallego, Councilman Waring, and City Planning Commission,

At last month's City Planning Commission meeting, Vestar Development had requested a continuance for the vote to rezone Parcel 12, located on the corner of Black Mountain Boulevard and Deer Valley. As most of you are aware, there has been a large number of Desert Ridge residents that have opposed this commercial development proposal at this location. Our group made it very clear that we would be happy to meet with their side once they have had their meeting with the Land Department. It has been over a month since you granted the continuance to Vestar and there has been no progress to report. I am very concerned we are going to get halfway through the month of December and the have Gammage request a meeting around Christmas time, when nobody is available. I want to make it very clear on our end that we will not accept another continuance vote on January 4. No modifications to their proposal will make this more likely to pass a committee vote. This development at this specific location is flawed. They know it, you know it, and there's nothing they can modify to make this any better. This continuance should have never happened.

I wanted to forward a conversation I had with the Fireside Community Manager, Eric Molenaar. He has had several residents asking when the rezoning vote was happening. My understanding is that Gammage needed to reach out to all the local communities to let them know about this continuance and when the new date was for this vote. They told me, personally, that every local neighborhood has been contacted to let them know about this scheduling change. If this is the case, why wouldn't Eric Molenaar have been contacted? This is a serious problem that can't go overlooked. Fireside is one of the two most impacted neighborhoods. Our group can't reach everyone in Fireside and Sky Crossing. We rely on the assistance of these community members to reach our neighbors. They were supposed to be informed.

I hope you take this into consideration on January 4 at this rezoning vote. Two months is a very long time to keep the opposition group energized and willing to mobilize. Being deceitful and not doing what you said you were going to do is just wrong. Gammage and Vestar are both hoping they can outlast our interest, and that is not happening. Over the past month we have added the support of several PVSD school board members who plan to speak at the January meeting. Dr. Bales, Superintendent, heard our concerns as well and submitted a second letter from the PVSD, supporting residential development. See attached for a copy of a letter he shared with the Desert View Village Planning Committee on November 29. I'm sure it would get forwarded to you all at some point. I'm just expediting the process.

I stand with Dr. Bales. I feel residential development at this parcel would be better suited for the school, the local neighborhoods, and just the overall traffic we already have issues with.

Thank you for your time,

Dan Richards

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**From:** Eric Molenaar <Emolenaar@associatedasset.com>
**Sent:** Tuesday, December 5, 2023 1:04 PM

**To:** Richards, Dan <Dan.Richards@strand.com>
**Subject:** RE: Superblock Parcel 12

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

I'm afraid they have not which led to my concern. I was under the impression that they needed to do so or at least with Desert Ridge homeowners as part of the continuance approval.

**Thank you,**

**Eric J. Molenaar** CAAM, SLM
Community Manager
AAM, LLC
Fireside at Desert Ridge
(480) 214.3357 (direct line)
(480) 203.2166 (main line)
(480) 214.3007 (direct fax)
(602) 647.3034 (after hours emergency line)
Emolenaar@AssociatedAsset.com
AssociatedAsset.com
www.ourfiresidedesertridge.net [ourfiresidedesertridge.net]

---

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, December 5, 2023 12:29 PM
**To:** Eric Molenaar <Emolenaar@associatedasset.com>
**Subject:** Re: Superblock Parcel 12

Eric,

I totally understand the  board needs to stay neutral. I was just curious if Vestar or Gammage and Burnham have tried reaching out to Fireside again?

Get Outlook for iOS [aka.ms]

---

**From:** Eric Molenaar <Emolenaar@associatedasset.com>
**Sent:** Tuesday, December 5, 2023 12:13:26 PM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Subject:** RE: Superblock Parcel 12

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

I have printed the doc form and have it displayed with the next meeting notice information. Thank you for sharing the update of the recent activity and look forward to any meeting development. In reference to the Fireside Board, they need to remain neutral on this one as they would not be representing the community fairly if they were to choose a position against or in support of the re-zoning due to the varying views within the community.

**Thank you,**

**Eric J. Molenaar** CAAM, SLM
Community Manager
AAM, LLC
Fireside at Desert Ridge
(480) 214.3357 (direct line)
(480) 203.2166 (main line)
(480) 214.3007 (direct fax)
(602) 647.3034 (after hours emergency line)
Emolenaar@AssociatedAsset.com
AssociatedAsset.com
www.ourfiresidedesertridge.net [ourfiresidedesertridge.net]

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Wednesday, December 13, 2023 2:58 PM
**To:** Mayor Gallego; PDD Planning Commission; Council District 2 PCC
**Subject:** Black Mountain Village Proposed Development

All

I am hearing that the developer is going to yet again request another extension to their application currently pending to be heard January 4, 2024. This is unacceptable, as a resident directly affected by this the developer has had more than enough time to address concerns raised by the community.

This extension should not be granted and this application should be rejected and follow the vote of the Desert View Planning Committee. This development is not needed and is not what was planned for this residentially zoned parcel of land.

I urge to deny any extension request and reject this proposal

Mike Coppola

**From:** Patricia Pick <pjpick@cox.net>
**Sent:** Wednesday, December 20, 2023 4:57 PM
**To:** PDD Planning Commission
**Subject:** Black Mountain Villiage

I'am just shocked that a company called Vestar can come in an try to change our area into a commercial area when it was slated to be family homes or Condo. We do not need a grocery store, gas station in that area. There is a High School, grade school which would be indated with heavy traffic, which we are already dealing with. There is plenty of land just off Cave Creek Rd with traffic going up and down who would love to see a grocery store! Please take care of this Vestar Company and their idea!!! Very very unsafe idea! 🙏

**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Wednesday, December 20, 2023 10:05 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Commissioners, Councilman Waring and Mayor Gallego:

My name is James W. Tuffin, and I reside at 21214 N. 36th Pl., Phoenix AZ 85050. I write to oppose the applicant's anticipated request for a further continuance of the matter before the Planning Commission and I urge the Commission to reject this ill-conceived project. The Commission should deny any request for a continuance, compel applicant to proceed, and follow the Desert View Village Planning Committee in recommending denial of the applications.

It appears that Vestar is simply trying to run the clock against the surrounding residents, who have jobs to keep, bills to pay and children to take care of. Vestar has the superior resources, and an army of attorneys, to try and sow confusion and heap inconvenience upon people who don't have the resources to devote full time efforts to opposing this. Unable to defend its scheme, Vestar is trying to use the process to wear out its opponents.

The Desert View Village Planning Committee voted overwhelmingly against Vestar's request for a major amendment of the Desert Ridge Specific Plan, an amendment of the City of Phoenix General Plan, and rezoning of a portion of Superblock 12, which is currently owned by the State Land Department.

When the matter came before the Planning Commission in November, Vestar's counsel said that Vestar needed time to consult with the State Land Department and the community. I spoke and requested that Vestar be instructed to make any revised plans available in time for the community to respond before the next hearing date. The Chair indicated that Vestar and its counsel were so instructed.

On December 11th, I and two other community members accepted an invitation to meet with Vestar executives Ryan Ash and David Larcher at Vestar's offices. In accepting the invitation prior to the meeting, I informed Vestar that we expected it would take the opportunity to present the revision to its plans.

At the meeting, Mr. Larcher informed us, in essence, that Vestar did not intend to "submit anything different", unless Vestar could be assured that elimination of fuel sales, and reducing the size of the grocery to store to 65,000 square feet, would cause the community to "get comfortable" with the project. Vestar said it would do nothing about the multiple drive through operations, except to make sure the squawk boxes could not be heard from across the street, and perhaps adjust the size of a wall. Mr. Larcher emphatically stated that Vestar was not ready to proceed and would be requesting a further continuance at the January 4, 2024, meeting.

By email on December 18, 2023, I advised Vestar that I intended to oppose its request for a further continuance and that I expected other community members would do the same.

The Commission should note that the original site plan submitted by Vestar showed no fuel sales and a 64,000 sq. ft. grocery. It then filed a revised plan showing fuel sales and a much larger grocery store. A reasonable person would suspect that Vestar set up the fuel sales as a straw man so that it could make a pretense of being responsive to community concerns.

Vestar said it does not intend to submit anything different, so there is no reason to grant a continuance, which is designed to exhaust opposing residents by dragging out the process.

Thank you for your attention to this matter.

Sincerely,

James W. Tuffin

516-359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public).

*******

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Thursday, December 21, 2023 5:00 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***Dear Commissioners, Councilman Waring and Mayor Gallego:***

On November 4, Vestar was given a 2-month continuance to allow them to revise their plan for a proposed commercial development on approximately 20 acres in Superblock 12. As of this date Vestar has not revised their plan. In fact, in a December 11, 2023 meeting, they informed representatives from the Fireside neighborhood they had no intention of revising their plan.

A further continuance is unjust and unfair to all of us living in this area. We are prepared to present our position on this issue. By now, Vestar should also be prepared.

We ask that you veto Vestar's request for a continuance and allow us to proceed with this matter when you meet on January 4.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

**From:** paul dunn <paul@dunn.ws>
**Sent:** Thursday, December 21, 2023 8:12 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Members of the Phoenix Planning Commission, Councilman James Waring, and Mayor Kate Gallego,

I am writing to express my concerns regarding Vestar's proposed plan to rezone Superblock 12 from R2 Residential to C2 Commercial. I have followed this issue since its inception and have witnessed Vestar's ongoing misinformation campaign to promote its proposed commercial development.

Vestar's proposal includes a 95,582-square-foot pad for a **major** grocery store with fuel pumps and **six** fast-food restaurants with drive-thru windows. The proposed grocery store pad is approximately 40,000 square feet larger than the one at the nearby Albertsons grocery store. Vestar's own traffic study acknowledges the current traffic problems in the area. That study also admits that Vestar's proposed development would "generate 10,660 weekday new daily trips." These increased daily trips will exacerbate the already existing traffic problems. Not to be overlooked is that Vestar's proposed development is immediately adjacent to a 2,500-student high school.

Despite overwhelming opposition from residents and a humiliating defeat at the Desert View Village Planning Committee hearing, Vestar wants to delay the day of reckoning. Even though it was granted a 60-day "conditional" continuance, Vestar has not modified its plan to assuage community concerns. Vestar's opponents will be ready to present their case on January 4, 2024. Given its access to stellar legal talent to present its case, Vestar should also be prepared to move forward on January 4, 2024.

It is apparent Vestar has done nothing to convince anyone to change their minds. Therefore, I respectfully request that Vestar not be given another continuance to delay the inevitable. The proponents and opponents of Vestar's proposal should be required to present their cases at the Phoenix Planning Commission on January 4, 2024. Thank you for considering my position on this issue.

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050-5001
928-778-1988

**From:** wroodenburg@cox.net
**Sent:** Thursday, December 21, 2023 11:33 AM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Cc:** PDD Long Range Planning
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Planning committee members, Mayor, Councilman,
When is enough, enough? That will be the question on the upcoming January 4th review meeting for a possible continuance request for this case.
Me and the 842 petition signers find this unfair and unacceptable request and so should you.

A quick summary of events timeline that will show that Vestar has now had 10 weeks to take actions and has done nothing significant;

- Rezoning case:
  - Vestar is seeking to rezone 22 acres of the 77 acres of land from Residential to Commercial which is part of Superblock 12-section L.
  - The land is owned by the ASDL and is situated with the Desert Ridge Master Community, adjacent to Pinnacle High School and a block away from Fireside Elementary School.
  - Residents oppose ; (See previous case material for full details)
    - due to the proximity of alcohol and cigarettes and fast food sales near schools.
    - And Paradise Valley School district has sent 2 letters in which they share significant and valid concerns.
    - due to the increasing traffic safety issues and pedestrian casualties (evidence by Vision Zero – Road Safety Action Plan)
    - the widely known detrimental impact and pollution of commercial centers on our respected community. (Noise,Light,Odor,Gasoline,Idling cars, etc)
- On August 25th ,2023 – Lennar Construction has applied for the remainer 55 acres of Superblock 12L for Single Family Residential development.
  - This is what Superblock 12 is already zoned for. (Residential 2 to 5 du/ac)
  - This is already approved in the Desert Ridge master plan and is in line with the Phoenix general plan.
- On October 3rd, 2023 - **by a vote of 9-1 - this rezoning request has already been denied by our Desert View Village Planning committee**. Committee members that are appointed by the councilman and represent and live in our area.
- On November 2nd, 2023 we appeared at the Planning Committee meeting where we learned that Vestar requested a continuance and even negotiated with the opposing core resident group to make it 60 days – because of the holidays, etc.
  - The reason that they provided was that they needed to have another review meeting with the ASLD to review their amendments.
  - We agreed on the condition that they would share these changes in time for our review and that stipulation was noted by the chairman.
- On December 11th, 2023 the opposing core resident group was invited to meet with Vestar executives to review these changes.
  - However, nothing was further from the truth.
  - They shared that no meeting with ASLD was held, no changes were made.
  - This meeting was clearly a bait-and-switch for an opportunity to find out what changes we might be comfortable with.

- The meeting ended with a verbal commitment that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft. (Their original submitted and approved plan submitted with the state….)

To put insult to injury, Vestar also announced during December 11th meeting that they would request for another continuance on January 4th.
**This is where we draw the line. Vestar has had 10 full weeks to work on their proposal and did nothing!!**
Whilst Vestar is claiming to care for Desert Ridge and boasts about their involvement, the blatant stalling tactics deployed in this case should not be tolerated and residents should not be asked to have this request hovering over our community for any longer.

Based on this, I ask the committee to consider to deny this potential request as it's baseless, holidays were already factored in last time and now it will start causing undue hardship for our community.
We're fighting for our community character and Residents cannot be asked to fight Vestar, their disingenuous actions and their attorneys for much longer. It's not a level playing field.
Families that already have busy lives and volunteers like yourselves shouldn't be treated like this by Vestar and their attorneys.
The January 4th meeting is in the middle of our school vacation! We shouldn't be asked to come to meetings where nothing new is being discussed, nor should this committee.
Our residents are prepared and ready to present our opposition case.

We compel this committee to move forward with the review and voting process on January 4th, and hopefully you will agree with us and the VPC that it should be dismissed immediately and without compromise.
Any consideration to grant a continuance request should have very specific objectives and deliverables that Vestar will be held accountable for.

My name is Wouter Roodenburg and live on 21507 N 39th Terrace in Phoenix and I'm a long time resident of Fireside in Desert Ridge and I oppose the case.

I appreciate your consideration.
Regards,
Wouter Roodenburg.

**From:** Susan Sheroff <sueshe54@gmail.com>
**Sent:** Thursday, December 21, 2023 3:30 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Commissioners,

My name is Susan Sheroff. I reside at 21214 North 36th Place, Phoenix, AZ 85050. I am opposed to any request Vestar may make for a further continuance of this case. It would be unfair for the reasons described by a number of my neighbors. The Commission should decide this matter in the same way as the Village Planning Committee and recommend denial of all three applications.

Thank you
Susan Sheroff

**From:** PDD Planning Commission
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024
**Attachments:** RZ-C6-CONCEPTUAL-SITE-PLAN.pdf; UPDATED-CONCEPTUAL-SITE-PLAN.pdf

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**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Thursday, December 21, 2023 3:42 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***I am re-sending this because I did not receive the usual automated delivery confirmation. Thank you.***

---

**From:** James Tuffin
**Sent:** Wednesday, December 20, 2023 10:05 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***Dear Commissioners, Councilman Waring and Mayor Gallego:***

***My name is James W. Tuffin, and I reside at 21214 N. 36th Pl., Phoenix AZ 85050. I write to oppose the applicant's anticipated request for a further continuance of the matter before the Planning Commission and I urge the Commission to reject this ill-conceived project. The Commission should deny any request for a continuance, compel applicant to proceed, and follow the Desert View Village Planning Committee in recommending denial of the applications.***

***It appears that Vestar is simply trying to run the clock against the surrounding residents, who have jobs to keep, bills to pay and children to take care of. Vestar has the superior resources, and an army of attorneys, to try and sow confusion and heap inconvenience upon people who don't have the resources to devote full time efforts to opposing this. Unable to defend its scheme, Vestar is trying to use the process to wear out its opponents.***

***The Desert View Village Planning Committee voted overwhelmingly against Vestar's request for a major amendment of the Desert Ridge Specific Plan, an amendment of the City of Phoenix General Plan, and rezoning of a portion of Superblock 12, which is currently owned by the State Land Department.***

***When the matter came before the Planning Commission in November, Vestar's counsel said that Vestar needed time to consult with the State Land Department and the community. I spoke and requested that Vestar be instructed to make any revised plans available in time for the community to respond before the next hearing date. The Chair indicated that Vestar and its counsel were so instructed.***

***On December 11th, ,I and two other community members accepted an invitation to meet with Vestar executives Ryan Ash and David Larcher at Vestar's offices. In accepting the invitation prior to the meeting, I informed Vestar that we expected it would take the opportunity to present the revision to its plans.***

***At the meeting, Mr. Larcher informed us, in essence, that Vestar did not intend to "submit anything different", unless Vestar could be assured that elimination of fuel sales, and reducing the size of the grocery to store to 65,000 square feet, would cause the community to "get comfortable" with the project. Vestar said it would do nothing about the multiple drive through operations, except to make sure the squawk boxes***

*could not be heard from across the street, and perhaps adjust the size of a wall. Mr. Larcher emphatically stated that Vestar was not ready to proceed and would be requesting a further continuance at the January 4, 2024, meeting.*

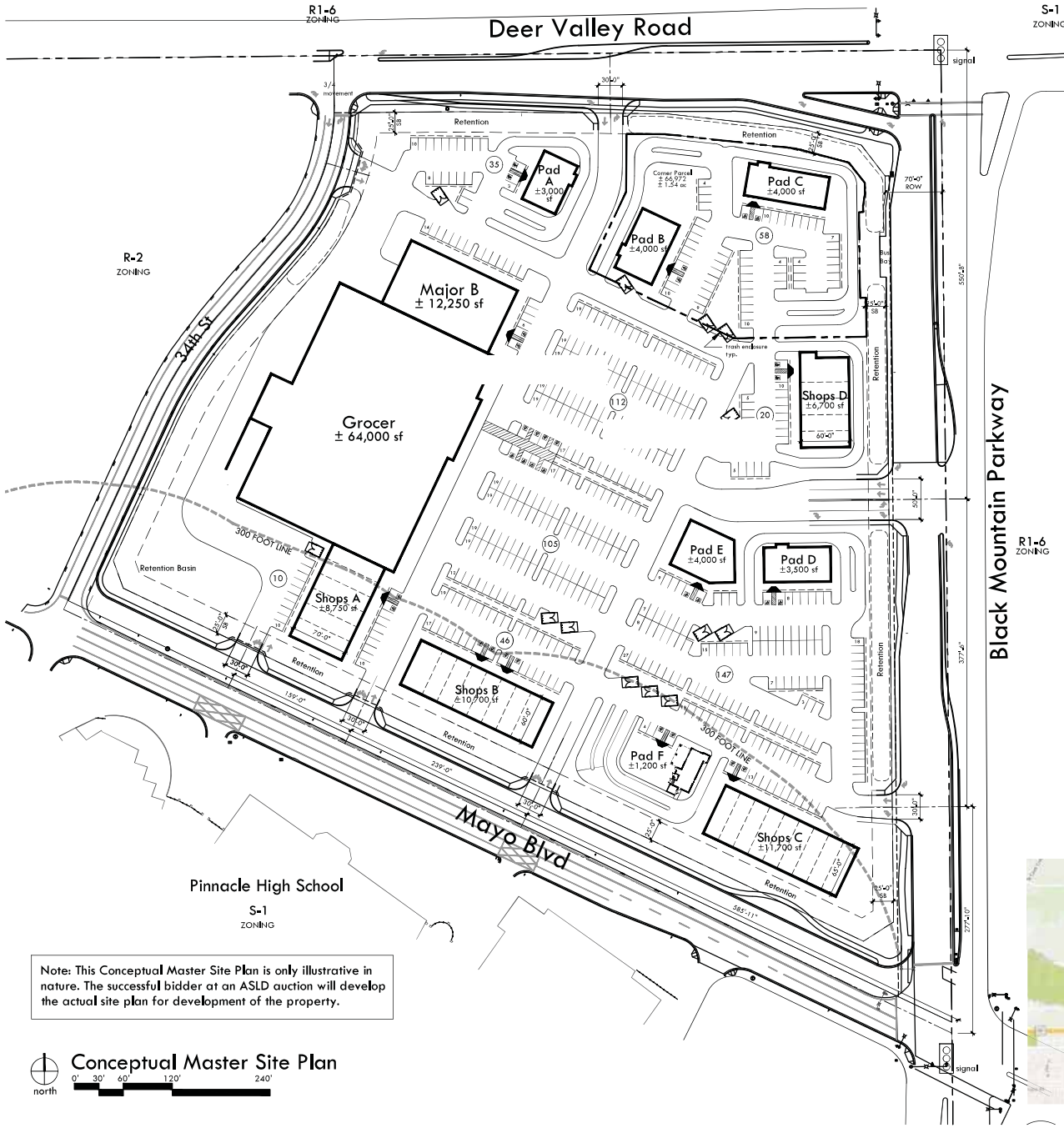
*By email on December 18, 2023, I advised Vestar that I intended to oppose its request for a further continuance and that I expected other community members would do the same.*

*The Commission should note that the original site plan submitted by Vestar showed no fuel sales and a 64,000 sq. ft. grocery. It then filed a revised plan showing fuel sales and a much larger grocery store. A reasonable person would suspect that Vestar set up the fuel sales as a straw man so that it could make a pretense of being responsive to community concerns.*

*Vestar said it does not intend to submit anything different, so there is no reason to grant a continuance, which is designed to exhaust opposing residents by dragging out the process.*

*Thank you for your attention to this matter.*

*Sincerely,*
*James W. Tuffin*
*516-359-6420*
*james.tuffin@tuffinlaw.com (retired attorney not offering services to the public).*




## Conceptual Master Site Plan

| PROJECT INFORMATION | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Address** | SWC Deer Valley Rd and Black Mtn Pkwy<br>Phoenix, AZ |
| **Owner** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 6 architecture + planning**<br>6111 N. Cattletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

| SITE DATA | |
|---|---|
| **Existing Zoning** | S-1 (Approved R-2) |
| **Proposed Zoning** | C-2 |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,955 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| GLA | Area | Req'd Pkg |
|---|---|---|
| Grocer | 64,000 sf | 256 sp |
| Majors | 12,250 sf | 49 sp |
| Shops | 37,850 sf | 151 sp |
| Pads | 18,500 sf | 74 sp |
| **Total GLA** | 132,600 sf | 530 sp |
| **Lot Coverage** | | 19.7 % |

| PARKING QUANTITIES | |
|---|---|
| Required | 530 sp |
| Provided | |
| Standard Spaces | 501 sp |
| ADA Spaces | 32 sp |
| **Total Parking Prov'd** | 533 sp |
| **Parking Ratio /1000** | 4.0 sp |




Vicinity Map n.t.s.

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Road and Black Mountain Parkway
Phoenix, Arizona

▲ Development Review Set
△ Bid Set
△ City Submittal
△ Construction Set

**Revisions:**

**Ownership of Instruments of Service:**

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Seal

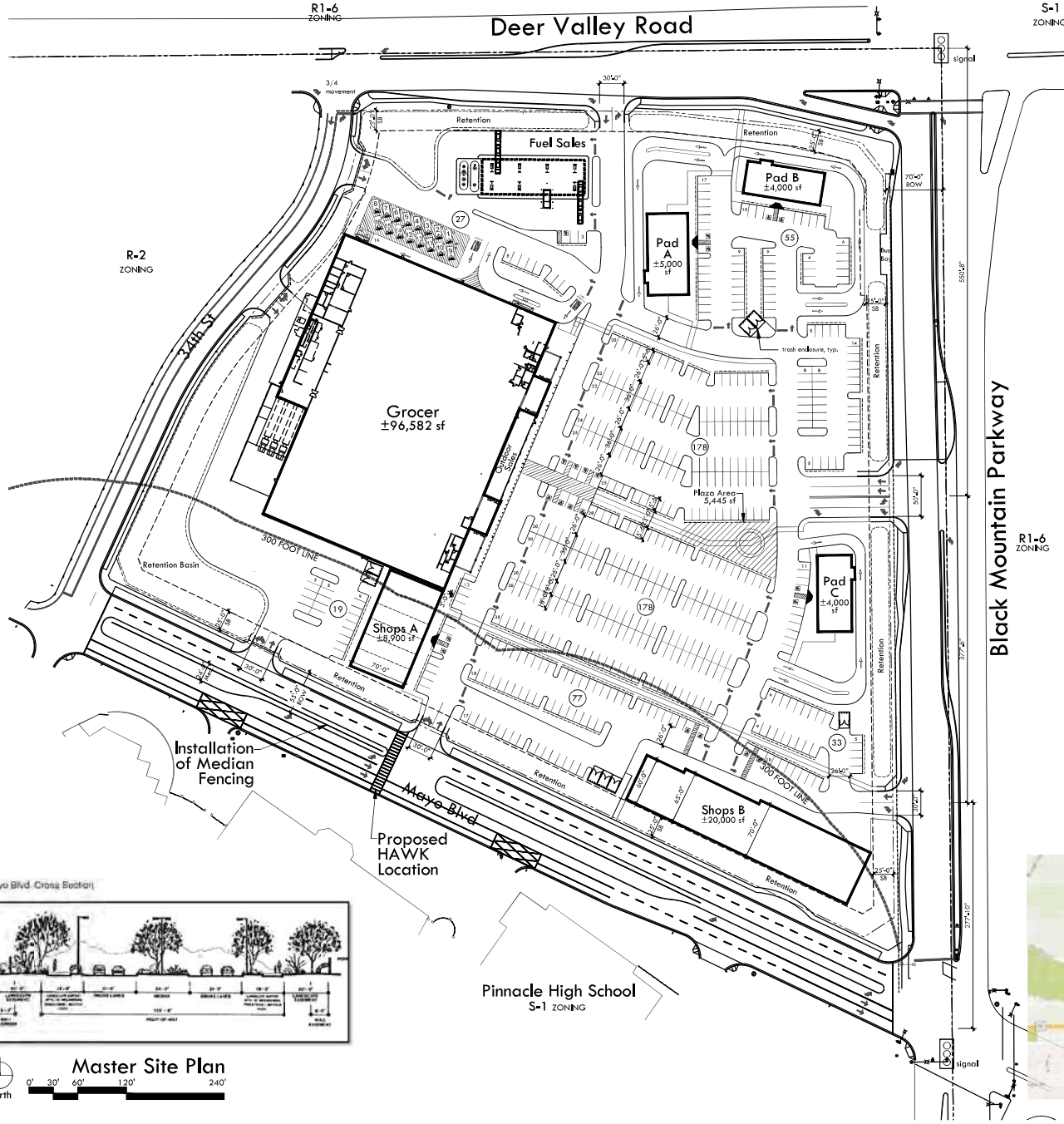
Date: June 1, 2023
Project Number: 711
Drawn by: dm/rdb

Sheet Number

**PA.5**

Conceptual Master Site Plan

2403




Maya Blvd. Cross Section



Master Site Plan

north 0' 30' 60' 120' 240'

2404

## PROJECT INFORMATION

| | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Address:** | SWC Deer Valley Rd and Black Mtn Pkwy<br>Phoenix, AZ |
| **Owner** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 6 architecture + planning**<br>6111 N. Cattletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

## SITE DATA

| | |
|---|---|
| **Existing Zoning** | S-1 (Approved R-2) |
| **Proposed Zoning** | C-2 |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,965 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| **GLA** | Area | Req'd Pkg |
|---|---|---|
| Grocer | 96,582 sf | 386 sp |
| Shops | 28,900 sf | 116 sp |
| Pads | 13,000 sf | 52 sp |
| **Total GLA** | 138,482 sf | 554 sp |
| **Lot Coverage** | | 20.6 % |

## PARKING QUANTITIES

| | |
|---|---|
| Required | 554 sp |
| Provided | |
| Standard Spaces | 546 sp |
| ADA Spaces | 21 sp |
| **Total Parking Prov'd** | 567 sp |
| **Parking Ratio /1000** | 4.1 sp |

Rezoning Case: Z-135-06-2




Vicinity Map n.t.s.

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Road and Black Mountain Parkway
Phoenix, Arizona

▲ Development Review Set
△ Bid Set
△ City Submittal
△ Construction Set

**Revisions:**

**Ownership of Instruments of Service:**

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Seal

Date: September 20, 2023
Project Number: 711
Drawn by: dm/rdb

Sheet Number

PA.1

Master Site Plan A

**From:** Jonathan Agins <jagins@ymail.com>
**Sent:** Friday, December 29, 2023 11:36 AM
**To:** PDD Planning Commission
**Cc:** Mayor Gallego; Council District 2 PCC
**Subject:** Case #GPA-DSTV-2-243-2/GPA-DSTV-3-23-2/Z-39-23-2

Good morning.

As I was riding my bike around the Desert Ridge neighborhoods, I was struck by one of those ubiquitous panhandling cardboard signs and it got me thinking whether crime and panhandling increases when a neighborhood goes from residential to mixed-use and /or commercial.

Of course you know the answer to this, and I won't insult your intelligence by bombarding you with studies and data. I will, however, beg you to prevent this from happening in our neigborhood! Please, please, please do not allow a change in zoning! We moved to Arizona, and specifically Desert Ridge, from New York, because it was a neighborhood. Lots of families with kids. Peaceful and safe. And we certainly do not need anymore "services"; we have everything we need within walking/biking distance. Ten gas stations within three miles is more than enough.

Please end this discussion and keep the zoning residential. Please do not allow Black Mountain Village to ruin our idyllic neighborhood.

Respectfully,
Jon Agins
Fireside at Desert Ridge resident

**From:** Andrea Nelson <a.nelson1@yahoo.com>
**Sent:** Monday, January 1, 2024 11:45 AM
**To:** PDD Planning Commission
**Subject:** Black mountain development

Good day, and Happy New Year-

I am writing as a resident of the Fireside at Desert Ridge Community, and would like to ask that our planning Commission members vote no on the planned development for the land adjacent to Pinnacle High School. Our request is to leave the land as it was originally zoned. We are not interested in commercial development in this space. Please vote no on the zoning change items.

Thank you.

Andrea Nelson, SPHR
480-495-5411

**From:** karen bottesch <kbottesch@hotmail.com>
**Sent:** Monday, January 1, 2024 6:33 PM
**To:** PDD Planning Commission; Mayor Gallego; Council District 2 PCC
**Subject:** Desert Ridge / GPA-DSTV-2-23-2 | GPA-DSTV-3-23-2 | Z-39-23-2
**Attachments:** Troy Bales PV School District.pdf

Hello Mayor Gallego, Councilman Jim Waring, and the Planning Commission:

I am writing to officially and formally communicate and record my vote against the zoning change and proposed Vestar project along Black Mountain Road and Deer Valley. INCLUDING their request to remand/revert BACK to the Desert View Village Planning Committee that they have asked of you to consider at this coming meeting On Thursday, Jan 4th.

I attended the **Desert View Village Planning Committee meeting where they voted 9 to 1 AGAINST** the zoning change and proposed Vestar project. This vote took place after Vestar's presentation and after hearing comments from MANY community residents.

I live in Fireside, on the east side, I was against the project the day I received a letter in the mail from the City of Phoenix outlining what was taking place around that property.

I have lived in Fireside since 2009.

- I am not a parent, but saw first-hand the **stress** in the voices and faces of the many parents who spoke out against the zoning change and project.
- The City Council, and the State, have an obligation to stand by the original plan, to honor the Desert View Village Planning Committee vote, and the many residents who signed a petition against the project, and the many residents that showed up to express their reasons why they are against the project.
- One resident, observing current traffic conditions, works from the 2nd floor of her home looking over Deer Valley Road to the south, which looks at Pinnacle High School – she cannot even count the accidents and near misses of accidents in the immediate area including kids nearly being struck by cars from crossing the street(s) in the area. **We do not need more cars in the area**. What would Vestar want? A big project that attracts all kinds of traffic to infiltrate the area and shop, eat, and whatever else. Bad plan for us, the people that live here.
- The Vestar representative presented nothing of value or substance to change anyone's mind in attendance against the zoning change, including mine. Very unattractive project.
- The entire project is loaded with **NUISANCE'S** to the entire community: big lights, more traffic, more noise, more car pollution, litter, accidents, congestion, squawk boxes from drive throughs, ugly big buildings **set right in the middle of a major high school and homes**.
- Parents have enough stress just raising their kids and getting them through school, they do not need all the added stress this zoning change and project would bring to our community
- No longer would it be pleasant to walk, bike, jog, walk the dogs along Black Mountain or Deer Valley – this zoning change serves nothing but developer interests, revenues to Vestar, and revenues to the City/State with no regard to an existing community and the existing plan of the community.
- We all bought our homes here because of the very nature of the Desert Ridge area and having the commerce centralized elsewhere, such as IN the Desert Ridge main shopping center and other shopping venues all around the area.
- There is PLENTY of groceries and fuel options all around the area – we do not NEED more, or this, HERE.
- One of the Desert View Village Planning Committee members is I believe on the Cave Creek School District and confirmed what a **bad idea it is to put a shopping center next to a high school**.

- I have a business associate that is a Commercial Broker in the valley with a significant firm and has loads of commercial real estate experience, this individual agreed **the parcel in question is NOT the place for the Vestar project**.
- The zoning change and proposed project is **not welcome** by numerous, numerous residents.
- We do not need a shopping center here adjacent to Pinnacle High School, existing neighborhoods, down the street from horse property, and down the street from the Reach 11 soccer fields where you have a bunch of families/KIDS all year round in and out of the area.
- By far the majority of the residents want to see single family housing, preferably, built on the property. I understand that Lennar may have purchased property west of the proposed Vestar project? GREAT. The valley needs more homes, NOT more shopping centers near a high school, homes, and a soccer park. How about having Lennar buy property that Vestar so unjustly wants?
- Even the Superintendent from the PV School District, see attached, does not want Commercial Development, they want homes and students. Please honor what came before Vestar. They, nor any commercial developer, deserves to overturn and trump what came before and was well established.
- Your job is to listen to the 'people', not just big corporations that have millions to spend to get their way.

**Where are the city planners? The Desert View Village Planning Committee already designed the area. We want the plan upheld.**

If asked what would we accept:
**Walking paths, a park area, and <u>more homes</u>**. The valley has a shortage of homes, everyone knows that. Rates will be coming down next year, home builders will want this flat land. That is who should be developing the property.

**There are other areas to build commerce, this is not it, this project is not welcome here, nor the zoning change.**

**Please do not mis-use power or make decisions based on revenue here.** The city and the state have many other ways to generate revenue. Please be responsible here, you are impacting many, many families and an established community.

This entire process is UNFAIR. Vestar is a large development company with deep pockets. We are residents trying to protect the area, our homes, our well-being. We do not have lawyers and other resources to access to help us fight back.

I believe it is the State's duty to uphold the original plan. Nothing else respects what came WAY BEFORE Vestar AND the residents here.

Please do the right thing – thank you,

Karen Bottesch
3902 E Cat Balue Drive
Phoenix, AZ 85050
M 602.315.0774

**From:** Greg Nelson <g2unelson@gmail.com>
**Sent:** Monday, January 1, 2024 1:28 PM
**To:** PDD Planning Commission
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

To whom It May Concern,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us within a 5 mile radius of this location.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

**From:** Amit Pradhan <dramitpradhan@hotmail.com>
**Sent:** Tuesday, January 2, 2024 11:47 PM
**To:** PDD Planning Commission; Mayor Gallego; council.district.2@phooenix.gov
**Subject:** Opposition to rezoning from residential to commercial

Hello,

My family and I live in a nice community called SkyCrossing which is in a quiet and pleasant part of North Phoenix. A developer ( Vestar ) is trying to get the land across the road rezoned to have a large store. This is apparently going to be a Fry's with a gas pump and all.

This project sits next to Pinnacle High School which means students will be in the immediate proximity of a store selling liquor.. Besides the pollution caused by having a gas pump in an area surrounded by residential communities it will also add to congestion on Black Mountain Boulevard. Despite their promises there will be invariable light pollution . Further given the availability of alcohol and, cigarettes the area becoming a gathering place for transients is almost assured.

There are enough grocery stores in the area with Costco just a couple of miles away and the Desert Ridge Mall in a similar radius.

The local community does not want this rezoning to occur and Vestar's proposal was soundly rejected 9-1 in the Village Planning Committee. However Vestar continues to seek approval now from the City Planning Committee. Perhaps they feel that involving people who are not immediately affected might result in a favorable decision for them.

I would request that as the custodians of this wonderful city which draws people from all over, you look out for the local community and accord the natural primacy to their expressed opinion.

I therefore write to plead the case that this rezoning not be allowed to occur.

GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Southwest corner of Black Mountain Boulevard and Deer Valley Drive

Thank you

Amit

Amit Pradhan MD

Get Outlook for Android [aka.ms]

**From:** Debbie Bolde <pumpkincat15@hotmail.com>
**Sent:** Tuesday, January 2, 2024 1:28 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Black Mountain Vestar Proposal

To City Planning:

In regards to development at the SW corner of Black Mountain and Deer Valley roads, we are opposed to this for the following reasons:

The initial plan for this property was residential. We bought our home with this understanding that it would remain that way. A development of this magnitude would forever change our neighborhood by increasing traffic, noise, air pollution, light pollution and very likely crime. The development is geared around vehicles and not walking like the developer would like you to think. It will draw more people from neighboring communities into this area which will have a negative effect on our quality of life.

There is no shortage of gas stations, grocery stores or fast food restaurants and businesses as they are close by as it is. The noise and car emissions from the multiple drive thru businesses will have a negative impact on our air quality. This is where we chose to live because it is away from these types of services, and we would like it to remain that way.

There are plenty of other places that are more ideal for this type of proposal that are already properly zoned for it, and that would not negatively impact neighboring residential communities. We respectfully ask you to decline the request to change this zoning to commercial from residential.

Sincerely, Mike & Debbie Bolde.
Phoenix Az 85050
( we are within 600 feet of this development)

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Tuesday, January 2, 2024 3:28 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commission members, Councilman Waring, and Mayor Gallego:

Vestar doesn't get it! We don't want to hear any more proposals from them. We are fully aware of what a commercial development, such as theirs, promises to deliver, namely, student safety concerns, home security concerns, air pollution, light pollution, noise pollution, and more traffic congestion than we can imagine. Vestar's very own traffic analysis in 2022 states that if Vestar were to build on Superblock 12, we could expect more than 10,000 additional vehicles daily at that location. Add those 10,000 vehicles to the already inordinate number of vehicles navigating Black Mountain Blvd., Mayo Blvd., and Deer Valley on a daily basis, and we have a disaster waiting to happen.

In his September 1, 2023, letter to the Desert View Village Planning Committee, Dr Troy Bales, Superintendent of Paradise Valley Unified School District, expressed his concerns with Vestar's commercial development. He wrote: “We are concerned that the proximity of the shopping center to our school may lead to an increase in tardiness and truancy.” He further stated: “… we have serious reservations about the impact this project will have to the safety of our students.”

In his second letter to the Committee dated November 29, 2023, Dr Bales summarized his opinion concerning Vestar's proposals with the following statement: “[W]e have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. ...their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development.”

It should be apparent why Superblock 12 was zoned residential from the onset and why it should be kept that way. The land is immediately adjacent to Pinnacle High School and one block from Fireside Elementary School. Pinnacle Park, Pinnacle Skate Plaza and the Pinnacle Dog Park are nearby, as well. That makes Superblock 12 perfect for residential development and a perfect fit for our neighborhood.

Please say “No” to Vestar’s request for a continuance.
Please say “No” to Vestar’s commercial development proposal and their rezoning proposal.

Thank you for your consideration in this matter.

Carolyn Dunn
3752 E. Covey Ln,
Phoenix, 85050

**From:** V H <vickihanley19@gmail.com>
**Sent:** Tuesday, January 2, 2024 3:51 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Oppose GPA-DSTV-2-23-2 (Companion Cases GPA- DSTV-3-23-2 & Z-39-23-2)

As a resident who lives in Desert Ridge, I oppose the rezoning of the parcel on the Southwest Corner of Deer Valley and Black Mountain Pkwy. This parcel was included in the Desert Ridge master plan as residential and rezoning will create increased traffic, poor air quality, increased noise pollution, loitering, homelessness, and a dangerous environment for high school students.

I ask that you keep the zoning as residential as approved by the committee in a previous meeting.

Do not rezone this parcel and go against a master plan that us homeowners and residents agreed to.

Thank you!

Vicki

**From:** NA NA <candysfamily@cox.net>
**Sent:** Tuesday, January 2, 2024 12:31 AM
**To:** Council District 2 PCC; PDD Planning Commission; candysfamily@cox.net; Mayor Gallego
**Subject:** Planning Commission Meeting GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z39-23-2 Black Mtn Village

Commissioners, Councilman Waring and Mayor Gallego:
I am appleaing to you to oppose the applicants aniticipated request for a further continuance of the matter before the Planning Commission on January 4th 2024 by Vestar represented by Gammage and Burnham. On November 2nd 2023 Vestar was given a continuance of 60 days to revise there plan, accommodate for the holidays and meet with the State land dept. Vestar instead decided to waste the past 60 days and now wants to waste more of your precious time and resources to stall some more so the residents of phoenix will eventually loose interest. You see on October 3rd 2023, after hearing all the agruments brought forth by the people and Vestar/Gammage and Burnahm the Desert view village planning committee voted 9 to 1 against this rezoning.
Paradise Valley school district has also sent 2 letters opposing this rezoning because its right next door to the high school when there is commercial zoned land right up the street. To date there have been 848 people who have signed our petition against this rezoning. Please stop the wasting of taxpayer money, resources and your precious time and SAY NO to the continuance and let the people speak against this and present all the facts.
Thank you for your time and for all you do for our great city!

Candy Huether
21712 N 36th St
Phoenix, Az 85050

**Subject:** FW: GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23

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**From:** Laurie Smith <lauriedawnsmith123@gmail.com>
**Sent:** Tuesday, January 2, 2024 5:22 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Cc:** Racelle Escolar <racelle.escolar@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23

Following are my comments for the Planning Commission Meeting on January 4, 2023 regarding Agenda Items 2, 3, and 4, Case Numbers GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23.

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I oppose this zoning change due to two major concerns. The same concerns were cited by members of the Village Planning Committee when they voted nearly unanimously to recommend denial.

Commercial development poses a threat to the security of the high school campus and students. Schools have increasingly become targets of mass shootings. Child predators prowl streets near schools. This is not hysterical conjecture; this is a fact. Commercial development will bring a great many more people who will share sidewalks with students and many vehicles that will share the same streets. It will be nearly impossible for neighbors to identify someone or something that is out of place. Additionally, it will be more difficult for school staff to monitor their own school driveways and parking lots which are directly opposite the two shopping center driveways on Mayo Blvd.

Commercial development of this parcel is a major change to the Desert Ridge Specific Plan and the Phoenix General Plan. The City of Phoenix itself carefully crafted this plan to limit commercial retail development to the Desert Ridge Marketplace shopping area. Introducing commercial development to residential areas is very likely to negatively impact the community and it would certainly call into question the integrity of any Phoenix plan.

Neither one of these concerns can be addressed with changes to Vestar's conceptual plan. The solution: this parcel remains residential and Vestar develops a parcel zoned commercial. For this reason I ask you to deny the continuance and recommend denial of the applications tonight.

Laurie Smith
3749 E Covey Ln
Phoenix AZ. 85050
602-826-3181

**From:** paul dunn <paul@dunn.ws>
**Sent:** Tuesday, January 2, 2024 2:51 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Cc:** James Tuffin
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commission members, Councilman Waring, and Mayor Gallego:

I cannot improve on the well-reasoned e-mail sent to you earlier today by Mr. James Tuffin. Therefore, I am reproducing Mr. Tuffin's e-mail below to support my request that the PDD Planning Commission DENY Vestar's request for an additional continuance. The time has come for those in authority to put an end to Vestar's latest "charade" -- defined by Oxford's English dictionary as being "an absurd pretense intended to create a pleasant or respectable appearance."

Respectfully submitted,

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050
928-778-1988

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Dear Commissioners, Councilmember Waring and Mayor Gallego,

My name is James W. Tuffin and I reside at 21214 N 36th Pl, Phoenix, AZ 85050.

I write to supplement my previous comments, and more specifically, to object to Vestar's most recent request to not only delay the determination of its applications but to remand the case to the Desert View Village Planning Committee (DVVPC), which rejected the proposal overwhelmingly. This request is designed to wear out and confuse community opponents and does not serve any legitimate purpose.

The Land Use Principles published by the DVVPC includes the following:

Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development. (Cave Creek Road, Deer Valley Road) [Desert View Village Character Plan, p. 12, 022218 DESERT VIEW Character Plan.indd (phoenix.gov), (accessed 01/02/2024)] [emphasis supplied].

As demonstrated in my earlier correspondence, Black Mountain Village does such extreme violence to the character of the neighborhood, the Desert Ridge Specific Plan and established land use principles for the area that it should be rejected out of hand. In its lawyer's letter requesting remand, Vestar does not deign to disclose what revisions to its plan it expects to present. At a December meeting with Vestar executives, I was told that apart from the possible elimination of gasoline sales (gasoline sales are an add-on that were not part of Vestar's original site plan) and a scaling back of the grocery operation (also nothing more than a reversion to the original site plan), Vestar did not intend to submit anything different. We were told that Vestar

fully intends to proceed with its plans for multiple drive through operations for coffee and "quick serve" (probably junk) food.

The Commission should deny applicant's request for a continuance, deny any remand, and proceed to recommend denial of all 3 applications.

Thank you for your time and attention to this matter.

James W. Tuffin

(516) 359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

**From:** Susan Ze <szeteach@gmail.com>
**Sent:** Tuesday, January 2, 2024 5:07 PM
**To:** Mayor Gallego; PDD Planning Commission; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

I am a current resident of Copperview in the Fireside neighborhood of Desert Ridge. Our home is on Abraham Lane and is less than a block from the intersection of Mayo and Black Mountain Blvd, across from the highschool and the proposed Vestar development. I am adamantly opposed to said proposed development.

Every school morning about 7:20, twenty to thirty students crowd the corners waiting for the WALK light and cars are lined up waiting to drop students off at Pinnacle High School while cars speed down Black Mountain heading to the freeway. Around 2:00 parents start parking in the bus stop space on Mayo and along neighborhood streets to pick up their children, and those streets are not wide enough to accommodate the number of parked cars we are seeing. At that time of day we still have students crowding the corners and in addition students roar out of the parking lot and around the circle heading to AZ51. Accidents have happened and will continue to do so. Until now, as far as I know, there have been no fatalities, but I am not holding my breath!

Into what is already a risky safety issue, Vestar proposes adding a shopping center with a grocery store, a gas station, and several drive through and stand alone businesses. At least that was the proposal when the planning commission denied their rezoning request. If the property is rezoned and the shopping center is built, there will by default be an increase in traffic, including large delivery trucks coming off the freeway. This means more air pollution, more noise pollution, and for those backing on to Black Mountain more light pollution from the center.

I am a retired high school teacher, and I love to walk around the neighborhood during our pleasant months. Nothing would make me happier than being able to walk to the store for a few items or meet friends at a coffee shop, but not at the expense of the safety of our children or the diminished intrinsic value of my neighbor's homes. Whether the monetary value of the homes backing on to Black Mountain Blvd increases or decreases is not something I can determine, but the fact that they will no longer be able to enjoy their backyards or perhaps even enjoy a restful sleep due to light pollution is easily determined and matters to us all.

The proposed shopping center will be a temptation too strong to resist for many of the high school students. Even though the sale of the land (to my understanding) will provide money for Arizona schools, it is not in the best interest of the schools and students to rezone this land for commercial and allow Vestar to build the shopping center. It is my understanding that the principal does not think it is a good idea. Students will stop on their on their way to school, sometimes being tardy due to a wait in line. Students will cut class to go get a snack there. Students will head over there for lunch, causing large numbers of unsupervised students to congregate together. As a former high school teacher, I can envision all types of scenarios with very negative results. I cannot think of one reason to put a shopping center in an area zoned residential when we have a shopping center with an Albertson's and a Target with a grocery less than five minutes away.

Please vote NO to a continuance and NO to rezoning.

Susan Ze
3616 E Abraham Lane
Phoenix AZ 85050
4806656596

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Tuesday, January 2, 2024 10:45 AM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commissioners, Councilmember Waring and Mayor Gallego,

My name is James W. Tuffin and I reside at 21214 N 36th Pl, Phoenix, AZ 85050.

I write to supplement my previous comments, and more specifically, to object to Vestar's most recent request to not only delay the determination of its applications but to remand the case to the Desert View Village Planning Committee (DVVPC), which rejected the proposal overwhelmingly. This request is designed to wear out and confuse community opponents and does not serve any legitimate purpose.

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As demonstrated in my earlier correspondence, Black Mountain Village does such extreme violence to the character of the neighborhood, the Desert Ridge Specific Plan and established land use principles for the area that it should be rejected out of hand. In its lawyer's letter requesting remand, Vestar does not deign to disclose what revisions to its plan it expects to present. At a December meeting with Vestar executives, I was told that apart from the possible elimination of gasoline sales (gasoline sales are an add-on that were not part of Vestar's original site plan) and a scaling back of the grocery operation (also nothing more than a reversion to the original site plan), Vestar did not intend to submit anything different. We were told that Vestar fully intends to proceed with its plans for multiple drive through operations for coffee and "quick serve" (probably junk) food.

The Commission should deny applicant's request for a continuance, deny any remand, and proceed to recommend denial of all 3 applications.

Thank you for your time and attention to this matter.

James W. Tuffin

(516) 359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

**From:** Ellen <ellen.morrison.kennedy@gmail.com>
**Sent:** Wednesday, January 3, 2024 11:28 AM
**To:** PDD Planning Commission
**Subject:** Black Mountain Village concept: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2|Z-39-23-2

Dear Mayor Gallego and Phoenix Councilmembers,

I am writing to implore you to vote against the Black Mountain Village development concept that will be presented at tomorrow's City Council meeting. This is NOT a concept that will enhance the area at Deer Valley Rd and Black Mountain Blvd. This is NOT a concept that carries the City's vision for connected oases forward. It's a tried and failed development notion that shows a lack of both imagination and understanding on the developer's part of what the surrounding community wants and would welcome.

Phoenix already has too many giant grocery stores, drive through coffee shops, and ocean-sized parking lots. This unsustainable development concept has been proposed yet again in GPA-DSTV-2-23-2/GPA-DSTV-3-23-2|Z-39-23-2 and promises to deliver the same result, without due care for the high school immediately next door and the unique, walkable, residential character of the surrounding neighborhoods. To call this concept a "village" is misleading and shows the developer has no true grasp of reality of village characteristics. I hope you will vote wholeheartedly against this proposal in the interest of sustainability, safety, and community. Thank you for your consideration.

Best,
Ellen Kennedy

**From:** abbottcorp@comcast.net
**Sent:** Wednesday, January 3, 2024 2:45 PM
**To:** PDD Planning Commission
**Subject:** Application # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

January 2, 2024

RE: Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

To Whom It May Concern:

As a resident of Sky Crossing Community and a concerned citizen, this is to request a denial of the above application(s) to rezone.

The area of concern is currently zoned for residential, primarily because it is bordered by Pinnacle High School, and in close proximity to Sky Crossing, Fireside, and Aviano residential subdivisions. This area is already impacted by heavy traffic, especially during school hours. All neighborhoods are within seven minutes to shopping at Desert Ridge, including grocery and service station, as well as five minutes away from retail and service stations near Cave Creek Rd. and Rose Garden Ln. Costco is ten minutes away. The argument by developers that this development is needed does not hold water.

Additionally, the aforementioned neighborhoods will be negatively impacted by undesirable elements, such as unwanted foot traffic and panhandlers migrating from the intersection of SR101 and Cave Creek Rd., five minutes away.

It is my understanding that the majority of residents in the area are against the proposed rezoning effort. With this in mind, it is a sensible decision that this rezone application(s) be denied forthwith.

Yours truly,

Robert W. Abbott
Sky Crossing Resident

**From:** Richard Starr
**To:** Anthony M Grande; dane@gblaw.com
**Subject:** Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE
**Date:** Monday, September 9, 2024 1:41:43 PM
**Attachments:** Image.png

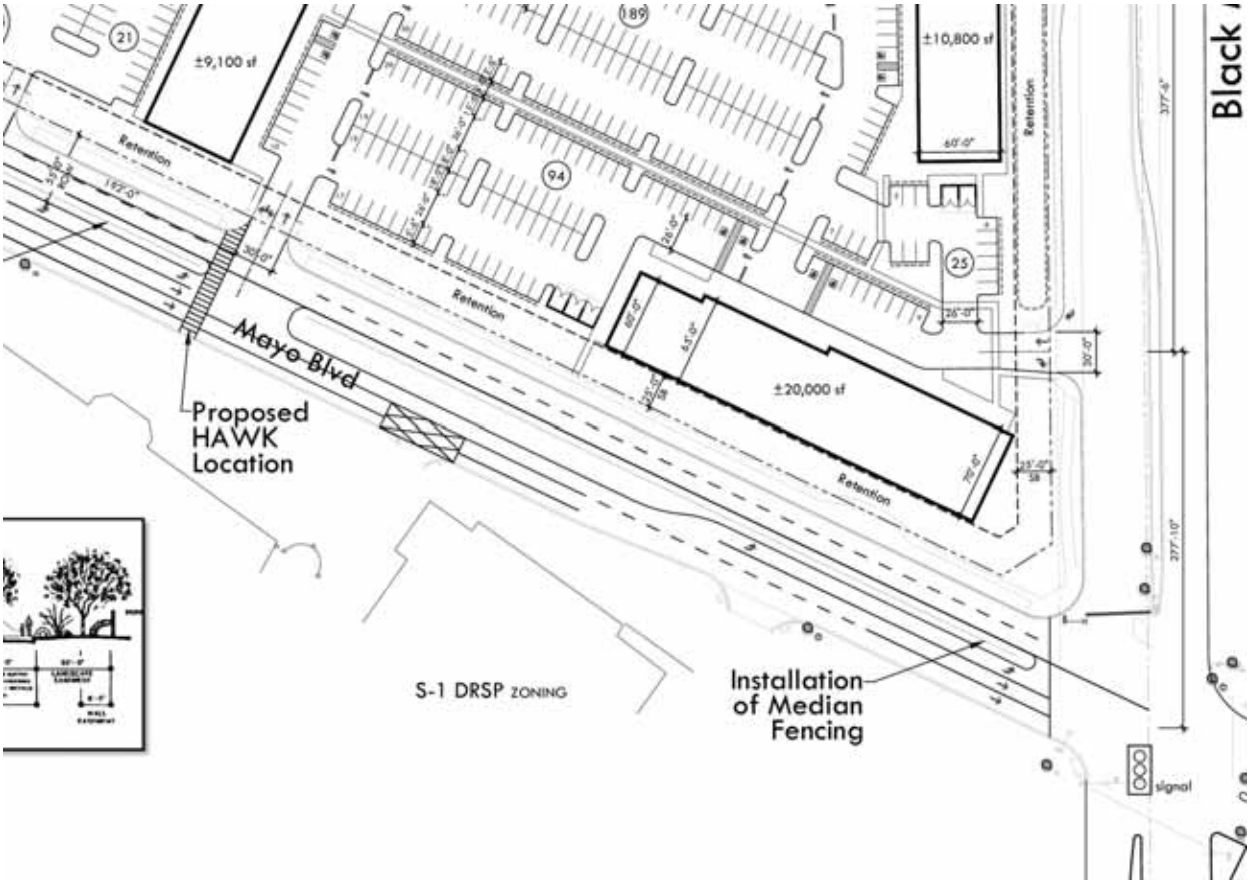
**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

The proposed retail center site plan (revised) NOW includes a NEW MEDIAN on Mayo. This median will BLOCK a vital left hand turning movement from Mayo into the PHS parking lot. This will result in many U-turns or push nearly all PHS traffic onto Black Mountain Pkwy single entrance. The prior site plan did NOT include a median on Mayo.

Pinnacle High School's (2,550+ students) operations should not affected by the new retail center. Vestar's revised site plan does not meet the needs of PHS traffic. The aerial picture on G&B website cuts off the school parking lot entrances. With this major change to PHS turning movements, the aerial should be updated accordingly.

Additionally, AZ State Land and PVUSD need to work on a parking solution for PHS before the land auction to any developer. Special events overflow onto State Land property (100+ cars park in desert). There will be major conflicts in future when PHS and retail center are fighting over parking.




Richard "R.T." Starr
rtstarraz@hotmail.com

| | |
|---|---|
| **From:** | Richard Starr |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village. GPA & Rezone - SWC Deer Valley & Black Mtn // PARKING @ PHS |
| **Date:** | Monday, September 9, 2024 1:13:58 PM |
| **Attachments:** | image.png |

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Black Mountain Village retail development has been proposed for over 12 months now. The land seller (AZ State Land Department) and PVUSD have not addressed the existing parking problem at Pinnacle High School. ASLD should not auction the property immediately adjacent to the high school to any developer without working with PVUSD to fix this issue. Pinnacle High School needs at least 250 more parking stalls for everyday use and special events like football, basketball games or meet-the-teacher nights. During special events, 100+ cars overflow park in the desert on the future grocer site. These cars will simply park in Fry's parking lot in the future, creating a logistical nightmare for everyone including the grocer and retail tenants. The parking issue is not going away as Pinnacle adds students each year.




Richard "R.T." Starr
rtstarraz@hotmail.com

| | |
|---|---|
| **From:** | Christian Klein |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2 |
| **Date:** | Saturday, September 14, 2024 1:49:05 PM |

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Report Suspicious

Dear Anthony Grande,

I am writing today regarding Vestar's updated proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's updated proposal for rezoning the Southwest Corner of Black Mountain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of our community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Mountain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is simply no need (or desire) for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Finally, the entire process by Vestar has been disingenuous to the residents of Desert Ridge even seeking outside influence/support by non-community residents to showcase support with Facebook ads. The adjustments made by Vestar do not remedy concerns of a commercial development in a pristine residential area. Allowing this proposal to go forward will put a serious blemish on Desert Ridge's reputation.

Given the detrimental impacts on our home values, marketability, safety, noise pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Christian Klein

| | |
|---|---|
| **From:** | Yasmin Rivera-Klein |
| **To:** | Anthony M Grande |
| **Subject:** | Oppose GPA-DSTV-2-23-2 |
| **Date:** | Sunday, September 15, 2024 11:12:46 PM |

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Report Suspicious

Dear Anthony Grande,

I am writing today regarding Vestar's updated proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's updated proposal for rezoning the Southwest Corner of Black Mountain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of our community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Mountain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is simply no need (or desire) for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Finally, the entire process by Vestar has been disingenuous to the residents of

Desert Ridge even seeking outside influence/support by non-community residents to showcase support with Facebook ads. The adjustments made by Vestar do not remedy concerns of a commercial development in a pristine residential area. Allowing this proposal to go forward will put a serious blemish on Desert Ridge's reputation.

Given the detrimental impacts on our home values, marketability, safety, noise pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

**From:** Richards, Dan
**To:** Anthony M Grande
**Subject:** Black Mountain Village – City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 – Notice of Revised Development Proposal and Rescheduled Public Hearings
**Date:** Monday, September 16, 2024 4:06:41 PM
**Attachments:** image001.png
image003.png
image004.png
Intersection Photo 2.PNG

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Report Suspicious

Hello Mr. Grande and the Desert View Village Planning Committee,

I wanted to share a couple of photos that are good depictions of the traffic that is currently a problem at the intersection of Deer Valley and Black Mountain Boulevard. Vestar's Black Mountain Village will only make this more of a nightmare.

This first photo is showing several vehicles from the southbound lanes of Black Mountain Blvd blocking the intersection after their light turned red. These vehicles never made it through the intersection while the Deer Valley left turn light was green. Now what we have are vehicles from two directions stuck in the middle of the intersection. Northbound and Eastbound traffic are completely stuck and cannot get through while they have a green light. It's total gridlock.

The second photo is a view from the first vehicle in the left turn lane on Deer Valley, trying to turn south on Black Mountain Blvd. You can see there are so many vehicles blocking the intersection that vehicles either had to wait for another cycle or be selfish and enter the intersection and block even more traffic once the light changes. Eastbound traffic is completely blocked at this point. Vehicles in the left turn lane were being considerate and waited another cycle before trying to enter the intersection.

This is a daily occurrence at this intersection. The level of service for this intersection is already failing. If this is a simple fix by adjusting the intersection timing with Black Mountain and Mayo to alleviate this problem, then this should be taken care of immediately. If this isn't a simple fix, then adding this Black Mountain Village is going to create even more of a mess at this intersection.

Please consider the residents that must drive through these intersections on a daily basis. It's already a nightmare to deal with. I am asking you to please reject Vestar's proposal to rezone this property. The neighbors that live nearby want to see this stay the residential portion of the Desert Ridge master plan that we all expected when we bought our homes.

Thank,
Dan Richards




CDL0707



| | |
|---|---|
| **From:** | Robin Bowie |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village/City of Phoenix Planning Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, & Z-39-23-2 |
| **Date:** | Tuesday, September 17, 2024 3:37:43 PM |

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Report Suspicious

Hello Anthony,

I hope this email finds you well. We met back in November of last year at a City Planning meeting regarding the above rezoning hearing.

Last night, Vestar's attorneys, Rob Lane, Senior Land Use Planner of Gammage and Burnham along with other lawyers held a meeting at Aviano to discuss their updated plans for the Black Mountain parcel. It seems as though they did listen to what the residents had to say about many concerns and reworked their plan but there are still items that are just not acceptable. Mr. Lane went on to say that our local Albertsons was just way overcrowded and that there needed to be another choice for the residents. Vestar's plan was originally billed as this was going to be a "boutique" shopping center and now it is being deemed "necessary." But last night, just as they assured the audience that this was a good thing and so desperately needed, they spring on us that there will be a bus stop to this shopping center. This raises concerns for not only me but many folks that I have spoken with today. I believe Mr. Lane explained that it was the City that decides where the bus stops are installed. Can you verify that information for me? My issue all along with this plan is what this is going to do to our neighborhood. This was not in the original master plan of Desert Ridge to have a shopping center inserted in the middle of our community to begin with. I was beginning to have a little acceptance of Vestar's plan - I did feel that they made a good second attempt at trying to mitigate the concerns of the residents. But with the bus stop being added, it just brings up for me that fact that what happens at bus stops and what it may attract. It is one thing to have a bus stop on Tatum Boulevard just south of Deer Valley, a major thoroughfare but not in the middle of a neighborhood. My argument here is that if you can afford to live in Desert Ridge you are more than likely not riding a bus.

And of course there is still the issue of Pinnacle High School and the parking issue. Those students will invariably park at the shopping center - it will just be a constant battle. And, what about the overflow parking for families as they attend extracurricular events such as the football games - they always used that lot. Is the shopping center prepared to let everyone use their lot for these events?

Thank you for again for your time.

Robin Bowie
Aviano Resident
(602) 329-9005

**From:** Steven Deacon
**To:** rlane@gblaw.com; Anthony M Grande; Steven Deacon
**Subject:** Black Mountain Village Traffic Study Request
**Date:** Tuesday, September 17, 2024 10:47:12 PM

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Report Suspicious

Dear Rob & Anthony,

I would like to request a traffic study of 36th Way and 36th street as shown in the attached pictures to be included as part of Vestar's petition to build a commercial property across from Pinnacle High School.

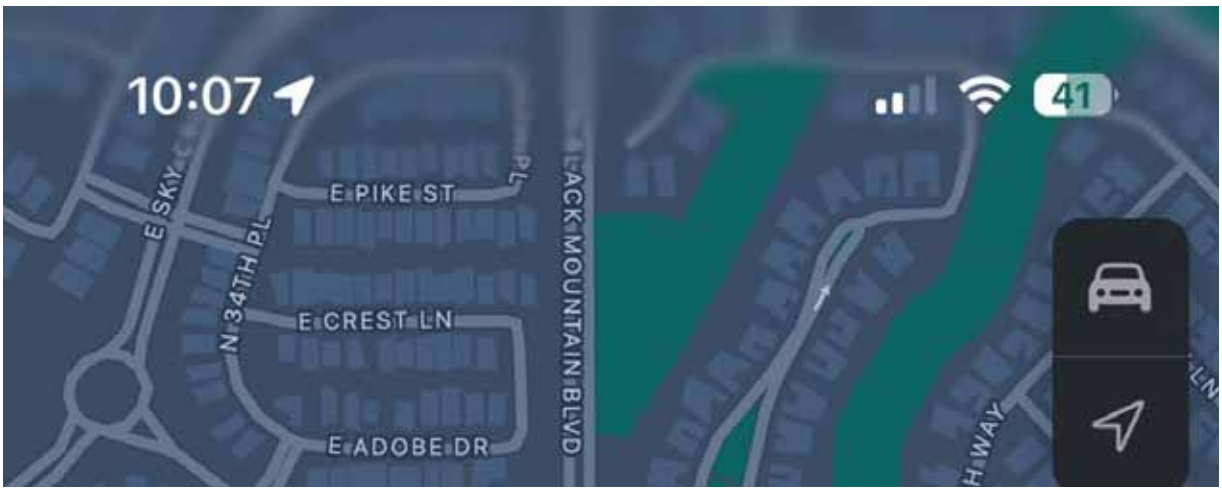
I believe this street has been overlooked in Vestar's traffic study as it plays a major role as a cut through street to avoid the traffic jams during High School drop off and pick up.

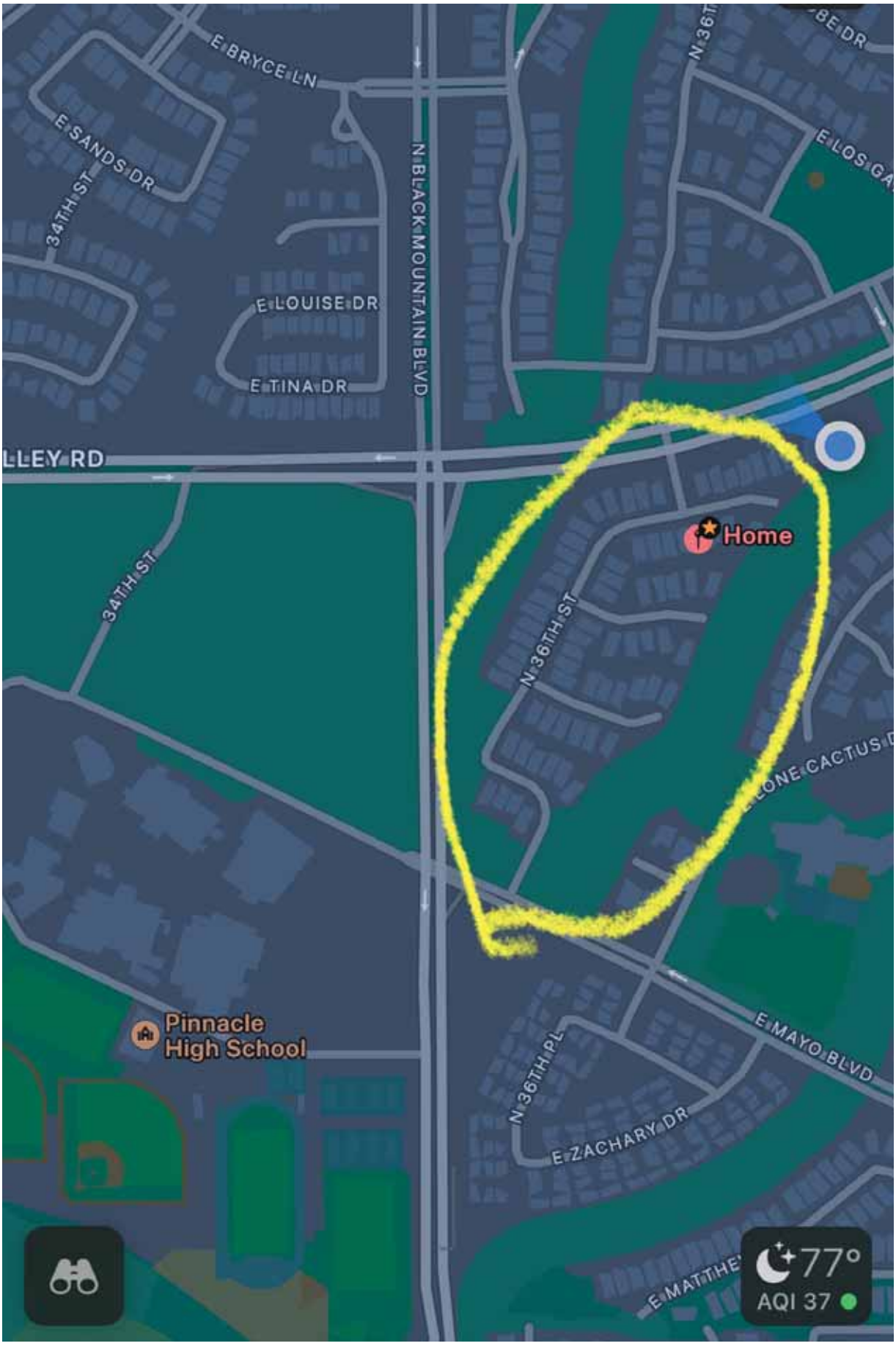
My biggest concern is for the safety of our children who reside in the Cooper View section of Fireside. There are 45 kids in elementary school who live in this section and walk to school every day. We already deal with the reckless driving from the high school, and I am concerned that it will only get worse with the increased traffic if the new commercial development gets approved.

The high school parents use this cut through to avoid the traffic jam where they drop the students off by the mailboxes then make a U turn back through the community. This is circled in yellow.

If this additional child safety concern could be addressed it would be greatly appreciated in protecting our community and safety of our children.

Feel free to contact me if further explanation would be helpful.




E BRYCE LN
E SANDS DR
34TH ST
E LOUISE DR
E TINA DR
N BLACK MOUNTAIN BLVD
LLEY RD
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N 36TH PL
E MAYO BLVD
E ZACHARY DR
Pinnacle
High School
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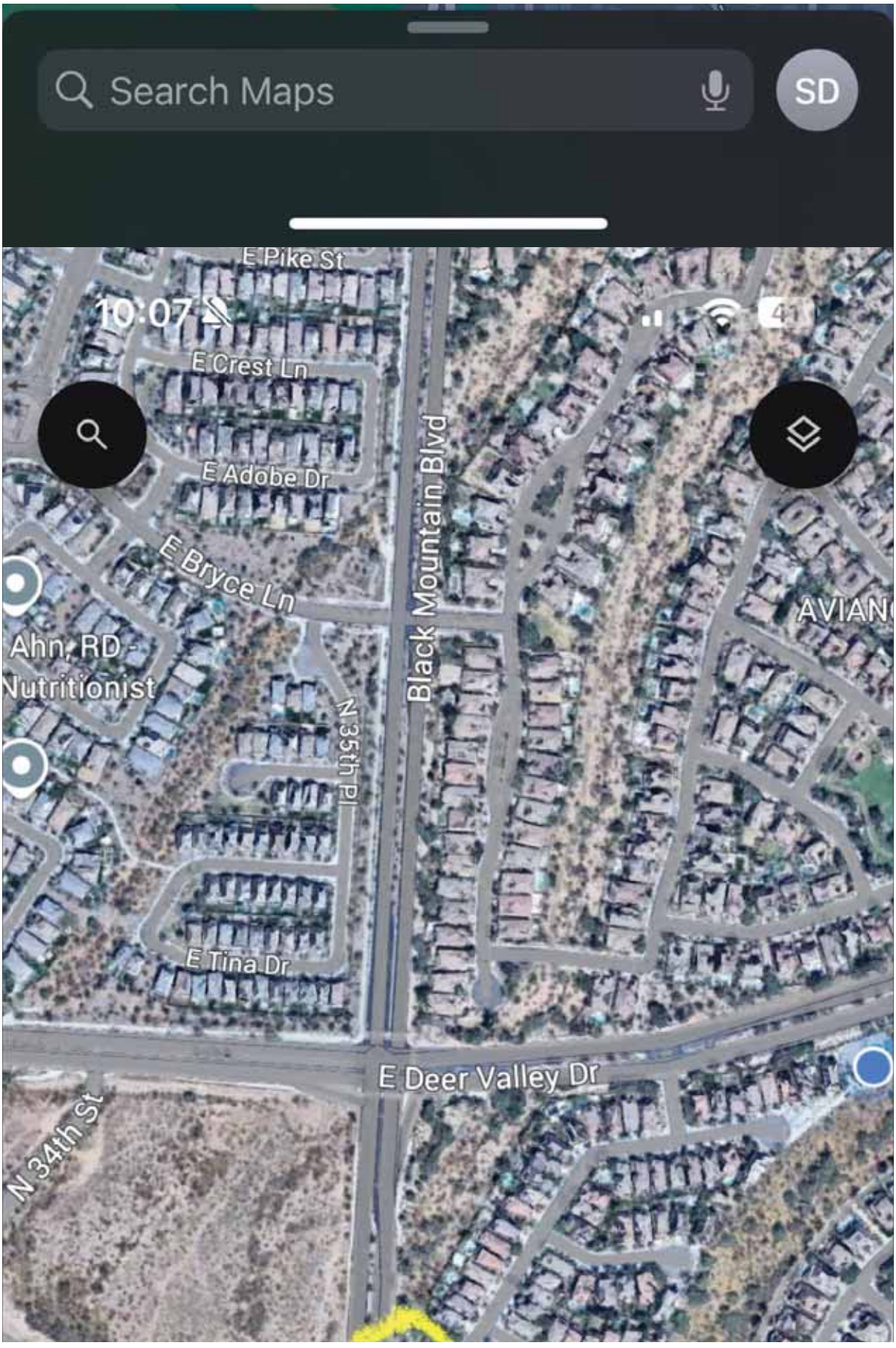
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Nutritionist
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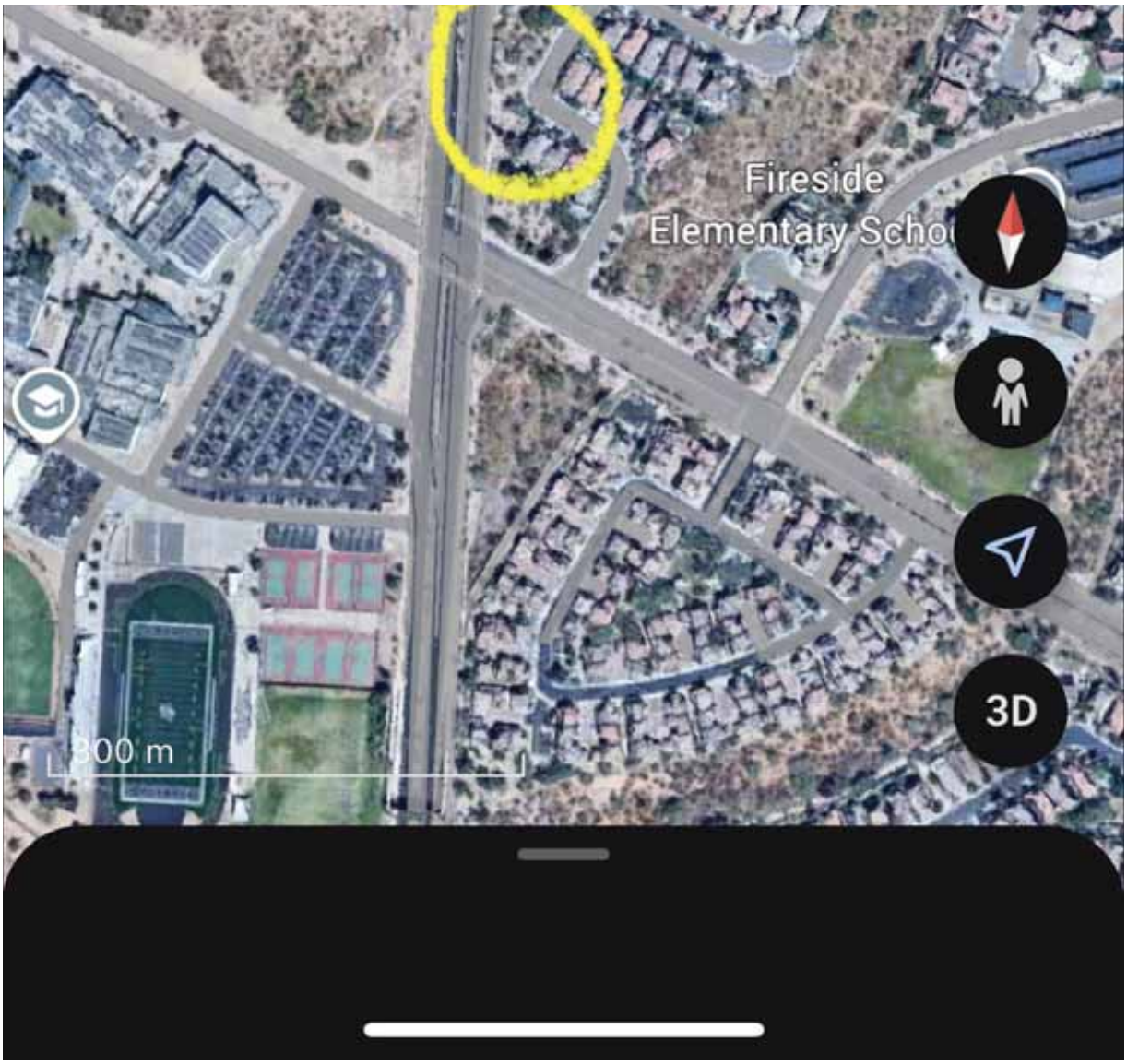
E Tina Dr
E Deer Valley Dr
N 34th St




**CITY OF PHOENIX PLANNING CASE NOS. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, & Z-39-23-2**

Best,

Steve Deacon, CFP®, CIMA®, *Private Wealth Advisor*
CA Insurance License #0H03830
*Five Point Wealth Advisors*
*8925 E Pima Center Pkwy, Suite 135*
*Scottsdale, AZ 85258*
*Phone: 480-948-2416*
*FAX: 480-291-8643*

**www.fivepointwealth.com** [fivepointwealth.com]


[fivepointwealth.com]


[forbes.com]


[forbes.com]

*2023 Forbes Best In State Wealth Advisors, created by SHOOK Research. Presented in April 2023 based on data gathered from June 2021 to June 2022. 22,243 were considered, 7,321 advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.*

*2023 Forbes Top Next-Gen Wealth Advisors Best in State, created by SHOOK Research. Presented in Aug 2023 based on data gathered from March 2022 to March 2023. 3738 Advisors were considered, 1464 Advisors were recognized. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.*

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**From:** Andy M
**To:** Anthony M Grande
**Subject:** Cases GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 18, 2024 10:35:53 PM

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I live in fireside (3609 e cat balue Dr) and I am opposed to "black mountain village" -- I ask that you keep that lot residential! We do not want it turned commercial and do not want businesses in that area! Vestar should simply use the land a few blocks away at cave Creek and deer valley!

Thanks,
Andy

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Wednesday, September 18, 2024 8:58:15 PM

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Hello Anthony,

After listening to a new revised plan from Vestar, this is my opinion.

I am Rajesh Gadde. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Rajesh

**From:** Amal Halaby
**To:** Anthony M Grande
**Subject:** Black mountain , zoning from residential to commercial iam voting. No, no, please hear us. Thank you.
**Date:** Wednesday, September 18, 2024 12:02:35 PM

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Sent from my iPhone

**From:** hww33 (null)
**To:** Anthony M Grande
**Subject:** Fwd: Black Mountain Village Proposed Plans for Superblock Parcel 12
**Date:** Wednesday, September 18, 2024 7:10:17 AM

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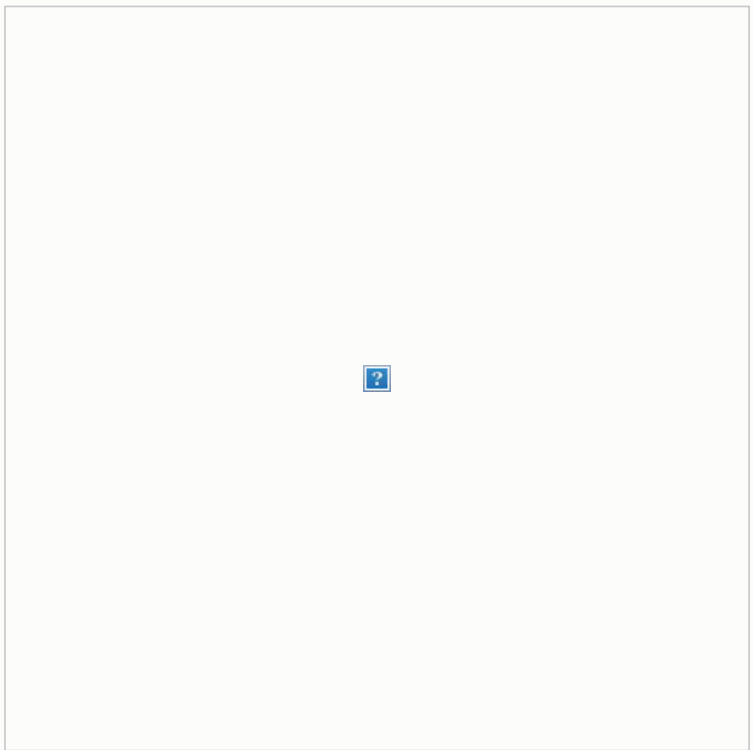
Hello Anthony,
I am reaching out to voice my displeasure and to ask for your support with ensuring that Vestar/other corporations are blocked from rezoning from “residential” to “commercial” for the proposed Black Mountain Village in Desert Ridge. The *residential* zoning was absolutely a key factor when we purchased our home and would be devastating to our community if rezoning is allowed. There seems to be plenty of commercial zoning between High Street, Tatum and Cave Creek Roads.

Begin forwarded message:

**From:** Fireside at Desert Ridge <emolenaar-associatedasset.com@shared1.ccsend.com>
**Subject: Black Mountain Village Proposed Plans for Superblock Parcel 12**
**Date:** September 18, 2024 at 7:06:28 AM MST
**To:** zakhouse2333@gmail.com
**Reply-To:** emolenaar@associatedasset.com



[fskj7tgbb.cc.rs6.net]

# Message from the Manager

## Updated Superblock Parcel 12 Presentation

Dear Fireside at Desert Ridge Residents,

Thank you to everyone that participated in yesterday evening's updated proposal towards the rezoning of Superblock Parcel 12 from residential to commercial property. The presentation, approximately 15 minutes in length, using both a hybrid and virtual format, was given by Gammage & Burnham Law, counsel for Vestar Development Co. Upon conclusion of the presentation, representatives attempted to answer related questions using a multi-contact approach with the goal of efficiency.

Specific details from the presented proposal can be found using this link:
**https://www.gblaw.com/blackmountainvillage/ [fskj7tgbb.cc.rs6.net]**

Questions or comments regarding Black Mountain Village can be sent to Rob Lane, Gammage & Burnham PLC, Senior Land Use Planner at (602) 256-4439 or **rlane@gblaw.com**.

The next step in the rezoning process will be a public hearing with the **Desert Village Planning Committee (VPC).**
When: October 1st, 2024 at 6:30 pm
Where: Paradise Valley Community Center, Multi-purpose Room
17402 N. 40th Street, Phoenix, Arizona 85032

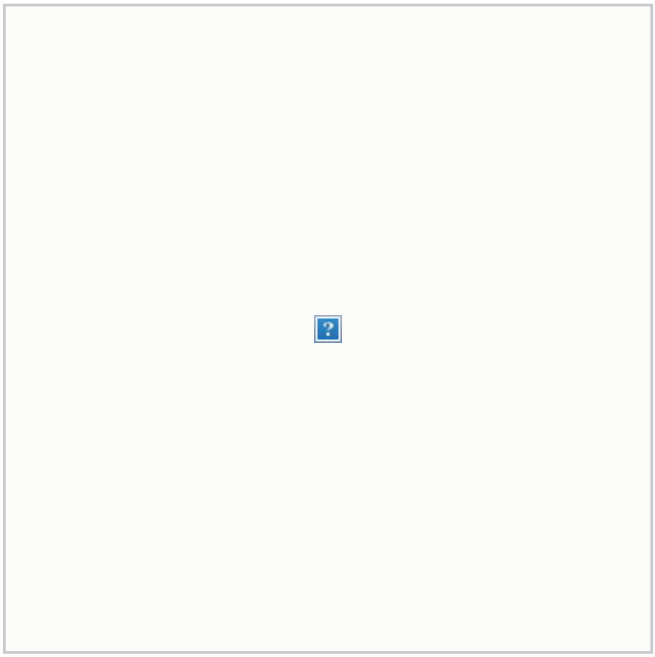
To participate, see the instructions available on the Public Meeting Notices website:
**https://www.phoenix.gov/cityclerk/publicmeetings/notices**

If you would like to voice your opposition or support via written email, contact Anthony Grande, City Planner at **anthony.grande@phoenix.gov** as all received communication is documented.

I can be reached at (480) 214.3357 or emolenaar@associatedasset.com if you should have any questions or concerns.

Sincerely,

Eric Molenaar, CAAM, SLC
Fireside at Desert Ridge Community Manager
On behalf of the Fireside at Desert Ridge Community Association Board of Directors.

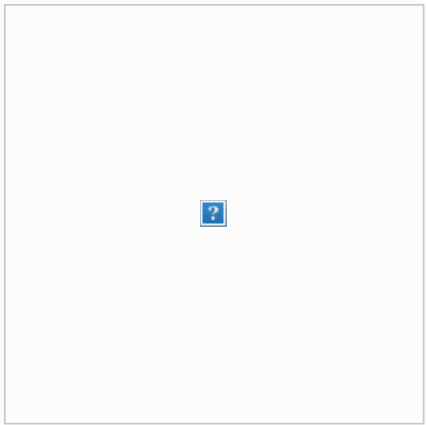


[fskj7tgbb.cc.rs6.net]

**Fireside at Desert Ridge Community Association**
3775 E. Lone Cactus Drive
Phoenix, AZ 85050
480.203.2166
**www.ourfiresidedesertridge.net [fskj7tgbb.cc.rs6.net]**

Professionally Managed By:

[fskj7tgbb.cc.rs6.net]

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This message is intended exclusively for residents of Fireside at Desert Ridge. If you have received this message by mistake, please let us know by email reply and delete it from your system.

Fireside at Desert Ridge | 3775 E. Lone Cactus Drive | Phoenix, AZ 85050 US

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**From:** Julia Levene
**To:** Anthony M Grande
**Subject:** Updated Superblock Parcel 12
**Date:** Wednesday, September 18, 2024 9:09:52 AM

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Report Suspicious

HI Anthony:

As I was unable to make the meeting last night, can you answer a couple of questions for me?

Do the restrictions listed in the development project apply only to this proposal, or will these restrictions be within the confounds of the rezoning to commercial property? Restrictions such as limited size of box store to no more than 65,000 sq. feet, no gas station, low lighting, and restrictions types of tenants allowed etc. In other words, down the road, can another developer or same developer alter what is allowed in this commercial zone and place a gas station there?

Can you describe what is meant by “separate public process” regarding drive through restaurants?

Thanks

Julia

Julia Levene, CMP
CEO
Go West Destinations, Inc.
DBA: APP, Association Planner Partners
3734 E. Ringtail Way
Phoenix, AZ 85050
Phone: 602 320-8323
www.associationplannerpartners.com [associationplannerpartners.com]




pcma member

| | |
|---|---|
| **From:** | John Randall |
| **To:** | Anthony M Grande |
| **Cc:** | John Randall |
| **Subject:** | Superblock Parcel 12 revised proposal Opposition |
| **Date:** | Wednesday, September 18, 2024 7:21:51 AM |

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Dear Anthony,

Thank you for taking the time to read my opposition to the revised proposal for superblock 12 adjacent to our high school.

I have a background serving on both economic development and planning commissions in suburban Chicago for nearly ten years and am generally in favor of development to aid in tax revenues to support local communities. My rare exception to this bias is when homeowner community Zoning is changing to accommodate this development post community build out.

Two of the key determining factors in home purchases are High School rating and community environment which has led to the evolution to planned communities and continued equity growth over time. To disrupt these factors post build out should NOT happen in my view without a minimum of a community vote to represent the true data to decision makers who serve on our community boards and commissions.

It is for these reasons that I vote NO to superblock 12.

Thank you,

John G. Randall
John.randall023@gmail.com
602-919-8150
21709 N. 37th st
Phoenix, Az. 85050

| | |
|---|---|
| **From:** | Matthew Chitwood |
| **To:** | Anthony M Grande |
| **Cc:** | Anne Chitwood |
| **Subject:** | GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 11:53:53 PM |

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Re:GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

The plans proposed by Vestar are NOT in alignment with what the General Plan originally intended this land be used for and I specifically request the Committee REJECT the developer's case.

Matt Chitwood
Fireside Resident

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE |
| **Date:** | Thursday, September 19, 2024 5:35:25 PM |

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Report Suspicious

Dear Mr Grande and Members of the Desert View Village Planning Committee -

Unless you have personally been involved with transporting students to and from Pinnacle High School, you cannot appreciate the traffic challenges that occur daily at the intersection of Mayo Blvd. and Black Mountain Blvd. (Please note that this intersection is directly in front of the high school.) We have parents dropping off students. We have inexperienced student drivers pulling into the parking lot. We have traffic heading toward the 51. We have traffic coming off the 51. Plus, we have heavy traffic from Deer Valley, which has now become an alternate route for the 101. In the midst of all this traffic, we have those students who walk to school. Even under the best of conditions, crossing Black Mountain Blvd. and Mayo Blvd. can be difficult. It is not uncommon to see students darting across traffic, crossing against the light, or jaywalking. The situation is formidable for all involved.

Vestar is suggesting their proposed commercial development will benefit our neighborhood. (Please note they would be building adjacent to Pinnacle High School.) They claim it will offer us an alternative shopping experience, while alleviating traffic congestion at Desert Ridge Marketplace. Vestar's suggestion is nothing short of insulting. Their own traffic analysis of 2022 predicted their project would add more than 10,000 vehicles DAILY at the intersection of Deer Valley and Black Mountain Blvd. And that has to be a conservative number now considering all the construction that has occurred since 2022. Add those 10,000 vehicles to the already inordinate number of vehicles navigating Black Mountain Blvd., Mayo Blvd., and Deer Valley on a daily basis and we have a disaster waiting to happen.

We cannot compromise our values. We must think of the safety, security, and

well-being of our children. The negative impact of having a commercial development adjacent to Pinnacle High School and one block from Fireside Elementary school far outweighs any alleged benefits.

Please say NO to re-zoning Superblock 12.
Please say NO to Vestar.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | SCOTT ELLEFSON |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. |
| **Date:** | Thursday, September 19, 2024 11:24:47 AM |

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Report Suspicious

Dear Sir,

I Strongly Oppose this rezoning proposal.

Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.

Sincerely,
Scott Ellefson
3909 E. Melinda Dr.

Sent from my iPad

**From:** Treye Elzenga
**To:** Anthony M Grande
**Subject:** Resident Feedback I Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23)
**Date:** Thursday, September 19, 2024 9:55:08 AM

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Report Suspicious

Hello Anthony and Desert View Planning Commission,

After reviewing the revised proposal and attending developer led listening sessions for the Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23), I want to express my strong **opposition** to this project. No amount of money, project design changes, or unsubstantiated claims by the developer or their retained counsel make this project safe for our community. It was fundamentally flawed from the start and approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates not the community. Once again our City Planning Officials should Deny this project. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.

Phoenix City Council Women, Ann O'Brien recently noted our cities dire need for housing to meet the needs of a growing population in reference to a proposed Lennar Homes residential housing project near Hurricane Harbor which will provide 300 much needed additional units to our community. Gammage and Burnham flippantly disregards our civic leaders facts based leadership in their revised proposal by stating 'conversion of this property from residential to commercial and the subsequent loss of 236 dwelling units is negligible'. Gammage and Burnham has also represented Lennar Homes on projects in Phoenix and appears to pick and choose when housing projects are valuable to our community based on their interests not residents. Clearly City leaders and Arizona's own Department of Housing identified shortages of over 270,000 housing units across our state in recent facts based studies. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. We clearly have work to do in an effort to meet that shortage. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks and creates tax payer waste in the zoning review process.

Once again, nowhere in this proposal does it acknowledge the most at-risk to traffic related injuries amongst us the pre-school and elementary school children who walk, bike, and run to Fireside Elementary. Living in this community, safety should always be our number one concern as residents. Omitting Fireside Elementary from the traffic studies and written rezoning application responses is negligent and shows clear disregard for our children's safety. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children as young as four years old. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. In the bias traffic study completed in November 2022 they fail to acknowledge slower traffic patterns based on holidays, people traveling outside of Phoenix to visit family, and winter residents not yet arriving to the area in addition traffic patterns have evolved after two years. Throwing money at the HAWK system does not solve the problem of increased transient traffic flow, especially off the high-speed HWY 51 into this area, statistically increasing risks for residents, especially our younger children. Simply there is no compelling argument for this project and only increased risk.

While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, along Cave Creek Road, and HWY 51 south. In addition, all these commercial properties have clearly defined borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. Within Desert View we have an abundance of services of all commercial types within one mile. Making the argument that driving one mile creates hardship is another unsubstantiated claim by the developer and fails to acknowledge the abundance of delivery services if someone prefers

alternative commercial services that are not available within one mile. Desert View is not the same as an urban core, such as downtown Phoenix. Lack of concrete detail is consistent throughout the rezoning application, while there is an abundance of words and feelings including 'potentially' and 'we feel' it fails to acknowledge key considerations as I have outlined.

Vestar owns Desert Ridge Marketplace and Gammage and Burnham outlines in their own words the developments failures to manage traffic congestion and parking. Why would we trust the same developer to deliver different results when they themselves acknowledge these failures. Fool me once let's not make it twice especially next to our children's schools and family homes. We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this rezoning request for the second time.

Treye Elzenga

Resident City of Phoenix - Desert Ridge

| | |
|---|---|
| **From:** | Dave Evans |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning Proposal Case GPA-DSTV-2-23-2 and Case GPA DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 5:10:41 PM |

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Report Suspicious

Dear Mr. Grande,

I am a longtime Fireside resident (since 2013), living literally a stone's throw away from Black Mountain Blvd across from where the proposed site is located. I recently attended the presentation by Vestar at the Fireside Community Clubhouse on September 17 regarding the updated proposal plans for superblock parcel 12. I went into the meeting with an open mind curious as to the amendments and changes they had made. After hearing their presentation and seeing their proposed plans I can assuredly say I AM NOT in favor of this proposal. Regardless of how they attempt to build out this commercial center and update the corresponding streets around it, the traffic in this area is going to become a nightmare and even more unsafe. I have lived here firsthand through the addition of the Route 51 on/off ramp and have already noticed the influx of traffic on Black Mountain Blvd, including late night motorcycle racing, street racing, and unfortunately a few serious accidents.

Vestar says they want to add a destination grocery store such as Trader Joes or Whole Foods for just our surrounding neighborhoods. They are extremely naive to think this will not be a huge draw for individuals driving in from all areas to go to this store, adding to increased traffic all day long, safety issues, noise pollution, and making it more dangerous for residents (and students) of this area to navigate safely in and out of their own neighborhoods. Throw in the fact that this is NEXT DOOR to Pinnacle high school and I can't believe Vestar believes it's a good idea to put a proposal together that will degrade and endanger the safety of the students and residents who reside here. Have you seen the traffic and safety issues at Paradise Valley High School on Bell Rd.? We do not deserve to have that brought to our neighborhood. If Vestar is so determined to bring a new commercial shopping center to our area they need to find another location that was not already zoned for residential housing. I hope you will seriously consider the implications of this disastrous proposal and take steps to keep it from being implemented. Thank you for your attention to this matter.

Respectfully
David Evans

| | |
|---|---|
| **From:** | Shelley Flecky |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Re: Resident of Fireside - against rezone Black Mountain Village |
| **Date:** | Thursday, September 19, 2024 9:11:05 AM |

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Report Suspicious

I sent this a year ago, and my thoughts have not changed. Please keep zoned as single family homes.

Thank you,
Shelley Flecky

> On Sep 13, 2023, at 9:44 PM, Shelley Flecky <shelleyflecky@gmail.com> wrote:
>
> Hello,
>
> I have been a resident of Fireside Desert Ridge since 2011. I now have a son at Pinnacle High School. I am strongly against re-zoning the area by his school to commercial. This was not the original plan and definitely after all the growth in this area should not be the new plan. Traffic on Black Mountain Blvd is horrendous and downright dangerous during school hours. I don’t think it is a safe place to add more congestion. Please do not re-zone! The community does not want this.
>
> Thank you,
> Shelley Flecky
> Referencing case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

| | |
|---|---|
| **From:** | JG Ford |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 5:29:21 PM |

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Hello Mr. grande,

I hope you can see by the mass amounts of emails you are receiving to oppose this Vestar rezoning idea that is not what the majority of affected homeowners want, nor do we need it. Are there a few who want it, sure.

I strongly oppose this and want it to remain zoned for single family homes ONLY! We did not buy here to have it rezoned for commercial use.

Vestar has been diligent with their fake marketing and published articles that residents want this and that it was the Arizona State Land Department that approached Vestar, when the state in fact did not.

And it is no coincidence that the next scheduled meeting is Oct 1st during our Fall Break where many families, like mine will be out of town and unable to attend. Why? Well it's a planned strategic move so less of us can attend.

Please do the right thing and stop this from moving forward. What if you lived up here, I don't believe you would welcome and embrace this unwanted change and increased traffic in your neighborhood.

Thank you for applying your ethical consideration from a homeowner's perspective to stop this from going any further.

Respectfully,

Jay Ford

**From:** Susan Forkos
**To:** Anthony M Grande
**Subject:** Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.
**Date:** Thursday, September 19, 2024 10:40:31 AM

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Report Suspicious

Good morning,

I have had the opportunity to attend the meeting at the Fireside Clubhouse and cannot be more disappointed in this presentation. It really lacks the "buy in" that I thought I would have after this discussion. The key points to the community not being in favor are the unfavorable aspects of driving more traffic to the neighborhood, types of retailers, possibility of junk fast food, and the list goes on. I was in favor of another grocer in and around Desert Ridge but I am now in favor of SCRAPPING this proposal and moving forward with the land being developed into housing, and parks that would not increase traffic at key times throughout the day.

Key takeaways I was left scratching my head:

-Vestar was approached to develop this area? I have no buy in on this statement. So then Vestar should have looked at the value of other properties. Even the ones at Pinnacle Peak. This area would be ideal! And remember Whole Foods built nowhere near housing and people flock to it. No one in the neighborhood is driving towards the high school except for key times during the day which is a traffic nightmare. We all drive away from the area for shopping and knew we would be doing that when we bought our homes. That was one of the appealing qualities of Desert Ridge.

-Traffic, traffic and more insane traffic...Too much traffic would be directed and come off the 51 and Mayo to go to NEW shopping, there still is no clear answer as to how this would affect the area as far as noise pollution and added car pollution in general. Also, the influx of cars at 633 parking spots is a huge amount of cars to add to the daily drop off/pick up routine. There was no clear answer. There is currently a high traffic issue in this area, with accidents and injuries. Increasing this would not be helpful. We see what a mess Tatum is at the turn into Albertsons and InNout burger. It's a disaster. Parking lot would become drop off and pick up and overflow parking for the school that is already bursting at the seams.

-Types of retailers. YES, this matters. When you do not know what is going in and you are at the mercy of the land developer taking the highest bid, you get what they want. Which is retail dedicated to convenience of a highway offramp. Not retailers dedicated to increasing the value of our properties. I was told they cannot be selective and will take whoever bids on the parcels. Look at several other shopping centers, you currently don't see McDonalds or ChickFilA at the scottsdale quarter, do you? you have million dollar homes right across the street that fear the smell of grease and pollution of delivery trucks. Not to mention increasing

foot traffic, loitering and the list goes on and on.

-size retailers down to 65,000 sq ft.?? They were talking about this may be a prime spot for Sprouts or Trader Joes but we are talking 65,000 sq ft which is the current size of the Albertsons. A Trader Joes shop is typically 10-12,000 sq ft. So I have no interest in a major store right next to a high school. This area cannot accommodate the traffic for the size Albertsons that is at Desert ridge, it is ridiculous to think it can.

-decreased property value. NO one answered this question. And no one would know until we get a list of retailers.

-education money trade off. No where did this say the trade off would directly go towards the two schools located near this property, while this seems like a nice trade, our neighborhood schools would only see a small fraction of this money, if any?

I am overall disappointed in the outcome and changes they have proposed. Adding a busy shopping plaza is not a good idea for this location and I cannot back it or get on board with this decision to change the zoning. The lot is just too small to house a 65,000 sq ft grocer plus handfuls of stores off the highway ramp near an already busy school intersection.

So please add my commentary to the list of people that oppose the rezoning of this land. I absolutely do not approve their proposed plans. Vestar clearly is in it for the money, not the benefit of our community.

Thank you,

Susan Forkos

**From:** harrisonmccrae88@icloud.com
**To:** Anthony M Grande
**Subject:** We don"t want Black Mountain Village
**Date:** Thursday, September 19, 2024 11:23:42 AM

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Report Suspicious

To whom it may concern,

We who live in residential areas such as Fireside, do not wish for more traffic going by homes as it will cause much disturbance to our communities. Case Numbers: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

| | |
|---|---|
| **From:** | Todd Jennings |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 4:34:49 PM |

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Report Suspicious

Mr. Grande,

I recently attended the presentation by Vestar at the Fireside Community Clubhouse regarding the proposed plans for superblock parcel 12. While I initially supported the idea of having another grocery store nearby, I now believe that rezoning this area for commercial use would not be a good decision. After reviewing the plans, it's clear that traffic will become a significant issue, even with the proposed lane expansions and additional sidewalks.
Currently, most residents drive away from Pinnacle High School for their grocery shopping. Placing a supermarket right next to the high school will not only draw local residents but also people from outside the community, significantly increasing traffic in the area. This rise in traffic will bring a higher risk of accidents, especially concerning the safety of children who attend the high school and live in the surrounding neighborhoods.
In addition to safety concerns, the increased traffic will lead to more noise, disrupting the quiet environment many of us value. Personally, when I shop at stores like Whole Foods, Sprouts, or Trader Joe's, I travel away from the school. If a grocery store is built here, it will bring more congestion, more noise, and more pollution to our streets.
I believe the best option would be to keep the zoning for single-family homes as it currently is

T Jennings

| | |
|---|---|
| **From:** | Kris |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. |
| **Date:** | Thursday, September 19, 2024 4:30:43 PM |

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Report Suspicious

Hello Mr Grande. I am writing regarding the above rezoning proposal. I live in Fireside and have had children attend the local schools as well as Pinnacle High School.

If you don't live in the area, it is really hard to understand the traffic problems we have around the High School. There are also major issues, outside of school hours, from traffic coming from 51 to Black Mountain. People coming from the highway blow through the stoplight and accidents occur. Unfortunately one of those happened to my son. We were extremely fortunate no one was injured as his car was t-boned and completely totaled.

Also I can't imagine anything worse than having a shopping complex close to a high school. All you have to do is ask the shop keepers at Desert Ridge Marketplace the havoc the kids create there after school is let out. I can't imagine this enhancing our property values.

There are currently so many shopping choices within a 5-10 mile range that we really do not need more that aren't already zoned for this purpose. I would strongly urge you to reject a proposed zoning change to this area.

Thank you for your time.

Kris

Sent from my iPad

**From:** Craig Liguori
**To:** Anthony M Grande
**Subject:** Superblock parcel 12 I vote NO
**Date:** Thursday, September 19, 2024 1:00:09 PM

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Report Suspicious

Anthony,

As a taxpayer whose house backs up to Black Mountain boulevard (Just north of the pedestrian foot bridge), I OPPOSE the development of Superblock 12 parcel of land.

We as a community already have a problem with the school and its inability to abide by the City of Phoenix Noise Ordinance, so until the High School can stop harassing its neighbors by sounding a segment timer every 5 minutes during football practice that can be heard in my house
Playing music that can be heard in the adjacent neighborhood that includes graphic words like: [redacted], [redacted], [redacted], [redacted], and [redacted], I do not consider it a prudent move for the city to continue to expand until they can handle the current situation.

I have brought this issue to the School, and the School District. Both entities still chose to not take any action. It is time that city officials start doing their job and following / enforcing the laws that they pass.

Craig Liguori
480-519-9436

| | |
|---|---|
| **From:** | Martina McConnon |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village Proposed Plans for Superblock Parcel 12 |
| **Date:** | Thursday, September 19, 2024 8:27:56 AM |

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Report Suspicious

Dear Mr Grande,

I attended the recent presentation by Vestar at the Fireside Community Clubhouse in regards to the proposed plans for superblock parcel 12. While I had been in favor of having another grocer in the vicinity, I am now convinced that it's not a good idea to rezone that area for commercial space. Looking at the presented plans, and even with the planned lane increases and separate sidewalks, it's very clear that traffic is going to be a huge issue. Currently all residents are driving away from Pinnacle High School to do their grocery shopping. If there is a super market right next to the high school, not only are the people who live in the surrounding communities going to drive there, it's also going to draw people from even further away. Right now, when I want to go to a Whole Foods or Sprouts or Trader Joes, I'm driving AWAY from the high school. If there was a grocer, anyone who likes to shop at that type of market will drive to Black Mountain Village, increasing traffic on all surrounding streets, increasing the risk of accidents and definitely increasing pollution.

I would like to keep everything as it is, with the area being zoned for single family homes.

Thank you for your consideration.

Best regards,

Martina McConnon
3826 E Cat Balue Drive
Phoenix AZ 85050
cell 610-577-4982

Thanks!

| | |
|---|---|
| **From:** | heather moss |
| **To:** | Anthony M Grande |
| **Subject:** | NO to Black Mountain Village - case #'s: GPA-DSTV-2-23/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 11:24:55 AM |

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Report Suspicious

Dear Anthony,

We are opposed to changing the residentially-zoned plot of land to commercial property.

We are against the Black Mountain Village proposed by Vestar.

We want to keep our high schoolers safe and keep our community protected, NOT increase the unbelievable amount of traffic that will bottleneck the Black Mountain freeway exit and surrounding roadways. We were told the area was all going to be residential when we chose to purchase at Fireside and make this place our home. Now some big corporation has the right to change that?!

Please take our homes and families in to consideration before agreeing to building this horrible commercial project. Thank you.

Sincerely,
Heather McCrae

| | |
|---|---|
| **From:** | Dennis McWherter |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition for Black Mountain Village (GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2) |
| **Date:** | Thursday, September 19, 2024 6:51:26 AM |

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Report Suspicious

To Mr. Grande:

My name is Dennis McWherter and I am a resident of Fireside at Desert Ridge. I understand that you are the City of Phoenix's point of contact related to the Black Mountain Village project proposed by Vestar (GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2). I wish to voice my **opposition** to the proposal as you consider it.

Rezoning this land for commercial use will invite more traffic to an already precarious location due to the higher-than-average concentration of new drivers coming to and from Pinnacle Peak High School. It will also extend the hours under which there is heavy traffic in the area. Furthermore, a commercial development in the area may encourage unwelcome loitering. As a father of young children, I do have concerns about their safety in such an environment. I find that the efforts to rezone the intersection of Deer Valley Dr. and Black Mountain Blvd. to be actively harmful to the community residents. With the Desert Ridge Marketplace approximately 2 miles away and plenty of other shopping complexes easily accessible within minutes through SR-51, it does not serve a community need and it makes the area less safe.

Allowing this land to be developed under its current plan for single-family residential better fits the needs for our community. The current residential zoning also addresses a critical need among our broader and rapidly growing Phoenix community: increasing the supply of available housing in the valley. I urge the planning committee to **reject** the proposed rezoning for this project.

Thank you for your consideration.

Regards,
Dennis McWherter

**From:** Sara Millett
**To:** Anthony M Grande
**Subject:** Black Mountain Rezoning Issue
**Date:** Thursday, September 19, 2024 2:02:11 PM

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Report Suspicious

Mr. Grande,

am writing you to express my opposition to Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-2.
As a Fireside resident of 13 years, and a parent of a teenager and a pre-teen, I think this is a dangerous option for our community. The existing traffic nightmare near Pinnacle High School will only be exacerbated by the addition of a commercial center. We need solutions to make the intersections around the high school safer, not the opposite.
I urge you please to prioritize the safety of our children and newly driving teen high school students.

Sincerely,
Sara Millett
3845 E Cat Balue Dr
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Michael Moskowitz |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village Proposal |
| **Date:** | Thursday, September 19, 2024 8:09:48 PM |

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Report Suspicious

Dear Mr. Grande,

I am writing to express my descent regarding the proposed plans for Superblock Parcel 12. I have been a resident and homeowner at Fireside in Desert Ridge for 13 years. What was once a quiet neighborhood has transformed into a thoroughfare, and I fear that the addition of another shopping center will exacerbate this issue. Traffic and noise levels have continued to rise, and I am apprehensive about the further impact this shopping center would have.

The Desert Ridge Marketplace is already quite convenient, and efforts should focus on enhancing this area rather than adding more commercial development.

I urge you not to change the zoning for this land to commercial use.

Thank you for your attention to this matter.

Sincerely,
Michael Moskowitz

**From:** Marisa Oconnor
**To:** Anthony M Grande
**Subject:** Black Mountain rezoning
**Date:** Thursday, September 19, 2024 10:06:57 AM

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Report Suspicious

Mr Grande,

I am writing you to express my opposition to Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-2.
As a long time Fireside resident and parent of Pinnacle HS students, I think this is a dangerous option for our community. The existing traffic nightmare near the high school will only be exacerbated by the addition of a commercial center.
I urge you please to take into consideration the safety of our students many of whom are brand new drivers!

Thank you!

**From:** Rebecca Moretsky
**To:** Anthony M Grande
**Subject:** Super block Parcel 12 plans
**Date:** Thursday, September 19, 2024 10:18:42 AM

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Report Suspicious

Dear Mr. grande,
I'm a resident of Fireside with 2 children in nearby elementary and middle school. Next year we'll have a son at Pinnacle Highschool and I'm already concerned about the terrible traffic and delays on black mountain blvd and deer valley. I'm also a medical provider so delays getting to work are an issue. I'm deeply concerned about the significant increase in traffic if the land is used for grocery store. That corner is dangerous for walking students and young drivers already. I'm in favor of residential property in that area as this will not bring in the same number of additional people to the already congested area. Thank you for your consideration.
Sincerely,
Rebecca Reedy
Sent from my iPhone

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE |
| **Date:** | Thursday, September 19, 2024 2:54:08 PM |
| **Attachments:** | Grocery Store options.pdf |

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Report Suspicious

Mr. Grande,

I submitted something last year depicting the amount of gas stations that were in near Deer Valley and Black Mountain Blvd. With Vestar eliminating the gas station from their proposal, I wanted to focus on the fact that we have plenty of grocery stores available in the surrounding area. Vestar used a graphic last year in some of their meetings stating that Desert Ridge Marketplace is the only grocery store location in a 5-mile radius. That is simply not true at all! Their graphic was only using a 5-mile range to the north of this property, and not looking south. Even if you only looked to the north, they were still not being honest. Fry's has a location at Tatum and Cave Creek Road that is just under 5-miles from this property. Sprouts at Scottsdale and Pinnacle Peak is also just under 5-miles.

If we start looking to the south of this parcel of land as well, then the options are incredible. You don't even need to use a 5-mile radius to start running into multiple grocery stores of the same name. Within a 4-mile radius neighbors can choose between 3 different Fry's, 2 different Albertsons, a Safeway, a Basha's, ALDI, Food City, a Sprouts Market Express, Walmart, Costco, and Target. If we increase this to a 5-mile radius, we add 2 Sprouts, a Whole Foods, another Frye's, another Safeway, and a WinCo Foods.

There is no need to be concerned about the undeveloped land to the north of Pinnacle Peak. Once they start looking into developing the next super block to the north of Desert Ridge then we can all start worrying about adding more grocery stores to that part of town. The neighbors that live directly adjacent to the land at Black Mountain and Deer Valley do not want to see this as a commercial property. We moved to this area to be away from the commercial portion of Desert Ridge. Nobody is running out of gas just trying to get to a grocery store. We don't' want Black Mountain Village. Please reject Vestar's proposal to rezone this land.

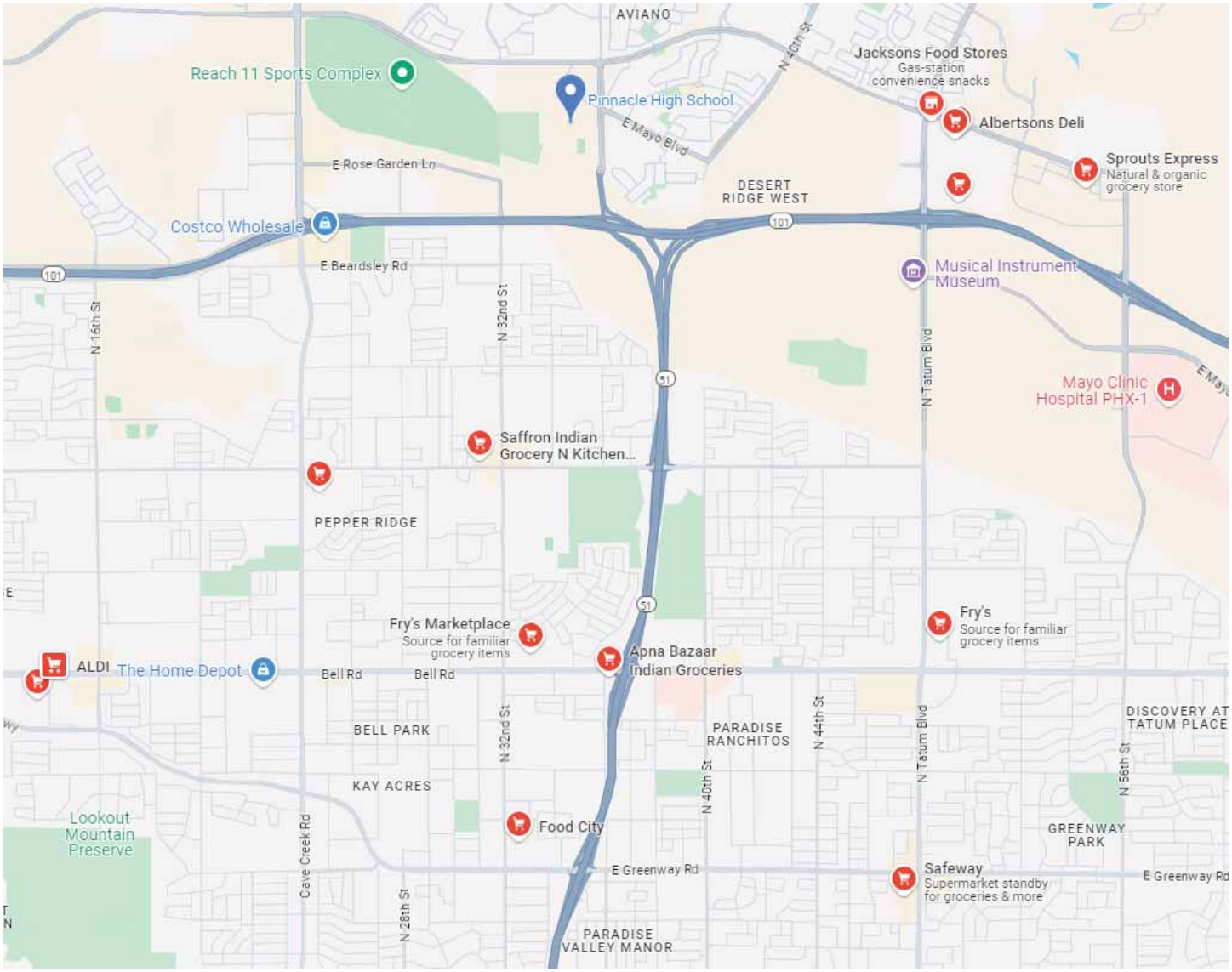
Sincerely,
Dan Richards

# DESERT RIDGE IS NOT LACKING GROCERY OPTIONS

**FORGET ABOUT A 5-MILE RADIUS!!!!!!**

**Grocery Stores within a 4-mile radius of Pinnacle High School include:**

- 3 Fry's
- 2 Albertson's
- Safeway
- Basha's
- ALDI
- Sprouts Market Express
- Food City
- Costco
- Walmart
- Target



| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | PDD Planning Commission; Council District 2 PCC; Mayor Gallego; PDD Desert View VPC |
| **Cc:** | PDD Long Range Planning; Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE opposition. |
| **Date:** | Friday, September 20, 2024 8:12:09 AM |
| **Attachments:** | PlanningCommitteePhotoAppendix.docx |

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Report Suspicious

Dear Planning committee members, Mayor, Councilman,
The above mentioned proposal to rezone a residential area in Desert Ridge to commercial has been "amended" by Vestar with the elimination of the gas station and will be starting the process all over again starting with the Desert View Village Planning committee on October 1st.
This commercial center is proposed to be right next to a high school and elementary school and our residents think this is irresponsible and unacceptable to even consider.
(Please see the attached PhotoAppendix for the traffic nightmare we endure and the unsafe situations our kids navigate to get to school and the drone footage on our website:
**DefendDesertRidge (godaddysites.com)**
**[defenddesertridge.godaddysites.com])**

Since the January 4th continuance was granted, Vestar and their lawyers will claim this to be "working with and listening to the community". They even have stated in a community meeting that ASLD approached THEM about developing it.
Both statements are very far from the truth.
The plan before you was already mentioned back in December of 2023 where they already indicated that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft, which equals their original submission.
We requested the origin of this proposal and according to Arizona State Land department official reply - "**The Desert Ridge Community Association (DRCA) has said additional grocery anchored retail is needed in Desert Ridge.**".
Does the president of an HOA have the authority to represent a whole community without any involvement or poll results of their residents?

Would any of these parties have listened to the community, they would have heard many people say that starting a commercial center next to schools is completely unacceptable.
The negative impact on the students is unacceptable, the increased traffic will be unacceptable.
There are plenty of grocery stores in the area and other pre-approved commercial zoned parcels available.(See attached DR zoning)
900+ people have now signed our petition.

I'm sure you have heard it all before, but are we really all just the regular "not in my backyard" complainers in your view? Or are we genuinely standing up for the future and safety of our kids and in our community?
I am writing to you to please consider our concerns and recognize that this proposal is a big mistake that will have long lasting negative consequences for the desert ridge community.

Also, please consider that we, as residents, have been led to believe that;

- We bought our homes within the Desert Ridge master community which had specifically dedicated land to a commercial core away from schools.
- The city has put in place stringent rezoning requirements that stipulate that rezoning should not be a detriment to adjacent properties, neighborhoods and public welfare (and student safety I want to add)
- The city is actively campaigning for Vision Zero Road Safety Plan to reduce the number of traffic and pedestrian casualties. Even established an office for pedestrian safety. Not double the traffic around an already congested school drop off area that would increase the chances of casualties.
- The city is actively campaigning for Safe Route To Schools. In our area a lot of students walk to school from their homes and have to cross an already dangerous junction at Mayo blvd and Black Mountain blvd.
- Arizona State Land department is selling land to fund public education and works on behalf of its trustees, the students. Allowing this proposal would do the exact opposite and harm the students and the schools around it.
- Our Desert View Village Planning committee is your first line of defense to filter out unacceptable proposals to avoid wasting everybody's time at City Hall. These appointed people are representing our community in this process and have voted 9-1 against this proposal as well.

We compel the village planning committee review all the concerns and emails and attachments from last year and reach the same conclusion that this proposal should be dismissed immediately and without compromise.

A quick summary of events timeline ;

- Rezoning case:
    - Vestar is seeking to rezone 22 acres of the 77 acres of land from Residential to Commercial which is part of Superblock 12-section L.
    - The land is owned by the ASDL and is situated with the Desert Ridge Master Community, adjacent to Pinnacle High School and a block away from Fireside Elementary School.
    - Residents oppose ; (See previous case material for full details)
        - due to the proximity of alcohol and cigarettes and fast food sales near schools.
        - And Paradise Valley School district has sent 2 letters in which they share significant and valid concerns.
        - due to the increasing traffic safety issues and pedestrian casualties (evidence by Vision Zero – Road Safety Action Plan)

the widely known detrimental impact and pollution of commercial centers on our respected community. (Noise,Light,Odor,Gasoline,Idling cars, etc)

- On August 25th ,2023 – Lennar Construction has applied for the remainer 55 acres of Superblock 12L for Single Family Residential development.
    - This is what Superblock 12 is already zoned for. (Residential 2 to 5 du/ac)
    - This is already approved in the Desert Ridge master plan and is in line with the Phoenix general plan.
- On October 3rd, 2023 - **by a vote of 9-1 - this rezoning request has already been denied by our Desert View Village Planning committee**. Committee members that are appointed by the councilman and represent and live in our area.
- On November 2nd, 2023 we appeared at the Planning Committee meeting where we learned that Vestar requested a continuance and even negotiated with the opposing core resident group to make it 60 days – because of the holidays, etc.
    - The reason that they provided was that they needed to have another review meeting with the ASLD to review their amendments.
    - We agreed on the condition that they would share these changes in time for our review and that stipulation was noted by the chairman.
- On December 11th, 2023 the opposing core resident group was invited to meet with Vestar executives to review these changes.
    - However, nothing was further from the truth.
    - They shared that no meeting with ASLD was held, no changes were made.
    - This meeting was clearly a bait-and-switch for an opportunity to find out what changes we might be comfortable with.
    - The meeting ended with a verbal commitment that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft. (Their original submitted and approved plan submitted with the state….)
- On January 4th, 2024 the city planning committee granted Vestar an "indefinite" continuance.
    - They were not asked to pay the cost for this continuance and continue to waste the valuable time of these committees.
    - They were allowed to "work with the community" for the past 8 months and are now presenting the original plan from October 2023
    - They are now presenting "Shops" in their drawing that will be converted to the dreaded Drive through restaurants "after Use permit hearings" are complete. There is no time in the world for residents to continue to battle these

Whilst Vestar is claiming to care for Desert Ridge and boasts about their involvement, the blatant stalling tactics deployed in this case should not be tolerated and residents should not be asked to have this request hovering over our community for any longer.

This proposal is starting to cause undue hardship for our community.
We're fighting for our community character and Residents cannot be asked to fight Vestar, their disingenuous actions and their attorneys for much longer. It's not a level playing field.
Families that already have busy lives and volunteers like yourselves shouldn't be treated like this by Vestar and their attorneys.

The October 1st VPC  meeting is in the middle of our school vacation! We shouldn't be asked to come to meetings where nothing new is being discussed, nor should this committee.

My name is Wouter Roodenburg and live on 21507 N 39th Terrace in Phoenix and I'm a long time resident of Fireside in Desert Ridge and I oppose the case.
Please add this email to your case file and reports

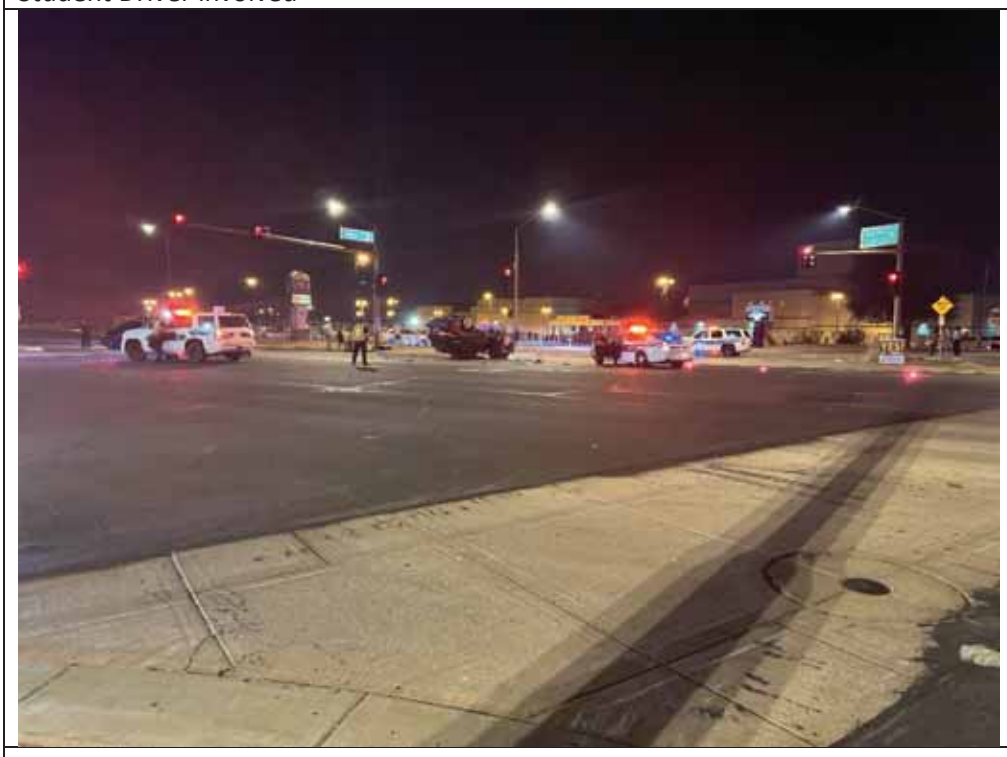
I appreciate your consideration.
Regards,
Wouter Roodenburg.

**DefendDesertRidge (godaddysites.com) [defenddesertridge.godaddysites.com]**

Desert Ridge Community Outline
Commercial zoning
Commercial zoning
Commercial zoning
proposal
PHS
ARIZONA VETERAN'S MEMORIAL CEMETERY
R
56TH ST
TATUM BLVD
40TH ST
CAVE CREEK RD

Appendix In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

October 21st – Home Coming Pinnacle High school
Rollover Accident on Black Mountain Blvd and Mayo
Student Driver involved



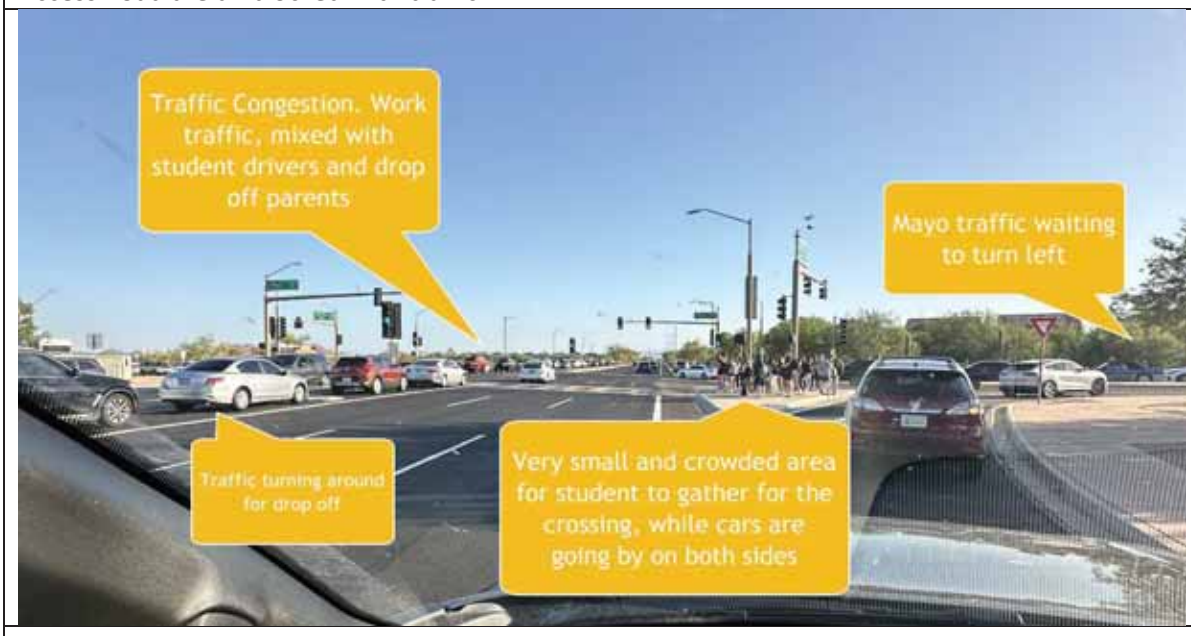
October 31st – Morning traffic Pinnacle High school
Accident on Black Mountain Blvd and Mayo
Student Driver involved



Morning Traffic MAYO Blvd
Access Road are all blocked with traffic



Morning Traffic – INTERSECTION Black Mountain Blvd and Mayo Access Road are all blocked with traffic



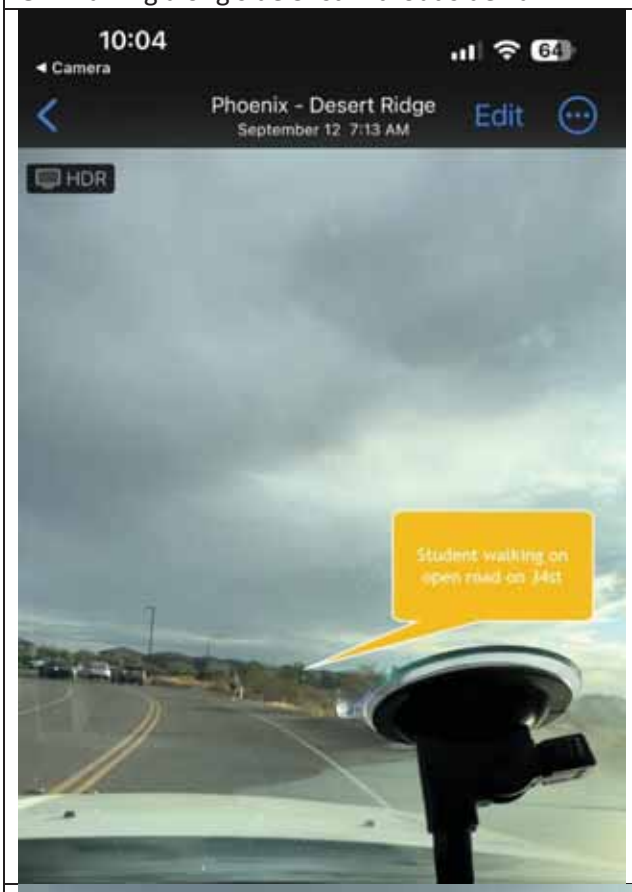

Morning Traffic – Kids walking to school, crossing wherever they feel like



Morning Traffic – Deer Valley.
Frustrated drivers making dangerous manouvres to cut into waiting lanes



Morning Traffic
Girl walking along side 34st without sidewalk






Morning Traffic blocking the Deer Valley Intersection





COMMUNITY SPIRIT

Fireside Halloween Parties

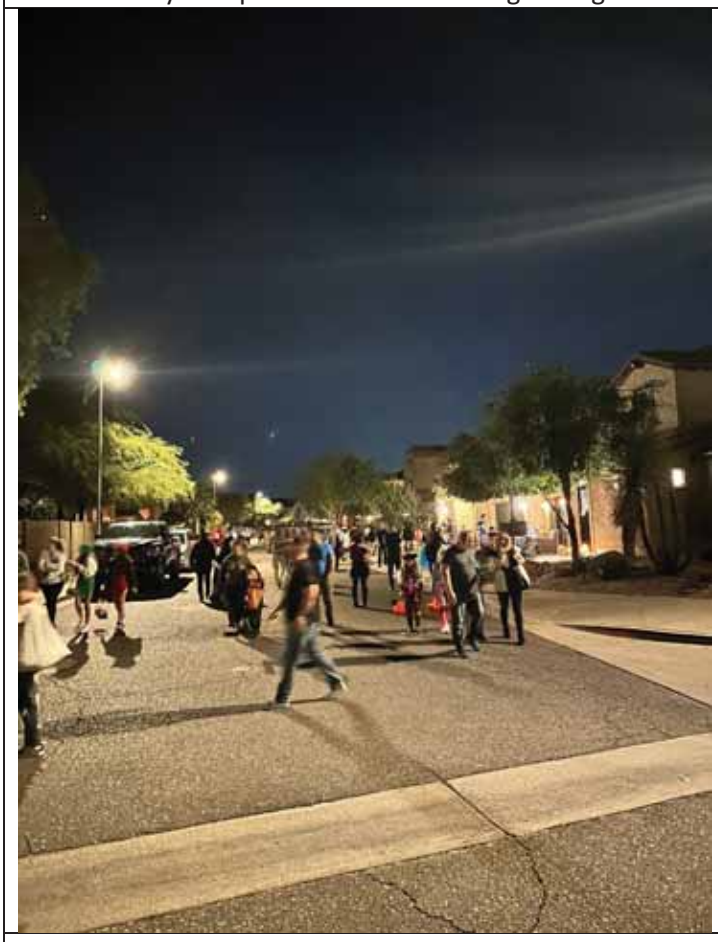
Connected community where neighbors know and help each other

A community that puts effort into creating a safe environment





Fireside Halloween Parties
Connected community where neighbors know and help each other
A community that puts effort into creating unforgettable memories for their children



**From:** Rob Schmitz
**To:** Anthony M Grande
**Subject:** Letter opposing case number GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2
**Date:** Thursday, September 19, 2024 4:52:37 PM
**Attachments:** Desert View Village Planning Committee.docx

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Hello Anthony,

Please find my letter attached in opposition to the above cases.

Thanks,

Rob Schmitz

Desert View Planning Committee,

My name is Rob Schmitz and I'm a resident of Fireside in Desert Ridge. I am a Fire Chief, husband and most importantly a father. I have been in the fire service for almost 20 years and have a degree in Emergency Management. As a firefighter you are always learning and working to get better at your trade, this includes training locally, statewide, and federally. This comes with many experiences and a whole lot of connections and I have relationships with many law enforcement officers and even folks at the Arizona Counter Terrorism Information Center. I share all of this with you to give credibility to my statements on this proposed Black Mountain Village development.

Having a development this close to a school will definitely increase the potential for both human and sex trafficking, narcotic use and sales, and other unsafe conditions to the 2,400 plus children that attend Pinnacle High School. The access for the bad folks that prey upon children will increase in the large parking areas where children will definitely congregate both for pick up and drop off, during school activities and children looking to hang out. We know there have been incidents at the Desert Ridge Market Place and that is not right next to a school, this proposal is not only right next to the school but has a proposed HAWK crossing to encourage the flow of children into this commercial area.

There will also be added traffic which will increase the potential for accidents. Drivers are very distracted today and unfortunately so are most pedestrians, have you seen all the people that walk down the sidewalk and their heads are down looking at their phones? This is an added safety concern for all the pedestrians in this area being right next to the school. Do we want to add any additional risk to the 2,400 plus children that come and go on a regular basis? We have many before and after school activities on top of all of the coming and going just getting to and from school, it is a very busy area already and we don't need a commercial development to add to that.

This committee voted this proposal down 9-1 less than one year ago, it was voted down for the concern of safety for all of the kids today and all of the kids in the future. After this Vestar stopped pursuing this and made minor changes, but none of them got to the core of the issue and that is safety for our children. When Desert Ridge was originally planned this was not the vision, let's keep that vision and the vision the city of Phoenix still has today, no commercial development on this land. Any commercial development next to a school is bad, especially a high school that has so much foot traffic. Please don't take my next statement as a threat, but I've learned over my career you unfortunately must be a bit dramatic to get a point across that resonates with folks. If one child gets hurt, kidnapped, or even killed from the development of this land into commercial property, it will be because of your approval on the plan and zoning change.

Thanks for your time,

Rob Schmitz

**From:** Susan Sheroff
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 GPA-DSTV-3-23-2 Z-39-23 Black Mountain Village
**Date:** Thursday, September 19, 2024 6:17:34 PM

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Dear Mr.  Grande,

My name is Susan Sheroff, I live and own 21214 N 36th Pl, Phoenix, AZ 85050.  I oppose these applications that would ruin the quality of living in Desert Ridge.

Thank you.

Susan Sheroff

Sent from my iPhone

| | |
|---|---|
| **From:** | Laurie Smith |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Letter of Opposition |
| **Date:** | Thursday, September 19, 2024 9:06:58 PM |

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Re: Case number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23-2

Members of the Desert View Village Planning Committee:

I oppose this project and the rezone. Last fall I submitted letters of opposition to the City. I also made a public comment at your October 3, 2023 meeting when you voted nearly unanimously to recommend denial.

I've carefully considered the minor revisions Vestar has recently made to their plans and I urge you to once again recommend denial. The concerns neighbors and many of you on the committee expressed last year are not addressed by this revision.

My primary concern was and still is school and student safety. I wish to call attention to threats to the security of the high school campus and students. Schools have increasingly become targets of mass shootings. Child predators prowl streets near schools. This is not hysterical conjecture; this is a fact.

I have spent a lot of time on Paradise Valley Unified School District campuses over the last 30 years as a parent and an employee. Campus perimeters have been fortified, school offices remodeled, classroom locks installed, and campus visitors restricted.

Currently, the open space surrounding Pinnacle makes it easy to spot a potential bad actor just outside school gates. When the residential neighborhood is developed, neighbors will be vigilant and likely to notice people and vehicles that are suspicious. And, in fact, at schools throughout

the district and the city, police have been alerted by neighbors to stop and even arrest suspects before a crime can be committed.

Commercial development will bring a great many more people who will share sidewalks with students and many vehicles that will share the same streets. It will be nearly impossible for neighbors to identify someone or something that is out of place. Additionally, it will be more difficult for school staff to monitor their own school driveways.

Prior to last year's meeting I asked City staff for an example of another high school in such close proximity to a shopping center and was told that Sandra Day O'Connor came to mind. But it is not at all comparable. Hackamore Drive does run between the high school and the shopping center. However, the two shopping center driveways are barricaded fire lanes with signs posted that shopping center access is only on Happy Valley Road. There is no shopping center traffic, vehicular or pedestrian, on Hackamore Drive.

Vestar freely admits that their plans are intentionally designed to connect the school to the shopping center. The evidence is in the two driveways and the crosswalk allowing direct ingress and egress to the shopping center from Mayo Blvd.

Please do not set precedent by allowing this.

I also wish to note that I will be unable to attend the upcoming meeting on October 1st as I will be out of town. Unfortunately that is the time of the PVUSD Fall Break; I expect many other neighbors will be out of town, too.

Sincerely,

Laurie D. Smith
3749 E Covey Ln
Phoenix AZ. 85050
(Fireside Desert Ridge)
602-826-3181

**From:** Heidi Snyders
**To:** Anthony M Grande
**Subject:** Opposition of Vestar Proposal
**Date:** Thursday, September 19, 2024 7:04:31 PM

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Mr. Grande,

I hope this note finds you well.

My family and I strongly oppose the Vestar proposal regarding rezoning case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 at Desert Ridge (Deer Valley and Black Canyon).

Our opposition is simply because the traffic it will draw will be a safely risk for families, young drivers and student walkers in that area by the school. We already cannot get by during peak times and a commercial/retail space will create more traffic that we do not want or need. I am happy driving away from my community to existing businesses get my groceries and believe the space is best used for single family homes as currently zoned. We hope you will stop this development from moving forward.

I am unable to attend October 1st Village planning meeting at PV community center at 6:30pm and hope you can represent the strong opposition our community is expressing.

Kindly,
Heidi Snyders

**From:** Richard Starr
**To:** Anthony M Grande; rlane@gblaw.com
**Subject:** Re: Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE
**Date:** Thursday, September 19, 2024 10:35:03 AM
**Attachments:** Outlook-emailwarn.png

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Hello,

I attended the developer's community meeting on 9/17. There are unresolved questions with traffic. I encourage the City to push for answers on the following:

Updated Traffic Impact Statement.

a. The new median on Mayo will cause changes to traffic patterns for both student traffic (no left-in into student parking lot from Mayo, no left out of student parking lot from Mayo) and bus traffic (re-route from current path - North on Black Mountain Parkway, Left on Deer Valley, Left on 34th Street (without aid of traffic signal), Left on Mayo Blvd into bus loading area). Black Mountain Pkwy congestion will increase after the developer adds new Mayo median.

b. Developer says it will entitle drive-thrus later. The TIS should include multiple drive-thru's in original analysis.

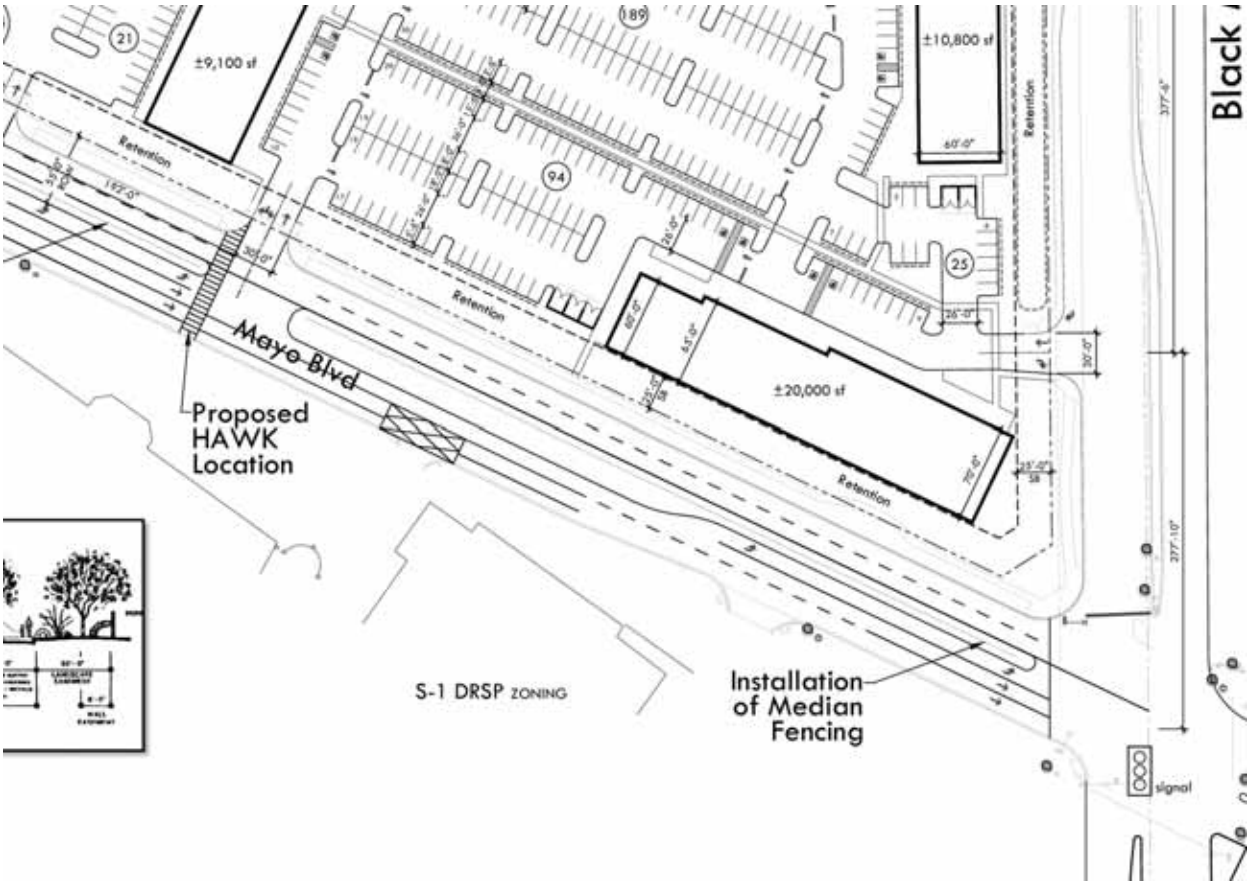
---

**From:** Richard Starr <rtstarraz@hotmail.com>
**Sent:** Monday, September 9, 2024 1:39 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>; rlane@gblaw.com <rlane@gblaw.com>
**Subject:** Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE

The proposed retail center site plan (revised) NOW includes a NEW MEDIAN on Mayo. This median will BLOCK a vital left hand turning movement from Mayo into the PHS parking lot. This will result in many U-turns or push nearly all PHS traffic onto Black Mountain Pkwy single entrance. The prior site plan did NOT include a median on Mayo.

Pinnacle High School's (2,550+ students) operations should not affected by the new retail center. Vestar's revised site plan does not meet the needs of PHS traffic. The aerial picture on G&B website cuts off the school parking lot entrances. With this major change to PHS turning movements, the aerial should be updated accordingly.

Additionally, AZ State Land and PVUSD need to work on a parking solution for PHS before the land auction to any developer. Special events overflow onto State Land property (100+ cars park in desert). There will be major conflicts in future when PHS and retail center are fighting over parking.




Richard "R.T." Starr
rtstarraz@hotmail.com

| | |
|---|---|
| **From:** | James Tuffin |
| **To:** | Anthony M Grande |
| **Subject:** | RE: FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE |
| **Date:** | Thursday, September 19, 2024 11:36:15 AM |

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**From:** James Tuffin
**Sent:** Thursday, September 19, 2024 11:34 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

Dear Mr. Grande:

My names is James W. Tuffin. I reside in a home I own at 21214 N 36th Pl, Phoenix AZ 85050. I write to reiterate my opposition to the "Black Mountain Village" project. I incorporate by reference all of my previous communications on this issue.

Although the Desert Ridge Specific Plan ("DRSP") has been amended 22 times over the years, never before has a family that purchased a single- family home away from the designated Village Center been told that drive- through "quick serve" food operations will be built across the street from their home on land that DRSP specified for residential use.

The essential justification for the proposed amendment is the alleged need for additional grocery space in the area. Even if there was any merit to that contention (and I submit there is none), it does not justify putting drive- through "quick serve" operations across the street from people who were told that the land was residential when they bought their homes.

Far from doing anything to address community concerns about drive-through operations in a residential area, Vestar doubles down, saying it will not accept any limitations on drive-through operations, in terms of types or operating hours, unless they are imposed by the City of Phoenix.

The prior site plans proffered by Vestar clearly showed drive-through operations, and Vestar openly admitted that they were contemplated. In its latest iteration, the site plan makes the drive-through nature of the retail "shops" less obvious. Nevertheless, at a meeting conducted at the Fireside community clubhouse on September 17, 2024, Vestar's Executive Vice President for Development, Jeffrey M Axtel, and Vestar's attorney, Ashely Z. Marsh, Esq., of Gammage and Burnham, said that Vestar will install any drive-through that the City of Phoenix may allow. I approached Mr. Axtel at the end of the meeting and

asked him what the proposed hours of operation were. He told me that he did not know what the hours of operations were, and that it was up to the City of Phoenix. Vestar seems to contend that the requirement of a Use Permit for the drive-throughs is somehow a concession to community concerns on its part. This is disingenuous, since the same permit requirements existed when they were more open about the drive-through plans.

Prior to the Fireside meeting, and after receiving the most recent revised site plan, I asked Vestar executive Ryan Ash if drive-through operations were contemplated. He responded that "we have not engaged in conversations with any shop or pad tenants at this time. As such, we don't currently have any expected users" (email of Ryan Ash to James Tuffin, 8/28/2024). In my opinion, this assertion is not credible.

The Desert Ridge Specific Plan provides as follows:

> The urban village concept has been accepted in Phoenix as a desired land use pattern. It follows that this concept should be extended to guide land use planning and development in Areas C and D. *Desert Ridge is based on the urban village concept in that all community and regional commercial uses are located in the Desert Ridge Village Center. Very small neighborhood convenience commercial uses are appropriately placed internally within neighborhood units*. The Desert Ridge Village Center is appropriately the "urban" core of Area C. Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries. (DRSP 3.B Goal 1)(emphasis supplied).

In furtherance of this concept, the regulatory portion of DRSP provides that drive-through operations are specifically prohibited from any commercial conveniences that might be built in residential areas (DRSP 6.C.3.B.2.d).

The amendment to the regulatory Chapter 6 of DRSP sought by Vestar is, on its face, wholly inconsistent with the nonregulatory portion reproduced above. Nevertheless, Vestar refuses to process an amendment of any nonregulatory portion of DRSP. The Zoning Ordinance clearly requires amendment of the nonregulatory portion in this instance (Zoning Ordinance Section 403.F.4). I invited Vestar's counsel to address this deficiency and they responded as follows:

> The DRSP's non-regulatory provisions is met by the combination of updating the General Plan land use designation, updating the regulatory provisions of the DRSP, and the subsequent submittal and review of the Master Plans for the land use area. These three (3) elements implement the non-regulatory provisions by having public hearings about the proposed change and a full public process along with the Master Plan update to show the modifications within the subject Superblock of the DRSP (email of Ashley Z. Marsh, Esq., to James Tuffin dated September 17, 2024).

The plain language of the Zoning Ordinance does not support this contention. Vestar is just trying to avoid having to justify stark inconsistency between the requested amendment and the non-regulatory portions of the plan.

The Zoning Ordinance requires that a 'zoning case shall be heard on an agenda which is separate from, and subsequent to, the agenda at which a related specific plan amendment

is heard" (Zoning Ordinance Section 403F.2.e). Assuming, for sake of argument, that the City has the discretion to waive this requirement, I respectfully submit that it was an improvident exercise of discretion in this case. The amendment to the regulatory chapter offered by Vestar is blatantly inconsistent with the non-regulatory portions of DRSP.

This gross deviation from the Specific Plan, to the detriment of homeowning families, is unprecedented. Of the 22 amendments made to date, few involved any change from residential to commercial use. Those that might have involved a change from residential to commercial predated most if not all of the single family construction in the area, and none of them were anything like the current proposal. S-23543 (May 8, 1996) dealt Superblocks 3 and 6; G-4497 (Feb. 3, 2003) provided for certain institutional uses in Superblock 9; G-4513 (May 21, 2003) provided for residential office use in neighborhood commercial conveniences; G-4608 (May 19, 2004) was a minor amendment to accommodate the Boys and Girls Club); G-4654 (Nov. 3, 2004) involved commerce park uses within Superblock 5).

At the Fireside meeting, Mr. Axtel began by saying that the Black Mountain Village project was the result of a request made by the State Land Department (SLD) to Vestar. He said SLD was seeking to add grocery space to accommodate anticipated residential construction outside of Desert Ridge, north of Pinnacle Peak Road. When asked why the project was not being placed closer to the intended beneficiaries, he said that grocers were reluctant to commit to stores where surrounding housing was not yet built. When questioned about the inconsistency between this information and Vestar's assertions that the project is only intended as a local convenience for nearby homes, Vestar's representatives were unable to provide a coherent response.

Vestar's applications must be rejected. Any failure by SLD to meet its own planning obligation for the land sales in the area north of Desert Ridge can be remedied without punishing innocent homebuyers in Desert Ridge. Far from meeting any immediate need for groceries in the area, Vestar is clearly using this as a pretext to cash in drive-through operations at the last traffic signal before the northern terminus of the SR 51 freeway.

Please include this in the case record.

Sincerely,

James W. Tuffin
21214 N 36th Pl
Phoenix, AZ 85050
516.359.6420
james.tuffin@tuffinlaw.com

**From:** Sean Yu
**To:** Anthony M Grande
**Subject:** Rezoning proposal case - OPPOSITION
**Date:** Thursday, September 19, 2024 10:37:54 AM

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Hello Anthony,

Hope this email finds you well!

I am a resident in the dessert ridge neighborhood and I would like to express my **opposition** to the **Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.**

I strongly believe that it's not a good idea to rezone that area for commercial purposes. Looking at the presented plans, and even with the planned lane increases and separate sidewalks, it's very clear that traffic is going to be a huge issue in the surrounding area. Currently all residents are driving away from Pinnacle High School to do their grocery shopping. If there is a supermarket right next to the high school, not only are the people who live in the surrounding communities going to drive there, it's also going to draw people from even further away.
Increasing traffic on all surrounding streets also means increasing the risk of accidents, highly likely with HS students involved too during school hours, and definitely increasing pollution and noise to the neighborhood. Not to mention people gathering and there will be a higher risk of violent/police-involved incidents/crimes happening as we have seen multiple cases in Desert Ridge Marketplace. I would like to keep everything as it is, with the area being zoned for single family homes. Thank you for your consideration!

Best regards,
Yuh-Shang Yu

**From:** Susan Ze
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.
**Date:** Thursday, September 19, 2024 4:07:49 PM

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

I am writing once more to register my opposition to the above rezoning proposals. As a resident of the Copper View neighborhood of Desert Ridge Fireside, I live right next to the proposed Desert Ridge Village Marketplace and envision many reasons why this commercial development is not advisable, primarily among them the traffic and safety of our students who attend the adjacent high school.

The amount of traffic in the early morning drop off and mid afternoon drop off make it difficult to leave my neighborhood, especially if I need to use 51. As a retired educator who taught many years in a high school, I know that in addition to being a traffic safety issue, the proximity of a shopping center will also provide an unneeded distraction to the students, no matter how many deterrents Vestar claims they will use to prevent the students from accessing the marketplace.

Vestar also implies that the marketplace will add to the value of our homes, due to the "walkability" factor of the neighborhood. Please! That "walkability" will factor in only from October to perhaps April due to the ever increasing heat in Phoenix.

The marketplace will also attract traffic from AZ51 and AZ101 via AZ51, particularly if a Trader Joe's, Sprouts, or Whole Foods is the anchor or if any of a number of drive through coffee or fast food restaurants choose to locate there. As one woman remarked at the Fireside presentation, the increased exhaust from cars and trucks will have a devastating effect on the cognitive development of the children at the adjacent school and all those in the neighborhood.

For the above and many other reasons, my husband and I oppose the referenced cases and the Deer Valley/Black Mountain/Mayo rezoning to commercial use,

Susan and Frederic Ze
3616 E Abraham Ln
Phoenix AZ 85050

480 665 6596

| | |
|---|---|
| **From:** | Rebecca Oakes |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village – City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 |
| **Date:** | Friday, September 20, 2024 9:37:22 AM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2.

I again am writing to you to register my strong disapproval of proposed amendments (case numbers listed above) to modify existing zoning from residential to commercial.

Our homes in Fireside at Desert Ridge were built under the Desert Ridge Specific Plan. The plan promised clean, quiet, and safe neighborhoods where commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to change this for their own financial gain; if the Desert View Planning Committee and city of Phoenix vote for the change of zoning, and approve the plan to put in a 20-acre shopping center (where we cannot and will not know what types of retail businesses will be - no one involved in this project will commit to various reasonable restrictions for its location - as per the meeting at Fireside Community Center. This will cause great harm to my family and neighbors; this land needs to remain zoned for single family home residential.

As I wrote to you last year, my family lives in the closest section of Fireside to Pinnacle HS, and the proposed shopping center. We already suffer through the pedestrian and vehicle traffic that invades the streets of our neighborhood when school is in session and for other events held at the HS. Students and parents drive at unsafe speeds down 36th Street and Abraham Dr. Additionally, at drop off and pick up times, cars are lined up and/or idling as drivers wait to drop off or pick up their students, blocking our way in and out, causing us to "play chicken" to maneuver down the narrowed streets. Some of these students walk through our desert wash/neighborhood landscaping as a short cut to those cars dropping off/waiting to pick up.

This is also a neighborhood where many children walk to Fireside Elementary School, located a short distance away. So not only is driving in, through and out of our neighborhood difficult

and would most likely become dangerous as traffic increases in an area not planned for such commercial development, it is not safe for small children to safely walk to school. **While adding speed bumps would help the speeding of the drivers cutting through our neighborhood, there still remains a larger issue.**

In addition, it can be all but impossible to safely leave our neighborhood at these times - the southern exit, on to Mayo Blvd. is right turn only and is very close to the Mayo/Black Mountain Blvd intersection (specifically to get into the left lane to turn on SR 51). The northern exit on to Deer Valley Rd. is hard to turn left onto during high traffic times.

To put it more clearly - leaving our neighborhood becomes even more difficult and dangerous with increased vehicle traffic that comes with commercial development - especially trying to go south onto Black Mountain Blvd AND west onto Deer Valley. We only have two VERY flawed entrances/exits that in the best of times are tricky and not very convenient OR safe. We essentially have to choose to limit leaving our neighborhood or taking the increased risk of attempting to go south or west in less than safe traffic conditions. How does this benefit our residential community?!? I predict that vehicle (and pedestrian) accidents will dramatically increase if this shopping center is approved.

**I have seen nothing in the "reworking" of this plan that adequately addresses the traffic concerns I have laid out here.**

**Has the city of Phoenix specifically done a traffic study of this area, taking this commercial development into account? How would the council plan to ameliorate the above stated traffic issues? What about environmental studies looking at the increase noise, light and exhaust pollution that will directly impact the surrounding residential neighborhoods?**

There is nothing that can be commercially built and nothing beneficial from a retail standpoint that makes this development worth if for my family and residential neighborhood. There are plenty of retail options at Desert Ridge and other close shopping centers. The is also land near by that has been zoned for retail/commercial - use those lands for this development. **Keep this parcel of land zoned as is, and open up bidding to home builders who would like to purchase this state land.**

Sincerely,

Rebecca J. Oakes
3608 E Salter Dr
Phoenix, 85050

# SUPPORT

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:04:55 PM

---

| **Name** |
| --- |
| Lisa Abrams |
| **Email** |
| lisaabr1101@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I am in support of a shopping center with similar restrictions to that of DC Ranch and other Scottsdale retail centers near homes. All buildings should be required to look similar regardless of fast food or other type of business with colors and height restrictions.<br>Include additional walking paths, trees etc.<br>Keep tenants residential friendly. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 5:26:03 PM

---

| **Name** |
| --- |
| Elly Anderson |
| **Email** |
| elly.christine.anderson@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Having another grocery store other than just an Albertsons would be great! It's a hassle to have to drive to a completely different area of the city to get groceries if Albertsons doesn't have what I'm looking for/ if I want to shop somewhere else |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 9:12:36 PM

| **Name** |
| --- |
| Irina Borshch |
| **Email** |
| irinaborshch@gmail.com |
| **Support Comments** |
| We need a small food store and restaurants in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 6:35:22 AM

---

| **Name** |
| --- |
| Geri DiMarzio |
| **Email** |
| palady074@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 19015 N 33rd Way |
| **Support Comments** |
| i think we definitely need another grocer in Desert Ridge, it's always good to have many choices not have to drive 10 -15 miles one way or the other to a competitor. Gas prices are too high get us another store ! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:17:35 AM

| **Name** |
| --- |
| Autumn Flores |
| **Email** |
| autumnvflores@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2452 e creedance blvd |
| **Support Comments** |
| So exciting! Its been needed for awhile! But keep it neighborhood like, not big and busy. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:18:52 AM

| **Name** |
| --- |
| Ruben Flores |
| **Email** |
| Flo3up3down@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert peak |
| **Support Comments** |
| It’s about time! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:26:32 AM

---

| **Name** |
| --- |
| Mark Gerhardt |
| **Email** |
| gerhardtmd@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3934 E Melinda Dr |
| **Support Comments** |
| I would support this proposal because it would help create a more walkable community amd better competition allowing for better cost of living in the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 7:54:44 PM

---

| **Name** |
| --- |
| Larry Myshock |
| **Email** |
| diggie316@cox.net |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We definitely need another grocery store in the area with the increase in housing in the area. Plus Desert Ridge always has a lot of traffic. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 6:49:23 AM

| **Name** |
| --- |
| Sheri Schreck |
| **Email** |
| schreckcom@aol.com |
| **Address / Neighborhood (Optional)** |
| 3734 East Cat Balue Drive |
| **Support Comments** |
| Trader Joe's or Whole Foods would be great - NO gas pumps/station, though. It would be convenient to have free charging stations. I would love some small specialty shops and dining options - NO fast food chains. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 1:30:35 AM

| **Name** |
| --- |
| Todd Pehrson |
| **Email** |
| toddpeh@yahoo.com |
| **Support Comments** |
| Bring it!! Love the idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:25:05 PM

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| **Name** |
| --- |
| Sean Petty |
| **Email** |
| seanpetty.sp@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We really need another option for food! I'm tired of getting price gouged by Albertsons. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:54:59 PM

| **Name** |
| --- |
| Ed Schenk |
| **Email** |
| eschenk32@gmail.com |
| **Address / Neighborhood (Optional)** |
| East of 40th St West of Tatum |
| **Support Comments** |
| I would shop there |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:14:03 PM

| **Name** |
| --- |
| Dmitry Streblechenko |
| **Email** |
| dmitry@dimastr.com |
| **Address / Neighborhood (Optional)** |
| Fire Side |
| **Support Comments** |
| I agree. A store Like Trader Joe's would be great for the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:31:48 AM

| **Name** |
| --- |
| Caitlin White |
| **Email** |
| caitdwood@gmail.com |
| **Support Comments** |
| We need a Trader Joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:07:51 AM

| **Name** |
| --- |
| Patricia Whitten |
| **Email** |
| pwhitten7@icloud.com |
| **Address / Neighborhood (Optional)** |
| 4835 East Kirkland Road |
| **Support Comments** |
| Do not shop at Albertsons way to expensive. Sprouts and Target are my preferred optios |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:23 PM

| **Name** |
| --- |
| Jeff Axtell |
| **Email** |
| jeffaxtell@me.com |
| **Support Comments** |
| I am excited about the proposed project and fully support what is proposed. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 3:55:57 PM

| **Name** |
| --- |
| Candice Boyle |
| **Email** |
| candiceboyle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5116 N 34th Place |
| **Support Comments** |
| much needed in the neighborhood |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:26 PM

---

| **Name** |
| --- |
| Emmitt Brown |
| **Email** |
| tormino90@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Would love to have another grocer in the area especially with the housing growth |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:14:08 PM

| **Name** |
| --- |
| Karen Burlingame |
| **Email** |
| kkburlingame@gmail.com |
| **Support Comments** |
| I support this project |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:22:13 PM

---

**Name**

Sage Campbell

**Email**

sage.campbell48@yahoo.com

**Support Comments**

I have been a lifelong resident of the Desert Ridge area and have developed a deep appreciation for the community and its residents. Over the years, I've witnessed our community rapidly expand, with new neighborhoods seemingly sprouting up every day. However, when it comes to shopping centers, our options have remained limited. Primarily relying on Desert Ridge and City Marketplace. I firmly believe it's time for us to diversify our retail offerings.

The proposed new shopping center presents itself an excellent opportunity not only for our community's growth but also for the benefit of Pinnacle High School students. It could serve as an invaluable source of employment for these students, allowing them to gain work experience and contribute to their education. Additionally, the creation of a safe and welcoming gathering place for families would undoubtedly enhance the cohesion of our community.

I sincerely hope you will consider supporting this endeavor, as it has the possibility to greatly enrich the Desert Ridge area, accommodating its increasing population and fostering a stronger, more vibrant community. Thank you for your thoughtful consideration.

| | |
|---|---|
| **From:** | Tanner Davis |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Please Support Commercial Rezoning for Black Mountain Village/Superblock 12 |
| **Date:** | Wednesday, September 27, 2023 1:18:31 PM |

Hello,

I just wanted to voice my support for the commercial rezoning of the land located on the Southwest corner of Deer Valley and Black Mountain roads. I am a resident of the Sky Crossing Community that is located just north of deer valley road, across from the proposed development. I know there are a few loud voices, but the majority of us WANT this development. We've been waiting for a grocery store that's close for a long time!

I've heard there are some arguments against this development and I wanted to provide logical counter arguments.

1) The data shows that home values are HIGHER when you are near a grocery store. In addition, the closer you are to a grocery store, the higher your home values are - https://urldefense.com/v3/__https://www.homes.com/blog/2020/08/how-do-grocery-stores-affect-home-values/__;!!LkjWUF49MRd51_ry!e-sfmnkqRMSwTX9tRvVI1-TY0gzKsfc6rqlk5VkUfEbVQsrk6EO5_AtQJVMapx_LkUH1m4aQL9X1WZviEFj--Y3QSA$ . This research generally shows that the majority of people prefer living next to a grocery store right?? If people didnt want to be by a grocery store, home values would be lower instead of higher.

2) The extra traffic is overstated. People are not going to be using to the grocery store at the same time Pinnacle High School starts/finishes. It might not even be open at the time the school starts.

3) Anyone that is complaining that the lights will be too bright at night must not realize that the MASSIVE lights from Reach 11 sports complex are literally a hundred yards away from the developer's site. Those lights are hundreds of times bigger and brighter than any grocery store lights would be.

Please support this development. Based on home value data, we know the majority of people enjoy having a grocery store close and me and many others in this community have been waiting a long time for this.

I plan on attending the meeting on Tuesday, Oct 3rd to support this. I know the people against this are loud, but I promise there are more people for it.

thank you,
Tanner Davis

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:32 PM

| **Name** |
| --- |
| Kailey Dudevoir |
| **Email** |
| dudevoirkailey@gmail.com |
| **Support Comments** |
| I support Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:07:44 PM

| **Name** |
| --- |
| Diane Engebretson |
| **Email** |
| dianeengebretson@gmail.com |
| **Support Comments** |
| I support it. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:08:15 PM

| **Name** |
| --- |
| Tom Engebretson |
| **Email** |
| engebud@cox.net |
| **Support Comments** |
| Yes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:56 PM

---

| **Name** |
| --- |
| Austin Finch |
| **Email** |
| afinch1992@gmail.com |
| **Support Comments** |
| This would be a great benefit to the community. More availability to groceries and other services is always a positive. In addition, this will provide jobs to several people valley-wide. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:21 PM

| **Name** |
| --- |
| Melissa Gonzalez |
| **Email** |
| melissa.pmi@live.com |
| **Support Comments** |
| I am in favor of this and excited for another grocery store in the area! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:00:49 PM

| **Name** |
| --- |
| Katie Hauptman |
| **Email** |
| Katierenick@gmail.com |
| **Support Comments** |
| I support this development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 3:40:02 PM

| **Name** |
| --- |
| Michelle Heckman |
| **Email** |
| michelleheckman@live.com |
| **Address / Neighborhood (Optional)** |
| 1261 N Layman Street |
| **Support Comments** |
| I am excited for this new project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:16:02 PM

| **Name** |
| --- |
| Scott Henson |
| **Email** |
| scott.henson55@gmail.com |
| **Support Comments** |
| This is a fantastic use and a wonderful addition to the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:18:03 PM

| **Name** |
| --- |
| Sara Johnson |
| **Email** |
| sarajohnson1319@gmail.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:20:31 PM

| **Name** |
| --- |
| Libby Johnson |
| **Email** |
| libbyjohnson13@gmail.com |
| **Support Comments** |
| Support! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:41:59 PM

| **Name** |
| --- |
| Dan Johnson |
| **Email** |
| danjohnson9801@gmail.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 4:22:55 PM

---

| **Name** |
| --- |
| Paul Joy |
| **Email** |
| P.Chuck.joy@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We need BIG BOX Grocery Store. The only grocery store in the area is Albertsons, and this is not enough to support the community with competitive food pricing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:26:55 PM

| **Name** |
| --- |
| Reiss Knehr |
| **Email** |
| Reissknehr23@outlook.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:42:56 PM

---

**Name**

Angela Manca

**Email**

amanca1983@gmail.com

**Support Comments**

I would love to see a new neighborhood grocery anchor retail site at the corner of Deer Valley Drive and Black Mountain Parkway! There is growing demand for additional commercial and retail options in the Desert Ridge area. This project will be a beautiful transformation from vacant unincorporated land to a site with new restaurants and grocery store that will be appreciated by the community and surrounding area. It will also bring many more jobs to the area supporting the community growth even further! We appreciate your consideration with this proposal and application approval!

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:13 PM

---

| **Name** |
| --- |
| nick maniatis |
| **Email** |
| nickmaniatis10@gmail.com |
| **Support Comments** |
| This would be a great addition to the neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:07 PM

| **Name** |
| --- |
| James McKennon |
| **Email** |
| jhmckennon2@gmail.com |
| **Support Comments** |
| I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:51:44 PM

---

**Name**

Caroline Mirtich

**Email**

carolinemirtich@gmail.com

**Address / Neighborhood (Optional)**

Fireside at Desert Ridge

**Support Comments**

I am a resident of Fireside and I am in support of the proposal to re-zone the 20 acres north of Pinnacle High School as Black Mountain Village, with a couple of thoughts on the details. I am not in favor of a gas station in that area. We have plenty close by along Tatum and Cave Creek and having the noise, light pollution, and smell from a gas station surrounded by all residential areas is not desirable. However, a smaller grocery store, and restaurants and shops that local residents can walk and bike to would be great. A bunch of fast food drive-throughs would not be the best. More something that local residents can enjoy as opposed to being a draw for people driving to the area. We have enough of that at Desert Ridge Marketplace already. Perhaps keeping it with a more local feel will assuage some of the concerns around traffic and noise.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:38:43 PM

| **Name** |
| --- |
| Sally Monczka |
| **Email** |
| smonczka@cox.net |
| **Support Comments** |
| I am in support of this project. Will be of great value to the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:40:59 PM

| **Name** |
| --- |
| Shelly Orozco |
| **Email** |
| skohome@cox.net |
| **Support Comments** |
| Hello, I support the Black Mountain Village Development. Thank you, Shelly |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:05:03 PM

| **Name** |
| --- |
| Tim O'Sullivan |
| **Email** |
| tosullivan2015@gmail.com |
| **Support Comments** |
| A new grocery store and retail shops would be a great amenity for the neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:27:58 PM

| **Name** |
| --- |
| Nicole Parsons |
| **Email** |
| nicole.caroline44@gmail.com |
| **Support Comments** |
| We'd love to see more retail in this area to support growing community needs. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:09:27 PM

---

**Name**

Timothy Radu

**Email**

ninjamurai1ner83@gmail.com

**Support Comments**

I support the idea of building a New Grocery Store, such as Trader Joe's, Sprouts, Fry's, Safeway, etc. Preferably a Trader Joe's? That would be Super nice, especially when considering the fact that the closest one, to My knowledge, is located all the way in Scottsdale, inside the Scottsdale Promenade off of Scottsdale Rd. & Bell Rd., if I'm not mistaken? So a Trader Joe's closer to home would be Really Awesome, plus communities surrounding a Trader Joe's store just tend to be nicer for some reason? Plus, Trader Joe's is a Really Nice place to shop & buy groceries, for Many different reasons. That being

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:13 PM

| **Name** |
| --- |
| Timothy Radu |
| **Email** |
| ninjamurai1ner83@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek & Bell Rd. |
| **Support Comments** |
| I support the construction of a new grocery store in the Desert Ridge and surrounding areas |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:18:09 PM

| **Name** |
| --- |
| Tim Ray |
| **Email** |
| tsray.12@gmail.com |
| **Support Comments** |
| I am in favor of the new Black Mountain Village development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:29:52 PM

| **Name** |
| --- |
| Ed Reading |
| **Email** |
| ereading1776@gmail.com |
| **Address / Neighborhood (Optional)** |
| 8329 N. 82nd Place |
| **Support Comments** |
| I support a neighborhood grocery store at Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:37:36 PM

| **Name** |
| --- |
| Griffin Richards |
| **Email** |
| ghrichards1@gmail.com |
| **Support Comments** |
| In favor of this development- |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:38:01 PM

| **Name** |
| --- |
| Carli Richards |
| **Email** |
| carlibendetti@gmail.com |
| **Support Comments** |
| In favor of this development- |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:07 PM

| **Name** |
| --- |
| Miles Sanchez |
| **Email** |
| sanchezmiles02@gmail.com |
| **Support Comments** |
| I am support this project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:18:04 PM

| **Name** |
| --- |
| Kathy Schiller |
| **Email** |
| katd1228@gmail.com |
| **Support Comments** |
| I support this project! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:57:33 PM

| **Name** |
| --- |
| Staci Segal |
| **Email** |
| stacisegal@gmail.com |
| **Support Comments** |
| I support this new development project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 7:17:17 AM

| **Name** |
| --- |
| Robert Shine |
| **Email** |
| robertshine69@gmail.com |
| **Support Comments** |
| Look. I'm good with some things there, but against others. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 7:02:23 PM

---

| **Name** |
| --- |
| Sheldon Sterling |
| **Email** |
| sheldon_sterling@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21524 N 39th Terrace |
| **Support Comments** |
| It is a great idea. The only item I would change would be to remove the gas station from the plan |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 2:42:23 PM

---

| **Name** |
| --- |
| Beth Understahl |
| **Email** |
| bunderstahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| Phoenix |
| **Support Comments** |
| A neighborhood grocery store would be great to have in this area. Our family is often at the Reach 11 soccer fields nearby and there are not many choices in that corridor. The location would be a very convenient right off the 51 exit ramp. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 5:58:54 PM

| **Name** |
| --- |
| Jennifer Understahl |
| **Email** |
| junderstahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| 9675 n 133rd way, scottsdale AZ |
| **Support Comments** |
| totally support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:01 PM

---

| **Name** |
| --- |
| Brian Weekley |
| **Email** |
| brian.weekley@gmail.com |
| **Support Comments** |
| I support this project. I think it will make our neighborhood walkable and have many benefits that Starr always does a good job on these developments and I trust them. They are very well respected. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:37 AM

---

| **Name** |
| --- |
| Kari Wetmore |
| **Email** |
| kwetmore1970@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3912 E Half Hitch Pl Phoenix 85050/Sunset Canyon |
| **Support Comments** |
| I think we need another grocery store and other places near by. Desert Ridge is terrible! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:33 PM

| **Name** |
| --- |
| Shannon Zubert |
| **Email** |
| szubert19@gmail.com |
| **Support Comments** |
| I support the development of this shopping center, Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 8:16:36 AM

| **Name** |
| --- |
| Taylor Alvey |
| **Email** |
| ukwildcat216@gmail.com |
| **Support Comments** |
| Existing restrictions are severely outdated |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 9:53:34 AM

| **Name** |
| --- |
| Paul Asher |
| **Email** |
| paulgasher@yahoo.com |
| **Support Comments** |
| This would be great! Please approve. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

4311 E. Melinda Ln
Phoenix AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Charles Bowers
4311 E. MELINDA LANE
Phoenix, AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Mark Bruce
4344 E Melinda Ln
Phoenix AZ 85050
MGR

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Janis Brace
4344 E Melinda Ln
Phoenix AZ 85050
Janis B. Brace

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Bruce Butler

BRUCE BUTLER
4621 E MOSSMAN RD
Phx 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Laura Craig

Laura Craig
22646 N. 55th St.
Phoenix, AZ 85054

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Kimberly Davis
4626 E Lone
Cactus Dr, Phoenix
AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

TERENCE DELONEY
4514 E. MELINDA LN

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Zach Dias

4524 E. melinda lane
phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Mark D. Ellis
22608 N 34th Pkwy
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Connor Eustice
4628 E Melinda Ln
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

3963 E. Morning Dove
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Dionysus French
3989 E Hummingbird Ln

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Michael Gola
4701 E. Abraham Lane
Phx 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Teddy Gonzalez
9005 E Jaeger Rd
phx, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Cameron Grant
4315 E Mossman Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

JESSICA GUILLEN
4725 E LONE CACTUS DRIVE
PHX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tyson Hall

4617 E. Acorn Ln

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Alison Hammond
Alison Hammond
3991 E. Crest Lane
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Bonnie Houck
Bonnie Houck
4114 E. Union Hills Dr
Phx. AZ. 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

MARK HEADLOUGH
Mark Headlough
4603 E SANDS DR.
PHX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Scott Holemon
3971 E. Morning Dove Trl
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phocnix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Carolyn Holemon
3971 E. Morning Dove Trl
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ann Ishag
4710 E Marguerite Rd
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ryan Jacques
4415 E. Jacques Pl
Phx AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

[illegible]
4720 E. MELINDA LN.
PHOENIX AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Debbie Kelleher
Debbie Kelleher
3966 E. Morning Dove trail
Phx Az 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Catarina Kennedy
21639 N. 45th Pl.
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Frank Lara
4317 E. Swilling Rd
85050 Phoenix, AZ

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Julie A Lawson
Julie Lawson
4411 E Mossman Rd

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Brenden R. Leader

4605 E Jaeger Rd.
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 4:14:53 PM

---

| **Name** |
| --- |
| LAWRENCE LIM |
| **Email** |
| puheemanstrutt@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum Ranch Resident |
| **Support Comments** |
| You can never have enough neighborhood grocery centers, especially in this area where the nearest one is at least 2-3 miles away. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Kelli Louis
Kelli Louis
4735 E Abraham Ln
Phx. AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Alec Maiteny
4407 E. Mossam Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Galia Marcus

4620 E Mossman Rd. 85050, PHX.
850-252-0649

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ronald M Maxwell
Ronald M Maxwell
4516 E Cave Buttes Dr
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ian J. McGee
4720 E. Melinda Lane

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 8:55:05 AM

| **Name** |
| --- |
| Beckie McKinney |
| **Email** |
| beckiemckinney602@gmail.com |
| **Support Comments** |
| This will be a great addition to the community. |

CITY OF PHOENIX

SEP 28 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tommy Baker

[illegible]

4704 E Weber Rd

Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tom Mozilo
22005 N 43rd Place
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Andrew Olson
4721 E Mossman Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

ROB OLSEN
4704 E AVONDALE
PHX AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jill Olson
4721 E. Mossman Rd.
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

CURTISS PRICHARD
4730 E ARROWHEAD LN
PHX 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

AR Parriott
Ashley Parriott
4619 E Lone Cactus
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Len Peery Louse
4350 E Swilling Rd

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Heather Peevyhouse
Heather Peevyhouse
4550 E Swilling Rd Phx Az 85032

CITY OF PHOENIX
SEP 28 2023
Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Brian Owens

21611 N 46th Pl
Phoenix, Az 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

MIKE RAINER
4706 E JAGER
PHOENIX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jason Ray (Ray Family)
22604 N 39th Terrace
Phoenix AZ 85050
480 326 7767

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Todd Reinsch

~~220~~
22505 N 39th Run

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phocnix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Pasquale Saccomanno
3971 E CREST LN

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Francesca Saccoccio

3971 E Crest Ct

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Dominic Santoro
Dominic Santoro
3999 E. Morning Dove Trail
Phx AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 11:28:00 PM

---

| **Name** |
| --- |
| Aimee Sinclair |
| **Email** |
| sinclair.partyof8@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Our family is in support of more shopping and dining options in Desert Ridge. We love walking to retail, and having more job opportunities close by for our teens. Vestar has a track record of building and maintaining very nice shopping centers, so I don't think we would get much better than this. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

4311 E SWILLING RD
PHX AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

[AMBIKADOSS SUMUGAM]

2165, N 45th ~~Ave~~ PLACE,
PHOENIX, AZ - 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

KIMBERLY SYKES
21643 N 47th PL
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Yvette Tagaban
4710 E. Jacqui
Phx, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Jeff Johnson
4717 Jennings

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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such as Trader Joes

I urge you to support this request!

Sincerely,

Sandy Isakanoto
4738 E Mossman
Phx AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 3:48:33 PM

| **Name** |
| --- |
| Sabrina Vella |
| **Email** |
| sabrinavella@rocketmail.com |
| **Support Comments** |
| Would love a Trader Joe's!!! |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Rose Yeager
4717 E Hashman Rd
PHX AZ
Rose Yeager

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 7:25:56 PM

---

**Name**

Erinn Andreasen

**Email**

Ealysi1@gmail.com

**Support Comments**

I support the development of a grocery store at this location. Specifically I would like to see a Trader Joe's in our community. It's a great option for a smaller space and has healthy and affordable options including fresh and packaged foods. In addition, the company has adopted a successful business model and a partner to the community that it operates in. Please consider Trader Joe's and accept no substitute.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:50:07 PM

---

| **Name** |
| --- |
| Kayla Bell |
| **Email** |
| kaylabell917@yahoo.com |
| **Support Comments** |
| I am so excited to finally not have to shop at Albertsons! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:29:09 PM

| **Name** |
| --- |
| Heather Brown |
| **Email** |
| brown1992@cox.net |
| **Support Comments** |
| Trader Joe's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:21:25 PM

| **Name** |
| --- |
| Nick Christifulli |
| **Email** |
| Nchristifulli15@gmail.com |
| **Support Comments** |
| It would be a great accommodation for the community! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:49:21 PM

---

| **Name** |
| --- |
| Geri DiMarzio |
| **Email** |
| Palady074@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 19015 N 33rd Way |
| **Support Comments** |
| It would be really nice to have another option for grocery shopping! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 6:35:41 PM

---

| **Name** |
| --- |
| Meica Domino |
| **Email** |
| meicas2000@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 24535 N 19th Pl |
| **Support Comments** |
| I support a Trader Joe’s like store because it’s very much needed in this area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:22:45 PM

---

| **Name** |
| --- |
| George Fazzari |
| **Email** |
| george@fazzariflooring.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Fully support more shopping options for our community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:14:23 PM

---

| **Name** |
| --- |
| Rachel Forman |
| **Email** |
| rpforman@gmail.com |
| **Support Comments** |
| I think this will be a great project for the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 11:03:43 PM

---

| **Name** |
| --- |
| Derek Geisinger |
| **Email** |
| derek.geisinger@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| A grocery store near by would be great |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 5:29:40 PM

---

| **Name** |
| --- |
| Richard Hearn |
| **Email** |
| rnahearn@msn.com |
| **Support Comments** |
| A welcomed addition to the community! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 6:50:09 AM

---

| **Name** |
| --- |
| Sue Hutchison |
| **Email** |
| sueh0617@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge Northwest / Sierra pass |
| **Support Comments** |
| While I support a small grocer, I do not support a Starbucks or Dutch Brothers for the preventable and predictable increase to traffic in the area of Pinnacle High School. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:49:49 PM

| **Name** |
| --- |
| Christin Johnson |
| **Email** |
| cjazhomes@yahoo.com |
| **Support Comments** |
| Support for Black Mountain Village development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:50:18 PM

---

| **Name** |
| --- |
| Patrice Kimmerle |
| **Email** |
| pkimmerle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4627 E Robin Ln |
| **Support Comments** |
| A.J.'s<br>Fry's<br>Safeway |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:39:48 PM

| **Name** |
| --- |
| Annette LaCroix |
| **Email** |
| alacroix49@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3117 E Topeka Dr Phoenix AZ 85050 |
| **Support Comments** |
| I support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:39:05 PM

---

| **Name** |
| --- |
| Keith Maclaren |
| **Email** |
| keithmaclaren7@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21842 N 40th Pl, Phoenix, AZ, 85050 |
| **Support Comments** |
| Fully support the development of this parcel of land as a resident of the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:31:10 PM

---

| **Name** |
| --- |
| Rachel Mandel |
| **Email** |
| rachel@thebodylabaz.com |
| **Support Comments** |
| As a former tenant of Desert Ridge Marketplace, I am confident Vestar will develop an amazing project. I wholeheartedly support this development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 3:11:00 PM

---

| **Name** |
| --- |
| Logan Saltou |
| **Email** |
| lsaltou@asu.edu |
| **Support Comments** |
| I strongly believe that this development project will provide an exceptional service to the community and work to enhance the overall experience for the community and visitors alike. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:18:00 PM

---

| **Name** |
| --- |
| Rosemary Sedowski |
| **Email** |
| rsedowski@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2205 E MONONA DR |
| **Support Comments** |
| PLEASE consider a Trader Joe's. There is not one north of the 101. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 4:39:26 PM

| **Name** |
| --- |
| Jill Sweet |
| **Email** |
| Jds4857@aol.com |
| **Support Comments** |
| Would love having to Trader Joe’s. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:34:08 PM

---

| **Name** |
| --- |
| Larry Tallaksen |
| **Email** |
| alar1214@cox.net |
| **Address / Neighborhood (Optional)** |
| 22640, North 42 Nd. Place |
| **Support Comments** |
| Would like to be kept abreast of the developments.<br>Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:17:35 PM

---

| **Name** |
| --- |
| Kean Thomas |
| **Email** |
| keanjthomas@gmail.com |
| **Address / Neighborhood (Optional)** |
| North Phoenix |
| **Support Comments** |
| We need more services in this area. There is more housing coming north of here, and there are no other grocery stores in the area other than Albertsons. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 4:33:35 PM

| **Name** |
| --- |
| Jonathan Yee |
| **Email** |
| jyee@vestar.com |
| **Support Comments** |
| I support the further development of this property. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:02:06 AM

| **Name** |
| --- |
| Audrey Akhavan |
| **Email** |
| audreyrae@me.com |
| **Address / Neighborhood (Optional)** |
| 3690 E Covey Ln |
| **Support Comments** |
| I support another grocery store and fuel station in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 7:59:08 AM

---

| **Name** |
| --- |
| Marnie Anderson |
| **Email** |
| phxmarnie@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Sanctuary at Desert Ridge Neighborhood |
| **Support Comments** |
| This is very much needed in our neighborhood!!!!! There is a VERY large silent group of Desert Ridge residents that are hoping to have added shopping options for this area. Thank you!!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:10:52 PM

---

| **Name** |
| --- |
| Greg Boechler |
| **Email** |
| greg@boechler.com |
| **Address / Neighborhood (Optional)** |
| 6233 E Milton Dr |
| **Support Comments** |
| please, please ignore comments by uninformed emotional knuckleheads. they should put a group together and buy it and let it sit just to look at if they are so passionate. Maybe a kitty petting zoo?????? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:47:37 PM

| **Name** |
| --- |
| Rita Caliboso |
| **Email** |
| ritacaliboso@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21320 N 56th St |
| **Support Comments** |
| I support a grocery store like Frys or Trader Joes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:47:59 AM

| **Name** |
| --- |
| Dinesh Chintalapuri |
| **Email** |
| dinesh.chintalapuri@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Please bring traderJoes or Wholefoods.. no Albertsons or Frys..they are located close by. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:15:20 PM

---

| **Name** |
| --- |
| Marissa Cormie |
| **Email** |
| Marissakj42@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3824 E Morning Dove Trail |
| **Support Comments** |
| I would support a Trader Joe’s in this area. I think it would be very popular |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:46:55 PM

| **Name** |
| --- |
| Craig Despres |
| **Email** |
| craig@azdespres.com |
| **Address / Neighborhood (Optional)** |
| 2547 E. Robb Ln. |
| **Support Comments** |
| Grocery store would be greatly appreciated. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:13:23 AM

| **Name** |
| --- |
| Kathy deStefano |
| **Email** |
| Kdestefano@cox.net |
| **Support Comments** |
| I love just north of there and we need other options to desert ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:34:46 PM

| **Name** |
| --- |
| Heather Flom |
| **Email** |
| Heather.flom@gmail.com |
| **Support Comments** |
| I support this. Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 8:50:33 PM

---

| **Name** |
| --- |
| Kim Galetti |
| **Email** |
| kg2238171@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3864 E. Melinda Drive |
| **Support Comments** |
| We think it would be great to have another grocery store in Desert Ridge. A gas station in conjunction with the grocery store would be great. Prefer not to have a fast food restaurant with a drive-up lane. A family friendly market place is preferred. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:56:47 PM

---

| **Name** |
| --- |
| Rowena Good |
| **Email** |
| rrgood127@yahoo.com |
| **Support Comments** |
| Please a Trader Joe's. Please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:20:05 PM

---

| **Name** |
| --- |
| Betty Hatten-Ford |
| **Email** |
| bhattenford@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 5450 E Deer Valley Dr |
| **Support Comments** |
| As a senior citizen my friends and myself would love the convenience of additional businesses. We are becoming more limited in our driving. Convenient choices would be a blessing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 1:27:26 PM

---

| **Name** |
| --- |
| Sri Jandhyala |
| **Email** |
| sri_jandhyala@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 23008 N 38th Pl/ Aviano |
| **Support Comments** |
| Would love to see a Sprouts, Trader Joe's or similar grocery store at this intersection. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:24:14 AM

---

| **Name** |
| --- |
| Angie Jones |
| **Email** |
| angie.jones@cox.net |
| **Address / Neighborhood (Optional)** |
| Stone Butte (near Pinnacle Peak and Cave Creek) |
| **Support Comments** |
| I 100% support a grocer in the neighborhood. BUT! The intersection of Deer Valley and Black Mountain gets extremely congested (albeit dangerous) when the Pinnacle High School starts/gets out. I implore you to do a traffic study and perhaps look at a different location. I'm not a developer and don't know what the plans are for it, but what about the land just west on Deer Valley?<br>Thank you for the opportunity to comment.<br>Angie Jones |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:14:13 AM

| **Name** |
| --- |
| Lois Lembo |
| **Email** |
| lois.lembo@cox.net |
| **Address / Neighborhood (Optional)** |
| 21320 N 56Th St |
| **Support Comments** |
| I would support a AJ's. Sprouts,Whole Foods or Fry's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:57:48 PM

---

| **Name** |
| --- |
| Ellen Lerman |
| **Email** |
| lermane@aol.com |
| **Address / Neighborhood (Optional)** |
| 4048 E. Williams Dr. |
| **Support Comments** |
| I'd love to have an alternative to Albertsons. Whole Foods is a bit of a drive and a bit expensive. However, the people who should have the final say are those who live right around the piece of land you want to develop. Their opinion counts most. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 10:54:51 PM

---

| **Name** |
| --- |
| Kyle Livingston |
| **Email** |
| kydkyle@gmail.com |
| **Support Comments** |
| Love the growth, I know everybody is worried about the school in the morning, but they are disregarding every other hour of the day and weekends. It is a perfect spot. Although the intersection is busy, the only request would be to alter to current traffic control system for everybody's benefit. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 1:08:15 PM

| **Name** |
| --- |
| dawn mannon |
| **Email** |
| dawnmannon@gmail.com |
| **Address / Neighborhood (Optional)** |
| 1727 E Mohawk lane |
| **Support Comments** |
| trader Joe's please! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:41:59 PM

---

| **Name** |
| --- |
| Alicia Messing |
| **Email** |
| aliciamessing23@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum/Bell |
| **Support Comments** |
| I do not support any oversized shopping centres. My husband and I avoid Desert Ridge as much as we can, only going there when friends suggest an eatery. If we do go to Desert Ridge, we make sure to go during off hours because the traffic is so horrific. We would never consider purchasing a home north of Loop 101 because of all the congestion these mega-shopping centres bring to the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:29:09 PM

| **Name** |
| --- |
| Corinna Munson |
| **Email** |
| CDMUNSON@COX.NET |
| **Support Comments** |
| Sprouts or Trader Joe’s. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:15:53 PM

---

| **Name** |
| --- |
| henry ritter |
| **Email** |
| h_ritter912@yahoo.com |
| **Support Comments** |
| We would love another grocery store. Not worried about school traffic as we would just go in off hours. Glad to see this going up |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:03:13 PM

| **Name** |
| --- |
| Shari Rotherham |
| **Email** |
| Sarotherham@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Trader Joe’s and other high quality restaurants. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:11:41 PM

| **Name** |
| --- |
| Amber Shahebrahimi |
| **Email** |
| amberlenglish@gmail.com |
| **Address / Neighborhood (Optional)** |
| Redhawk |
| **Support Comments** |
| Sounds good |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:33:58 PM

---

| **Name** |
| --- |
| Kim Smazal |
| **Email** |
| Kimsmazal@msn.com |
| **Support Comments** |
| We could use another grocery |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:43:53 PM

| **Name** |
| --- |
| judy tarwater |
| **Email** |
| murphy911@cox.net |
| **Support Comments** |
| need more commercial and less housing |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:14:56 AM

---

**Name**

Joyce Tawes

**Email**

jtawes@cox.net

**Address / Neighborhood (Optional)**

7511 E mariposa grande Dr

**Support Comments**

I am an Associate Real Estate Broker and have worked in this area for 20 years. There are so many naysayers and "no more infrastructure" posted on Next Door that I find to be completely ignorant of facts. I have served on the Government Affairs Committee for the Scottsdale Board of Realtors for about 17 years and also on the RAPAC committee (Political Action) for several years. Perhaps of my interest in what is going on in our communities, I'm more likely to research something before I comment.

I do believe there is a great need for the type of stores you are suggesting will be built in this area. It should be so convenient and helpful to the growth of homes and families in that particular area.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:33:52 PM

| **Name** |
| --- |
| Jordi Villanueva |
| **Email** |
| jovi@hotmail.com |
| **Support Comments** |
| Yes please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:02:01 AM

---

| **Name** |
| --- |
| Bruce Wayne |
| **Email** |
| batmobile789@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4609 E Swilling Road, Phoenix AZ 85050, DesertRidge |
| **Support Comments** |
| I Agree NOT a big box, yet a supermarket strip mall is ideal. If the high school is a problem, the utilize the Southeast corner of Tatum and Pinnacle Peak Road. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:46:57 PM

---

| **Name** |
| --- |
| Brock Wilson |
| **Email** |
| Bwilson11711@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak Neighborhood |
| **Support Comments** |
| Trader Joe’s for the Win! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:32:10 AM

---

| **Name** |
| --- |
| Kelley Pavkov |
| **Email** |
| kelleydvorak@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate II |
| **Support Comments** |
| We are in full support of adding retail space |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 2:17:03 PM

---

| **Name** |
| --- |
| Jean Batson |
| **Email** |
| traveljean87@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 21320 N. 56th Street |
| **Support Comments** |
| Desert Ridge could use a small BASHA's where you can get excellent meat etc. We can use a chicken fast food...Popeye's is always good |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 5:17:32 PM

| **Name** |
| --- |
| Michele Borrillo |
| **Email** |
| mborr70@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| I am in favor of an upscale center. Don’t really care for gas stations |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:21:48 AM

| **Name** |
| --- |
| Zaira Chacon |
| **Email** |
| zairachacon@hotmail.com |
| **Support Comments** |
| We need it! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:56:06 AM

---

| **Name** |
| --- |
| Angela Chevalier |
| **Email** |
| Angchev@hotmail.com |
| **Support Comments** |
| I support giving our community more options. As we grow we need more facilities and accessible grocery shopping. The city needs to redone some areas to allows businesses such as Sprouts, Trader Joe's etc to join and serve our community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:52:35 AM

---

| **Name** |
| --- |
| Carol Ditmore |
| **Email** |
| carolditmore@cox.net |
| **Address / Neighborhood (Optional)** |
| 3418 E Robin Lane |
| **Support Comments** |
| I am very supportive of this proposed use and change of zoning. A small, but very vocal, number of residents in the Sky Crossing subdivision where I live are doing everything they can to kill this project. It is my impression that the majority of residents are very much looking forward to the development of a small grocery on this corner or are neutral. I would hate for this proposed project to fail due to the NIMBY attitude of a few. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:37:50 AM

---

| **Name** |
| --- |
| Michelle Foster |
| **Email** |
| mshndv@cox.net |
| **Address / Neighborhood (Optional)** |
| 22001 N 43rd Place |
| **Support Comments** |
| This area needs a grocery store to meet the needs of Aviano and SkyCrossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:24:16 AM

| **Name** |
| --- |
| Ted Hauptman |
| **Email** |
| Hauptmanpainting@gmail.com |
| **Support Comments** |
| Support this development and more options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:27:10 AM

| **Name** |
| --- |
| TJ Hauptman |
| **Email** |
| tphauptman@gmail.com |
| **Support Comments** |
| I support new development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:16:28 AM

---

| **Name** |
| --- |
| Sandy Jablon |
| **Email** |
| sandysjab@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3935 E ROUGH RIDER RD #1227 Villages at Aviano |
| **Support Comments** |
| Hoping we have a Trader Joe's.<br>Good luck with this project! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:16:19 AM

| **Name** |
| --- |
| Ann Jankes |
| **Email** |
| abjankes@cox.net |
| **Support Comments** |
| Support a grocery and gas station! Maybe a Trader Joe’s. Also an auto repair would be great. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:38:10 PM

---

**Name**

Bill Knapp

**Email**

bill@knapp-homes.com

**Address / Neighborhood (Optional)**

Sky Crossing

**Support Comments**

I love this idea. Not sure why others are so against it. In my opinion your plan will be much better than apartments or higher density residential. I love the idea of being able to walk to grocery store, restaurants and shops. I just hope this will be an upscale development like Desert Ridge, well landscaped, and attractive architecture. It is true that traffic is horrible in the mornings with the school, but hopefully this development will open up more ingress/egress options for people at the school. If you can convince the naysayers of this then I think you could change some minds.
My vote is yes, and hurry up and get started on it so we can enjoy it sooner than later!

Bill

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:04:56 AM

| **Name** |
| --- |
| Angie Kory |
| **Email** |
| angiekory@yahoo.com |
| **Support Comments** |
| I support a new grocer in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 9:01:33 PM

---

**Name**

Sheena Lamon

**Email**

Sheenamlamon@gmail.com

**Address / Neighborhood (Optional)**

Mountain Gate North/cave creek and deer valley

**Support Comments**

I am so excited about getting a grocery store close to my home. I have lived in this neighborhood for 13 years and it is truly the one thing I dislike about my home's location. Everyone I know who lives in the Phoenix metro area has multiple grocery store options within a few miles of their home and I believe this addition will bring value and a sense of community to the area. Family and friends have all commented about how there is a lack of grocery store options by my home and I don't always need Costco size quantities (our closest store). If I could chose what to put in that location a Trader Joe's would be ideal. Please don't let people who complain about the traffic that happens before and after the high school starts and ends change your minds- this is just an hour out of the day total during school time which is also not the time when this grocery store would be busy to make a difference.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 5:34:23 AM

| **Name** |
| --- |
| Angela Marnell |
| **Email** |
| Marnella0509@gmail.com |
| **Address / Neighborhood (Optional)** |
| Pinnacle at Desert Peak |
| **Support Comments** |
| A Trader Joe’s would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:48:56 PM

---

| **Name** |
| --- |
| Yvette Mayo |
| **Email** |
| yvette_mayo@msn.com |
| **Support Comments** |
| Would love to have a Fry's close!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:58:20 AM

---

| **Name** |
| --- |
| Hannah McCaffrey |
| **Email** |
| hannahmccaffrey.hm@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek Rd and Deer Valley Rd |
| **Support Comments** |
| I think it would be lovely to have a smallish retail center on that corner. You mentioned there would not be a big store/grocer. I think it would be great to put a Trader Joe's or a Sprouts, or some other smallish grocery store. A Dutch Bros would also be great, and the high schoolers next door would go CRAZY for that! Also perhaps some food stores as well. Like a breakfast place, a sandwich shop, or a restaurant. I think this sounds great and it sounds like you all are paying close attention to make sure it does well and is not some ugly looking thing sitting on the corner. :) |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:33:25 AM

| **Name** |
| --- |
| Tara Moore |
| **Email** |
| 4moore218@gmail.com |
| **Support Comments** |
| A grocery store would be very convenient. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 4:19:33 PM

---

| **Name** |
| --- |
| Prathap Mahesh |
| **Email** |
| prathaptcs@yahoo.com |
| **Support Comments** |
| I certainly don’t want those gas station convenience stores near a school. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:42:03 AM

| **Name** |
| --- |
| Brad Otoupalik |
| **Email** |
| otoupalik@gmail.com |
| **Support Comments** |
| Totally support all development in this location. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:41:46 AM

| **Name** |
| --- |
| Jeff Renick |
| **Email** |
| jrenick@cox.net |
| **Support Comments** |
| I support this proposed development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:43:32 AM

| **Name** |
| --- |
| Kim Renick |
| **Email** |
| kimrenick@yahoo.com |
| **Support Comments** |
| There is a need for this type of services in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:21:31 AM

| **Name** |
| --- |
| Lynn Roberts |
| **Email** |
| Wadenlynn@yahoo.com |
| **Support Comments** |
| Yes I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:03:19 AM

| **Name** |
| --- |
| William Sipich |
| **Email** |
| Terrabella4@comcast.net |
| **Support Comments** |
| I like the idea of a Fry's , Safeway or Trader Joe's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:03:19 AM

| **Name** |
| --- |
| Tara Smith |
| **Email** |
| tarasmith@hotmail.com |
| **Support Comments** |
| Trader Joe’s or aldi would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:06:13 AM

| **Name** |
| --- |
| PETER Smithu |
| **Email** |
| pete.c.smith0529@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3901 E PINNACLE PEAK RD #121 |
| **Support Comments** |
| We need more shopping options than are offered at Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:55:18 AM

| **Name** |
| --- |
| Jeffrey Swierski |
| **Email** |
| jswierski@gmail.com |
| **Support Comments** |
| This would be a terrific addition to the infrastructure of the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:50:15 AM

| **Name** |
| --- |
| Danielle Walker |
| **Email** |
| D_hauptman2012@yahoo.com |
| **Support Comments** |
| Yes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:49:01 AM

| **Name** |
| --- |
| claude zajac |
| **Email** |
| claudezajac@gmail.com |
| **Support Comments** |
| Trader Joes,Sprouts, A j's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 5:09:07 AM

---

| **Name** |
| --- |
| Robin Cain |
| **Email** |
| robin@robincain.com |
| **Address / Neighborhood (Optional)** |
| 10883 E La Junta Rd |
| **Support Comments** |
| Area desperately needs another grocery store. |

**From:** Rick Fifield
**To:** Michelle Santoro
**Subject:** Deer Valley & Black Mtn
**Date:** Sunday, October 1, 2023 3:54:20 AM

---

To whom it may concern,

I would love to se some more fast food options in this location.

An Aldi or Sprouts would be nice.

Support what you are doing.

Rick

Breath In, Breath Out, Move On.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 12:33:30 PM

---

| **Name** |
| --- |
| Gayle Griffin |
| **Email** |
| ga.griffin@comcast.net |
| **Address / Neighborhood (Optional)** |
| Let’s all me smart. |
| **Support Comments** |
| We all know , you would frequent this center. |

**From:** Jean Kantaros
**To:** Anthony M Grande
**Subject:** Rezoning of Black canyon and Deer Valley
**Date:** Monday, October 2, 2023 2:19:10 PM

---

Hello,
I am totally in favor of this new development. I have a few questions,
How firm is it that a 98,000 sq ft grocery store will be there. This seems to be quite large, many are complaining fuel to this. Also, how firm is it that there is guel pumps associated to said grocer. I for one. am not in favor of any fuel there.
How will traffic be handled for those trying to go into shopping center and exit
Will there be modifications on Deer Valley?
Asthetics of location, what type of landscaping and lighting. For example, when going to other communities in Scottsdale and Greyhawk, it's not blatant in your face a shopping center is there.

A new grocery store is most definitely needed to serve this community, and long over due. Been herebin this community for 22 years. I truly hope this passes.

Thank you,

Jean Kantaros

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 7:55:20 PM

---

| **Name** |
| --- |
| William King |
| **Email** |
| williamaking@gmail.com |
| **Address / Neighborhood (Optional)** |
| 20925 N 37th pl, phoenix AZ 85050 |
| **Support Comments** |
| That size i would assume Fry's. But as.long as Target and Walmart are out I suppot it. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 3:17:25 PM

---

| **Name** |
| --- |
| Amy Maynard |
| **Email** |
| amy@amymaynard.net |
| **Address / Neighborhood (Optional)** |
| 29266 N. 49th St |
| **Support Comments** |
| I would support this especially if a Trader Joe's were to be a tenant. Everyone in the Cave Creek area & south of Cave Creek has been wanting one for quite a long time now. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 12:12:57 AM

---

| **Name** |
| --- |
| Tony Rodriguez |
| **Email** |
| cartbarb2@gmail.com |
| **Support Comments** |
| I would love to see a retail center for our growing community too many poeoole to just go to surrounding malls |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 10:06:45 AM

---

| **Name** |
| --- |
| Michael Smith |
| **Email** |
| trace.smith27@gmail.com |
| **Support Comments** |
| Please, the nearest grocery store is miles away! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 9:49:23 PM

---

| **Name** |
| --- |
| Deanna Sutton |
| **Email** |
| deanna_lynn1@msn.com |
| **Address / Neighborhood (Optional)** |
| Mountain gate North |
| **Support Comments** |
| Please bring a closer option for groceries! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, October 3, 2023 11:35:24 AM

| **Name** |
| --- |
| Jim Benjamin |
| **Email** |
| jimbenj@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3901 E Pinnacle Peak Road |
| **Support Comments** |
| It would be nice to have a McDonalds near Desert Ridge |

**From:** Tanner Davis
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** DATA INSIDE - Please SUPPORT Commercial Rezoning for Black Mountain Village/Superblock 12
**Date:** Tuesday, October 3, 2023 11:03:51 AM
**Attachments:** Opposition Post 3.pdf
Opposition Post 2.pdf
Opposition Post Number 1.pdf
Pro Grocery Store FB Post.pdf

---

Hello Anthony,

I just wanted to give you some data around how many people support the grocery store going in and also some valid counterarguments to the current opposition. I plead with you to please use data in approving this development and please do not listen to the few voices who oppose it, even if they are loud. Here are all of the data points/counter arguments you should need to rationally approve this:

1) The majority of people SUPPORT this grocer store. This is evidenced by general research about housing prices/demand for homes that are close to a grocery store. In fact, the data shows home values get higher as they get closer to the grocery store - https://urldefense.com/v3/__https://www.homes.com/blog/2020/08/how-do-grocery-stores-affect-home-values/__;!!LkjWUF49MRd51_ry!fYeUGyEWYAC5aqleNJ48NjTEm8fSb23H3apmdeENqeBYjdDZhfwQGTHpPBCVFiPiaYyrsR21Lpz9EZrk2BTR_FG0iA$

I also have local data based on my facebook post in the Sky Crossing Community website, which is arguably the most impacted community from this development going in. Attached are screenshots of the support that my Pro-Grocery Store post received vs 3 opposition posts within a couple of days of each other. As you can see, my pro grocery store post received 54 likes compared to 3 other examples of opposition posts that received 23,20, and 10 likes. This is up to 5X the amount of likes in support!!

2) The opposition is going to state that there are 500-600 signatures against the development. This is not correct. There are 500-600 EMAIL ADDRESSES that are against this development. When you specify email addresses instead of households, the opposition doesn't come anywhere close to the majority. there are around 3000 homes in the 3 closest neighborhoods to this development (Sky Crossing, Fireside, and Aviano). When you take into account the fact that the people who are opposed are very furious about it, they probably had their spouses sign the petition AND most likely signed it with more than one of their email addresses. Even conservatively, the 500-600 signatures probably represents 200-300 households, which is only about 10% of the households of the sorrounding communities, MAX.

Alexis Spence
Top contributor

Defend the original desert ridge plan! Join the rally against the rezoning prior to the October 3rd planning committee. Come 5:45 at the paradise valley community center (not sky crossing community center) Keep the residential area safe, beautiful and keep traffic down ! Flyer attached with more details

5:50 50%

Rally Flyer.pdf

**JOIN OUR RALLY TO STOP THE COMMERCIAL REZONING**

**When:** Tuesday, October 3, 2023, 5:45pm
**Where:** Paradise Valley Community Center, 17402 N. 40th St.
**Why:** This proposal is NOT approved yet. We can still stop this!

If you are opposed to Vestar Development rezoning the land across Black Mountain Boulevard, from single family to commercial, please join us at the Desert View Village Planning Committee meeting on October 3. This is the first major hurdle Vestar Development needs to go over with their attempts at rezoning the land. The planning committee will either vote to recommend this rezoning or vote against the item happening.

We need to join together and show the Village Committee that we don't want this to be neighborhood. This will be a massive 100,000 sq ft grocery store with an attached gas station. This will not be a small neighborhood grocery store they're promising. ***Please join us prior to the meeting for a rally outside.*** If we have the numbers, we have media ready to participate and broadcast our rally. We need children, parents, and grandparents all grown up for this fight.

Are you looking for a weekend on project? Lake Hallo alone signs. We want the planning committee to walk through us to get into their meeting.

Do you want your voice to be heard? Everyone will have a chance to express their opinion during the meeting, prior to the planning committee making their vote. You are not required to speak! Your presence is enough and speaks for itself. We need as many people as possible to show up and get these people's attention. The development will not just be a locomotive. Fireside residents, Sky Crossing residents, Arizona residents, as well as the Estates at Ridgeview are uniting, and we need to know we are being heard!

Please consider joining up to **"Defend Desert Ridge"**



20 4 comments

Like Comment Send

Michael Coppola
Top contributor · September 22 at 1:40 PM ·

STOP THE REZONING
Here is what the developer doesn't want you to realize because it doesn't serve their needs !

PDF
Grocery Store Flyer.pdf

23 92 comments

Like Comment Send

Karissa Barber Ma
Top contributor · September 21 at 6:04 PM ·

I know there are two sides - not hard to guess mine. This email that Desert Ridge Mall just sent out pisses me off! How can we even make a difference with this large conglomerate.










10 148 comments

Like Comment Send

Tanner Davis
Top contributor · 5 days ago ·

If anyone is interested in what the data/research says about home values when a grocery store is close, here's an article - https://www.homes.com/.../how-do-grocery-stores-affect.../. Many other research efforts have come to the same conclusion - that grocery stores are good for home values! In fact, this article discusses some research that shows home values increase more as the grocery store gets closer. The widely available research shows people generally... See more



HOMES.COM

**Can Grocery Stores Affect Home Values?**

Living near a grocery store – or further away – could have an effect on your home's value. We ...

You, Brian Lentz and 53 others 95 comments

Like Comment Send

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, October 3, 2023 3:49:10 PM

| **Name** |
| --- |
| jai kim |
| **Email** |
| jkim@villagemedical.com |
| **Support Comments** |
| IOOKING FORWARD TO A NEIGBORHOOD GROCERY STORE AND RESTRAUNTS....DR. KIM |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, October 4, 2023 4:51:44 PM

---

| **Name** |
| --- |
| Temple Blackburn |
| **Email** |
| Temple1313@cox.net |
| **Address / Neighborhood (Optional)** |
| Surrounding Desert Ridge neighborhood |
| **Support Comments** |
| It is really close to a High School . My vote and suggestion would be a Trader Joes - there is not one near hear - it's easily 20-30 minutes from this location. It would do rally well. I tried to get one at the corner of Deer Valley and Cave Creek Road - now there is a starbucks and a dentist. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, October 4, 2023 10:00:59 AM

---

| **Name** |
| --- |
| Mairyn Nielsen |
| **Email** |
| nowheremair@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountainview |
| **Support Comments** |
| Yes to development, would love a grocery store - especially a trader Joe's or AJs. Would also appreciate a chick-fil-a! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 9, 2023 9:34:58 PM

| **Name** |
| --- |
| Manar Rassam |
| **Email** |
| manar_mm81@yahoo.com |
| **Support Comments** |
| It would be great if you open a trader Joe's. Thank you |

**From:** John Norris
**To:** Anthony M Grande; msantoro@gblaw.com
**Subject:** Re: Z-39-23-2 Information
**Date:** Wednesday, October 11, 2023 9:13:36 PM

---

Re: GPA-DSTV-3-23-2 & Zoning Case # Z39-23-2

We would support the above mentioned General Plan Amendment and Zoning application with a Recorded Stipulation prohibiting fuel dispensing of any kind, from any vendor.

We have resided 4/10ths of a mile from the subject site since 2008 and have witnessed tremendous growth in the interim. Especially with development of the fine Sky Crossing, Fireside, Ridgeview and Aviano subdivisions. Of course, with growth, pavement and traffic are sure to follow but we regard Vestar's proposed development as a neighborhood amenity because of the grocery store and dining opportunities the project will offer, and developed by an excellent developer.

Additional traffic generated by the proposed shopping center is clearly documented in the Traffic Study, and is also generally the most prevalent of opposing objections. However, the Study compares proposed traffic to the property's current vacant condition but not against potentially a more intense rezoning in the future. During the 68 years I have resided in Phoenix, I have observed numerous parcels that have been leap-frogged over by residential development, and then these properties were ultimately infilled by significantly more intense zoning. So the question is, what would the traffic look like with twenty acres of high density multi-family development? Apartment traffic is 24/7 and not limited to commuter traffic like it is currently. The Traffic Study also presumes that a neighborhood center would reasonably generate a number of persons choosing to walk to the grocery store or restaurants, at least during the eight months of beautiful weather, in lieu of driving to Desert Ridge Marketplace.

Again, no gasoline vending and we are in favor of the proposal.

John Norris

On Tue, Aug 1, 2023 at 12:22 PM John Norris <johnnorrisccc@gmail.com> wrote:

> Anthony - Thank you so much for sending the link and for speaking with you this AM.
>
> Best regards,
>
> John S Norris
>
> On Tue, Aug 1, 2023 at 9:37 AM Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> > Hi John,

I found the link to the website for this project. See the URL below. You can find information about the case and the contact information for the applicants.

https://www.gblaw.com/blackmountainvillage/ [gblaw.com]

Please let me know if you have any other questions.

Thanks,

Anthony

**Anthony Grande**

Planner II – Village Planner

City of Phoenix

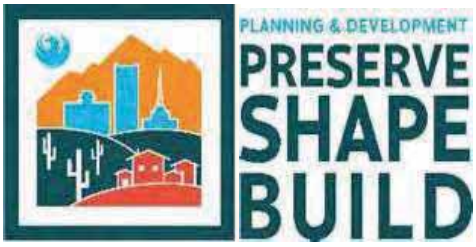
Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003



**From:** Adam Polson
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Black Mountain Village / Superblock 12
**Date:** Friday, October 13, 2023 6:50:34 PM

---

We need the Vestar project. I am IN FAVOR of it, and so are a lot of neighbors. We just have a few NIMBYs who are against progress and change. A lot has changed since Desert Ridge was originally designed. Once the 51 entrance/exit came to Black Mountain, that changed everything. It is disingenuous for people to claim a bait and switch when there is a freeway entrance/exit right in their backyard. Moreover, there are a lot more homes going to be built in desert ridge and this proves that we need the project even more. The bottom line is that Vestar is proposing to pay for a lot of infrastructure upgrades to the area. If Vestar is not going to be able to build, who is going to pay for such work? I'm sure the City does not want to. And, I'm sure a lot of the NIMBYs won't want to pay for it either.

Sincerely,
Adam Polson
Sky Crossing resident
2845 E. Cashman Dr.
Phoenix, AZ 85050
602 750 0036

Get Outlook for Android [aka.ms]

| | |
|---|---|
| **From:** | Melissa Gitt |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for Vestar"s new project proposal GPA-DSTV-2-23-2/GPA-DSTV-3-32-2/Z-39-23-2 |
| **Date:** | Monday, October 16, 2023 12:13:05 PM |

Hi There,

My name is Melissa Gitt and I'm a resident in the Sky Crossing neighborhood. I wanted to reach out and express our families support for the proposed project in Black Mountain Village (off of Deer Valley and Black Mountain in Phoenix). I believe the case numbers are GPA-DSTV-2-23-2 and GPA-DSTV-3-32-2/Z-39-23-2.

We appreciate how Vestar has gone above and beyond to ensure that the shops across the street from our neighborhood are safe and make sense for this community. It would be a huge benefit to have a grocery store, gas station and restaurants to dine in that are so close to us!

I realize many are not in favor, but please understand that many of us ARE in favor and we'd love to have Vestar's plans get approved. Please let me know if you have any questions.

Warm regards,

Melissa Gitt
melissagitt@gmail.com

| | |
|---|---|
| **From:** | Monica Litt |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | In favor of Black Mountain Village |
| **Date:** | Tuesday, October 17, 2023 8:12:54 AM |

Case numbers:
GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Hi,
I wanted to send an email that our family, who live in Sky Crossing, are in favor of the Black Mountain Village. We moved from another state 3 years ago and had a grocery store and gas station built connected to our development a year before we moved. It was absolutely wonderful to have a spot so close to our home and our neighbors there loved having it as well.

We are in favor of having Black Mountain Village as it will be nice to have that convenience, an additional grocery option (hopefully better than our closest grocery), and a spot that my teenage kids can bike to if they are hungry.

I have not been able to attend the meetings as I drive my kids to their sports in the evenings.

We really hope this comes together and the neighbors realize that this is a good thing for our neighborhood.

If you are taking requests- would love a Trader Joe's and a Dutch Bros!

Thanks,
Monica

## Racelle Escolar

**From:** Jean Kantaros <jkantaros@gmail.com>
**Sent:** Wednesday, October 18, 2023 2:48 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2. Rezoning of parcel 12c Black Mtn Blvd-Deer Valley

Hello,
My name is Jean Kantaros. I live at 20925 N 37th Pl, which is in Desert Ridge for 22 years and have watched the community grow exponentially and have waited a long time for an additional grocer to be in our community.

I am writing to you regarding the above-mentioned rezoning hearing which will take place on Nov 2 in front of the Planning and Zoning commission board, then in City council chambers Dec 6. The hearing is regarding Deer Valley Blvd and Black Mtn Blvd intersection, super block 12, Parcel 12C from R2 to C2 which is only approx. 20 acres in total.

Vestar has proposed to build a development, Black Mountain Village, on this corner to bring a "VERY MUCH" needed grocery store to this community, which has been drastically under-served.

Currently, within the Desert Ridge community, the only available grocery store is Albertsons, at the Desert Ridge Marketplace Tatum/101, and Deer Valley.

The proposed new development, Black Mountain Village, is directly off the Black Mtn Blvd exit, off the 51 freeway, cornering Deer Valley and Black Mtn Blvd and also backing Mayo Blvd. Please note these 2 Blvds. are major arterial roads. This is an optimal location for commercial, AND a grocery store. The convenience alone of being off the freeway is perfect for those of us on the way home from work.

This also would be a prime location to serve those who are west of Tatum/Deer Valley intersection and alleviate the overwhelming traffic in that **EXTREMELY** dangerous intersection, AND allowing people who live West of Tatum Blvd the ability to utilize the freeway 51 exit, closer to their homes to shop, rather than exit off the 101 to shop and back track.

With all the ongoing "new" construction, the currently in progress construction (i.e.): complexes with over 2000 multi family apts (city north and Tatum/ Deer Valley), ALSO taking into account the recent new homes being built in Talin, and the most recent purchase by Taylor Morrison on Pinnacle Peak and Cave Creek for another 1500 homes, and the already existing homes in Desert Ridge, how can it be justified to only have ONE grocery store in Desert Ridge to serve this entire community? That is an AWFUL lot of people directed to one grocery store. Don't the people of Desert Ridge deserve more? Did anyone consider if Albertsons can keep up with the demand for **ALL** these families? Let's not forget escalating an already traffic nightmare at that intersection by 100%.

I understand there are many concerns regarding Pinnacle High School. The high school is directly off the 51 freeway exit THAT originally should've been planned better in my opinion. But that's a done deal. Therefore, no development or progress for the rest of the community should exist because a high school is there, **AND ONLY WHEN** school is in session, and **SPECIFICALLY** 2 times a day, 7 am and 2 pm for a 1/2 hr it is busy with drop off and pick up? What about the other times from 8am-1pm Mon-Fri. Or after 3pm Mon-Fri, EVERY Sat-Sun, School Holidays, School Breaks AND ALL summer during vacation. What about all those " non-busy" times? How is that logical? The drop off/pick up back up occurs at every school and not just that one, so it's not new news. If crossing Mayo Blvd during the specific drop off and pick up times is the problem, and students **CANNOT** follow traffic signals, maybe arrangements need to be made with the High School to add a crossing guard for these students, like they have for the "elementary students".

I listened to Vestars proposal on Oct 3. and they have laid out a very well-thought-out plan to assist with all the safety concerns regarding the high school. They will implement a Barricade on Mayo Blvd once it's expanded to four lanes to ensure people use the traffic signal. This Barricade is similar to the one on Black Mtn Blvd off the freeway exit, in the median. They are also putting in a 50ft Barrier on Mayo Blvd from the street to the Block wall which will be on the side

facing the school. Plus putting in the HAWK crossing system on Deer Valley. This is ALOT and very generous, more than other High Schools have such as Paradise Valley, where students cross 40th Street to get to the shopping center at any point on 40th street or cross Bell Rd.

Is this proposal perfect? NO.
Can stipulations be added by the city to Vestar to obtain the optimal proposal to satisfy 95% of this community? **ABSOLUTELY**!!
For example:

1. Smaller size grocer 65,000 sq ft +/-
2. No Fuel at all

**BUT** to be close minded, and totally deny this opportunity to an entire community to satisfy a selected few? Is biased and immoral.

State trust land that is sold or leased assists Arizona's economy, public education K-12, as well as other beneficiaries. By limiting the ability of this sale and keeping this **VERY** small parcel zoned status quo, provides ZERO benefits.
The ONLY ones benefiting are the ones who are opposing, due to buying a house backing to either Black Mtn or Deer Valley, which are major roads that are off a freeway exit. Their opposition is purely self-serving AND selfish.

These people are also fully aware that this parcel is too small to build any type of residential home community. They know that there is no reputable builder that will invest millions of dollars for a loss. This discussion has been had multiple times on neighborhood chats.Here is my reasoning, which was also posted in these chats:

> There is a total of 20 acres. By the time all the barriers are built, sidewalks, landscaping, etc., and Mayo Blvd widened to 4 lanes with a center median, it leaves ~15 acres. With that remaining buildable space you can build approx. 70 homes at 5 homes per acre, and that's still questionable if you also factor in streets, sidewalks, and a small community park. I do not foresee a builder investing millions of dollars to build the infrastructure surrounding this parcel, to only build 70 homes. Which will be NEXT door to a high school, SURROUNDED by 2 major arterial roads, AND off a freeway on ramp/exit. Those homes would HAVE to sell for a min of $1mil+ In order for homes in the vicinity to keep their values. I myself WOULD NEVER buy a home and invest that amount of money in that scenario, **WOULD YOU**?
> I have lived in the valley for 40 years, and personally have never seen any residential home community built with the similar description as above, BUT I have seen apartments built in that size lo which would be a disaster. That is the LAST thing that is needed there!! The typical builder will buy Trust Land over 200+ acres to build any type of community. Again, I mention, this scenario was brought up to these individuals who are opposed, and their responses were " I don't care if it can't be built on" it can stay vacant, we want it to stay zoned as is. Pretty selfish. Where is the benefit in that!!

If this zoning change is approved, it will benefit an entire community, as well as providing a positive economic impact for our schools and the other entitled beneficiaries. Also, the revenue generated, and tax proceeds will benefit the City of Phoenix.
The Desert Ridge Master Plan always had plans for another grocery store. It has somehow been forgotten along the way. It was never intended to have SO many residents utilize one neighborhood grocery store to purchase their day-to-day needs. To date, there have been SO MANY revisions to the "Master Plan" therefore, there is no logical reason as to why this request should not be approved since its long overdue.

The people from Sky Crossing and Copper Canyon at Fireside that specifically have homes backing to these major roads (Black Mtn and Deer Valley) have now organized meetings and using scare tactics and lies to support their agenda. Telling them to write to Councilman Jim Waring and this commission to oppose this development.

They are telling people there will be over 200 stores and a shopping center filled with junk food for starters, plus much more. This is a LIE! Desert Ridge Marketplace has 111 stores WITH quality restaurants and is 10 times the acreage of this proposal.
This shopping center is **NOT** big enough for 200 stores. The only store Vestar mentioned besides an un-named grocery store is Chick-fil-a. And a Dutch Bros to date, and to be honest Chick-fil-A is the #1 healthiest fast food out there. This is much better than students DRIVING to In and Out for lunch, possibly getting into an accident due to time constraints. They can actually walk there.

They can actually go to the grocery store and grab a HEALTHY LUNCH as well, since I've heard so many people grumble about "junk food". **MUCH** Safer than driving and crossing Tatum Blvd. Again, deceit AND scare tactics to promote their agenda. They are also stating having a grocery store next to a high school will change students' behavior. HOW, I ask? That is the most ludicrous statement I heard. Not sure how that works. Oh wait, they can grab a fresh deli sandwich, or a salad and that's a bad thing? A shopping center is **NOT** meant to be a babysitting venue for people's children. I mention Paradise Valley High School again, which has Rosati's, pizza, Walgreens, KFC, a Jack in the Box, and a Village Inn, plus more directly adjacent to the school across 40th street. That does not include the Paradise Valley Burger shop and Icee shop directly across the street. Has that changed the student's behavior??? I think not!! Ask the principal. There are many other High Schools in the valley that have "fast food", across from them.

My hopes are that the Planning and Zoning commission board can read between the lines, and see they are looking out for themselves, and not for the betterment of the community and what the community wants.
Desert Ridge Marketplace should NOT be the only commercial place WITH A GROCERY STORE to go to for this entire community. A solution to this **ONE** grocery store issue is needed, AND quickly. The current path is NOT sustainable as this community continues to grow. It cannot or should not be swept under a rug and continue status quo. The people of Desert Ridge deserve more options.
Thank you for your time and consideration in reading my letter. I am open to any future discussion if needed regarding this rezoning project. 602.326.6561.

Kind regards.

Jean Kantaros

Enc:
Propaganda they are saying

# It's still under review - You can still STOP this proposal !

There is an active proposal by a developer who wants to COMMERCIALLY rezone the land near Pinnacle High School.
The land has **NOT** been bought yet and the rezoning has **NOT** been approved yet.
When you bought your home, the expectation was that our community would remain residential.
If our community would start allowing commercial zones- it will set a precedent for future proposals.
They will not stop adding shopping centers, fast food restaurants and gas stations.
*The proposed zoning allows **200 other types of shops!** **THIS IS A LIE***
Going forward, they will NOT stop requested amendments to change their initial proposal.

We need everyone in Desert Ridge to voice their opposition and write an email to:
Anthony.grande@phoenix.gov (Village Planner assigned to this proposal).
and include council.district.2@phoenix.gov (Councilman Jim Waring)

# Consider these concerns :

1. It will add more traffic problems to all parts of the community. *With all the new builds that will add more traffic to all parts of the community.*
2. It will affect the safety of our kids going to Pinnacle High School and Fireside Elementary.. *Elementary school is off Lone Mountain it is nowhere near the shopping center.*
3. High School students' behaviors will change for the worse with these shops close by. *This was already mentioned above*
4. It will add to noise, littering, light and other pollutions. *Noise pollution will happen no matter what you live on a major road off a freeway! I have never seen Desert Ridge trashed with litter, and any type of build will add additional light. If they paid attention, Vestars lighting is non impactful from their proposal. The lighting is actually lower than streetlights and lower than the HIgh Schools.*
5. Traffic from delivery trucks will increase at all hours of the day. *Traffic is a given off the freeway*

6. It will attract all of the problems you see already at Desert Ridge Marketplace; ie: fast food restaurants and gas stations today. *Desert Ridge has In and Out. It has high quality restaurants. If you consider the Keg, BJ's, Jin Jla and more fast food that's a whole different issue. If the Desert Ridge Marketplace is SO BAD, perhaps consider* ***NOT****allowing your teenager to hang out there.*

## Stand with your community.

For most residents, it may not affect you directly, but please consider your neighbors and consider what a great community Desert Ridge is today.

We have all bought our homes knowing we have great schools, parks and playgrounds and above all, that it was a Planned Residential Community.

There are pre-approved commercial lots available for this developer on Cave Creek and Pinnacle Peak to add a new grocer.

Let's not ruin our community for the residents and children that will live here after we're gone and want the same great experience we enjoyed.

## What can you do?

CLICK TO EXPAND THE ACTION ITEM

Continue to Email the City Planner and your council man

Join the opposition group for more information and action

Attend City Planning Committee meeting November 2nd

Sign our Petition

**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, October 18, 2023 3:35:47 PM

---

hi, are you able to put this in for the next meeting? thanks:
hi, I'm writing in support of the Black Mountain Village Development project. we've heard for years that we were getting a second grocery store, most likely Fry's. bought our house in Aviano in 2009. most of the opposition are people backing the major roads in question. I think we need to look at the big picture of the neighborhood as opposed to a few who decided to buy a house backing a major road. so many more homes/residences are going up in the area and more retail is needed. Vestar develops top notch properties and this will be a plus to the community. thanks.

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

| | |
|---|---|
| **From:** | James Patterson |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | Black Mountain Village Support |
| **Date:** | Friday, October 20, 2023 9:37:18 AM |

Hello,

My name is James Patterson and I am a resident of Sky Crossing (moved here in 2019) and I am a supporter of this project. That being said, I am nervous/afraid to voice my support in a public setting because the neighborhood's loudest voices (via FaceBook) are so against it. If anyone posts something that is remotely in support of, multiple neighbors shoot it down which makes a constructive discussion impossible.

I would normally not have a problem being the antagonist but this is where I live. I don't want to put myself or my family in this kind of negative spotlight.

The people making this decision should know that there are many many many residents who support this but are being overshadowed by a few loud/rude voices.

Thanks,
James

--
James Patterson
(480) 390-4288

**From:** PDD Long Range Planning
**To:** Anthony M Grande
**Subject:** FW: New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 23, 2023 12:00:41 PM

---

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov

---

**From:** website@gblaw.com <website@gblaw.com>
**Sent:** Sunday, October 22, 2023 2:25 PM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** New Support for Vestar's Black Mountain Village / Superblock 12 Proposal

| **Name** |
| --- |
| Craig Despres |
| **Email** |
| craig@azdespres.com |
| **Address / Neighborhood (Optional)** |
| 2547 E. Robb Ln. |
| **Support Comments** |
| Grocery store would be greatly appreciated. |

**From:** Mike Head
**To:** Anthony M Grande
**Subject:** Zoning
**Date:** Thursday, October 26, 2023 8:46:11 PM

---

I am in favor of the commercial re zoning of the corner of Pinnacle Peak road and Black Mountain Blvd.
Mike Head

| | |
|---|---|
| **From:** | Amber Shahebrahimi |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for rezoning request ahead of 11/2 meeting |
| **Date:** | Thursday, October 26, 2023 8:11:16 PM |

Hello!

It has come to my attention that a number of my neighbors are upset about the proposed rezoning at Black Mountain and Deer Valley (rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2).

I am unable to attend the 11/2 meeting but I would like to express my strong support for the proposal. If there's any way in which this support could be recorded despite my absence, I would greatly appreciate it.

Thank you!
Amber Shahebrahimi

**From:** sonia Whig
**To:** Anthony M Grande
**Subject:** In favour of Black Mountain Village
**Date:** Thursday, October 26, 2023 7:14:15 PM

---

I am definitely FOR this development. Please just make sure it is tastefully done and with retail options that are appealing to adults not just the high school kid's lunch time eats. It will be great to have a nice coffee shop (not commercial drive thru joe), maybe a local donut shop or cafe.

I love to think that this will develop our corner into an upscale little neighbourhood. Please don't bring in big box stuff.
I'd rather have apartment bldg if that's the plan.

And safety of our properties and life are of importance.
Nothing that will attract unpalatable encroachment.

Hoping this goes through!
Thanks

Sent from my iPhone

**From:** Mehlhorn, Joshua
**To:** Anthony M Grande; council.district2@phoenix.gov
**Subject:** Commercial Development by Pinnacle High School
**Date:** Friday, October 27, 2023 3:18:00 PM
**Attachments:** image001.png

---

Hello,

I wanted to write you that I am in support of getting a grocery store in near Pinnacle High School by Deer Valley Road. Overall, I agree with a lot of people complaining about all the new developments. It's a shame all that natural land is getting houses. That being said, if we are getting all these new houses, we might as well get a grocery store to shop at. Thanks.

**Josh Mehlhorn**
Sr Manager I O Engineering OptumRx | Infrastructure Operations and Engineering (IOE)
Desk: +1-623-238-7075
josh.mehlhorn@optum.com

Optum
**Upcoming PTO**

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| | |
|---|---|
| **From:** | MJ Dubya |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Support for Desert Ridge Shopping Center |
| **Date:** | Monday, October 30, 2023 11:30:59 AM |

Hello,

I'm writing to offer my support for the development of the commerical land at Deer Valley and Black Mountain Parkway. The area is in desperate need of additional shopping and restaurants and this would be a welcome development!

Thank you!
MJ Dubya

| | |
|---|---|
| **From:** | Catherine Chisholm |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for development at Black Mountain and Deer Valley |
| **Date:** | Tuesday, November 28, 2023 1:32:22 PM |

Hi, Anthony. I am writing in support of the development at Black Mountain and Deer Valley. I live north of the planned development and with the influx of residential housing east, west and north of Desert ridge we are in desperate need of additional options for grocers, restaurants, gas and shopping, particularly on East-West running rds between Cave Creek Blvd and Scottsdale Rd. Having an additional shopping center option would take much traffic pressure off of Desert Ridge shopping center, and help alleviate their constant underparking issue. This would be a benefit to not only the 85050 and 85054 zip codes, but the impact would also benefit 85331 and 85266. It is a natural location for additional development with the location of the 51S on-ramp, and I sense this is supported not only by most residents in Desert Ridge but also the southern parts of Cave Creek and N. Scottsdale.

Thanks,
Catie Chisholm
480-235-7152

**From:** PDD Long Range Planning
**To:** Anthony M Grande
**Subject:** FW: New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, December 4, 2023 8:21:51 AM

---

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




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**From:** website@gblaw.com <website@gblaw.com>
**Sent:** Saturday, December 2, 2023 2:43 PM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** New Support for Vestar's Black Mountain Village / Superblock 12 Proposal

| **Name** |
| --- |
| Dani Cook |
| **Email** |
| Uadanilynn@yahoo.com |
| **Support Comments** |
| Would like another grocery option! |

| | |
|---|---|
| **From:** | Adam Polson |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Re: Black Mountain Village / Superblock 12 |
| **Date:** | Tuesday, January 2, 2024 4:16:14 PM |

Hi. I am resending my email below to voice my continued support for this proposed project. I ask again. If Vestar doesn't pay for this infrastructure, will the City pay for it?

Get Outlook for Android [aka.ms]

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**From:** Adam Polson <adampolson@hotmail.com>
**Sent:** Friday, October 13, 2023 7:50:27 PM
**To:** anthony.grande@phoenix.gov <anthony.grande@phoenix.gov>; council.district.2@phoenix.gov <council.district.2@phoenix.gov>
**Subject:** Black Mountain Village / Superblock 12

We need the Vestar project. I am IN FAVOR of it, and so are a lot of neighbors. We just have a few NIMBYs who are against progress and change. A lot has changed since Desert Ridge was originally designed. Once the 51 entrance/exit came to Black Mountain, that changed everything. It is disingenuous for people to claim a bait and switch when there is a freeway entrance/exit right in their backyard. Moreover, there are a lot more homes going to be built in desert ridge and this proves that we need the project even more. The bottom line is that Vestar is proposing to pay for a lot of infrastructure upgrades to the area. If Vestar is not going to be able to build, who is going to pay for such work? I'm sure the City does not want to. And, I'm sure a lot of the NIMBYs won't want to pay for it either.

Sincerely,
Adam Polson
Sky Crossing resident
2845 E. Cashman Dr.
Phoenix, AZ 85050
602 750 0036

Get Outlook for Android [aka.ms]

| | |
|---|---|
| **From:** | ROBERT J MAYO |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2, GPA-DSTV-3-23-2,Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 1:48:01 PM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mr. Grande,

I am writing this in regard to above noted rezoning cases.

My family is COMPLETELY IN FAVOR OF THIS PROJECT.

As a 17-year resident of Fireside Desert Ridge, we look forward to having a neighborhood retail center in the area. It has been long overdue. In my opinion this project, instead of more residential will reduce traffic at the times that some of my neighbors believe it will increase.

Thank you.

Sincerely,
Bob & Yvette Mayo
21622 N. 39th Pl
Phoenix, AZ 85050
(602)793-8249
Former Managing Partner Roy's Desert Ridge
Current Managing Partner Village Tavern Scottsdale

| | |
|---|---|
| **From:** | Dan Oseran |
| **To:** | Anthony M Grande |
| **Subject:** | Support for BMB/deer valley development |
| **Date:** | Wednesday, September 18, 2024 10:39:34 PM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hi Anthony,
I support Vestar's proposed new development south of Deer Valley and Black mountain Blvd.

I know that you are probably being inundated with emails against the project, and I think that's due to a very organized and loud group of homeowners that border the area and are against any sort of development on that property.

Vestar seems to have listened to criticism in the first round and made this lower density and smaller stores to keep it more in line with the neighborhood and schools immediately surrounding the area.  I think a tasteful retail area can be beneficial to property values.

Thank you,
Dan Oseran

**From:** website@gblaw.com
**Sent:** Sunday, September 15, 2024 2:43:59 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Christine Alexander |
| **Email** |
| christinegutek@yahoo.com |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:25:16 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Lindsey Barrett |
| **Email** |
| lindseypeelebarrett@gmail.com |

**From:** website@gblaw.com
**Sent:** Wednesday, September 11, 2024 10:54:15 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Marie Bauer-Stanley |
| **Email** |
| bauerstan@me.com |
| **Address / Neighborhood (Optional)** |
| 3112 E Half Hitch Pl. Phx, 85050 |
| **Support Comments (Optional)** |
| After meeting with the planning committee for this project, I was happy to see the changes from this first meeting I like the project and it is much needed in our community. I look forward to finished project<br><br>Again thank you your work in bringing this development to us |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 21:27:42
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Morgan Bircher |
| **Email** |
| morgantanabe@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments (Optional)** |
| To Whom it May Concern:<br><br>I cannot attend this upcoming hearing, but I am a Sky Crossing resident in the parcel located on the corner of Black Mountain and Deer Valley. I wholeheartedly support this proposal and am looking forward to the many amenities that this will bring the community. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:22:15 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Avik Biswas |
| **Email** |
| avik.tcs@gmail.com |
| **Address / Neighborhood (Optional)** |
| talinn at desert ridge |
| **Support Comments (Optional)** |
| Need frys grocery store and kids play area/ splash pad for family traffic increase |

**From:** website@gblaw.com
**Sent:** Saturday, September 7, 2024 12:01:01 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Ivaylo Botev |
| **Email** |
| botev@msn.com |
| **Address / Neighborhood (Optional)** |
| 3901 E Monona Drive |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:03:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Kristen Cassuto |
| **Email** |
| kristencassuto@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21612 N 60th Ter., Phoenix AZ 85054 |
| **Support Comments (Optional)** |
| Love this! |

**From:** website@gblaw.com
**Sent:** Monday, September 9, 2024 1:36:58 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Kristen Cassuto |
| **Email** |
| kristencassuto@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21612 N 60th Ter. |
| **Support Comments (Optional)** |
| Our family would love this! We support this plan! The faster the better! |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 20:22:07
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Jamie Colwell |
| **Email** |
| jamie.cruse21@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| My family is all in for this development! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:06:03 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Irena Dailey |
| **Email** |
| nightlilly05@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn |

**From:** website@gblaw.com
**Sent:** Monday, September 16, 2024 10:59:17 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Neal Dubey |
| **Email** |
| neal.dubey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22313 N 36th Street |
| **Support Comments (Optional)** |
| Thank you for making revisions to the plan. I would like to understand what guarantees we have that we won't revert back to the previous plan that included a gas station and a large grocery store. It would also be good to avoid any drive through fast food, which could lead to traffic congestion within the complex. I'm looking forward to the development and hope that Vestar can get Trader Joes as a tenant.<br><br>Regards,<br>Neal Dubey |

**From:** website@gblaw.com
**Sent:** Tuesday, September 10, 2024 6:02:57 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Solomon Fink |
| **Email** |
| sol_fink@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Asterea at SkyCossing |
| **Support Comments (Optional)** |
| My wife and I would like to see a Trader Joes's or Whole foods grocery store. In addition, a couple restaurants and a breakfast cafe style place to eat. |

**From:** website@gblaw.com
**Sent:** Sunday, September 15, 2024 10:09:14 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| ANDREW GADDIS |
| **Email** |
| andrew@pricore.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments (Optional)** |
| I live in Sky Crossing, right next to corner of Deer Valley Rd and 32nd St.<br><br>I would LOVE to see this land developed into commercial space. Grocery store, shops, retail, food, restaurant, and drive thru -- would all be a huge benefit to surrounding communities.<br><br>Currently the closest place you can go is Desert Ridge. And honestly I hate going there because it is so congested and busy from people coming to it from other parts of valley. It would be amazing to have something closer to home and less busy. It would also be nice to have a food option less than 5 minutes away.<br><br>To avoid Desert Ridge, the next best and closest hub of stores/restaurants/etc is like Bell Rd / 7th St, which is a good +20-25min drive one way. Which is ridiculous. We need options closer to our community.<br><br>There are a small dozen or so loud and vocal residents who dont want this development. They post about it on facebook group. They dont want anything to get built there except houses. If you went door to door and get signatures, you would likely find the VAST MAJORITY would support having amenities across the street.<br><br>Please get some food and retail options close to our Sky Crossing community with this development! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:27:29 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Tami Gephardt |
| **Email** |
| tamigephardt@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21205 N. 59th Terr |
| **Support Comments (Optional)** |
| a trader joe's or AJ's would be fantastic and a drive thru starbucks or coffee shop or even a drive thru food place since the only one in desert ridge is in and out …..chic filet maybe? another ice den would be great too! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 11:09:56 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Nicole Hansen |
| **Email** |
| pawloverx2@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21523 N 61st street Phoenix 85054 |
| **Support Comments (Optional)** |
| Please put a Trader Joe's, Sprouts or AJ's. No more apartments!!! We certainly don't need another big box grocery store. |

**From:** website@gblaw.com
**Sent:** Tuesday, September 17, 2024 6:21:19 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Caitlin Hull |
| **Email** |
| caitmsheedy@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21825 N 48th Place, Phoenix, AZ, 85054 |
| **Support Comments (Optional)** |
| I am very much in support of this development. In Desert Ridge our only grocery option is Albertsons but I would love to have another option that is close and provides competition. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:23:55 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Kristen Hunn |
| **Email** |
| kmhunn@asu.edu |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| In support of grocery/retail area. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:49:04 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Staci Ignoffo |
| **Email** |
| stacibeisenberg@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| Hi There—My family would much prefer a retail development over more apartments. This area is already congested and there are not enough grocery stores/businesses to service it.<br><br>Thank you! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:30:09 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Hayley Jamison |
| **Email** |
| hayley@am1realty.com |
| **Address / Neighborhood (Optional)** |
| Talinn @ Desert Ridge |
| **Support Comments (Optional)** |
| All for this! We would love to have either a Whole Foods here! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:20:04 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Melody London |
| **Email** |
| melody75@aol.com |
| **Support Comments (Optional)** |
| Please bring a Trader Joe's 😀 |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:54:44 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Cynthia Maxwell |
| **Email** |
| maxwellcynthia@sbcglobal.net |
| **Support Comments (Optional)** |
| I support incoming grocery stores! Fry's or Trader Joe's please. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:10:20 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Kris Mel |
| **Email** |
| dancerkmm@aol.com |
| **Support Comments (Optional)** |
| Hi! Interested in a Trader Joe's in this community - thank you! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:01:39 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Avinash Reddy Nandyala |
| **Email** |
| avinash.149@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tallinn |

**From:** website@gblaw.com
**Sent:** Saturday, September 14, 2024 12:41:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| John Norris |
| **Email** |
| johnnorrisccc@gmail.com |
| **Support Comments (Optional)** |
| I believe the proposed neighborhood shopping center will be an amenity because the site plan and zoning stipulations, as amended, satisfied all of my concerns and the developer, Vestar, has a long track record of successful development and management of shopping centers. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:05:33 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Toby Ownby |
| **Email** |
| ericandtoby@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| Would love to have a Trader Joe's!! We have a sprouts near by, whole food is off of Scottsdale road but we need a Trader Joe's! That would be amazing! |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 7:28:20 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Hiten Patel |
| **Email** |
| hiten.m.patel@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3745 E Ember Glow Way |
| **Support Comments (Optional)** |
| I think it would be a great asset to the community. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:38:16 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Rona Polizano |
| **Email** |
| rgruia18@gmail.com |
| **Address / Neighborhood (Optional)** |
| 6138 E Louise Dr Phoenix AZ 85054 |
| **Support Comments (Optional)** |
| Voting for Trader Joe's in desert ridge |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:29:38 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Kristin Powell |
| **Email** |
| kpazhome@outlook.com |
| **Address / Neighborhood (Optional)** |
| 5957 e quail avenue phx 85054 |
| **Support Comments (Optional)** |
| More rental?! Yes please!! A Trader Joe's?! 200%. Would also LOVE a Houston's and some concept restaurants and more high end shipping. Thank you!!! |

**From:** website@gblaw.com
**Sent:** Wednesday, September 11, 2024 6:36:52 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Brett Puleio |
| **Email** |
| bpuleio@aol.com |
| **Address / Neighborhood (Optional)** |
| 21905 N. 34th Way |
| **Support Comments (Optional)** |
| Being a resident of SkyCrossing, I support the project development on Deer Valley and Black Mountain as the area needs additional amenities to support growing families. |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 15:07:48
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Bobbie Ralhan |
| **Email** |
| bobbie.zimny@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments (Optional)** |
| I really feel that our community would benefit if we had a grocer in the area like a Trader Joes, Frys or Sprouts. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:49:56 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Jai Kumar Rangaraj |
| **Email** |
| sensejai@gmail.com |
| **Support Comments (Optional)** |
| I support |

**From:** website@gblaw.com
**Sent:** Tuesday, September 10, 2024 10:02:11 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Erin Reese |
| **Email** |
| ereese1212@gmail.com |

**Archived:** Thursday, September 19, 2024 10:24:35 AM
**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:22:46 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Raymond Rita |
| **Email** |
| raymond3213@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 11:43:34 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Sean Salvas |
| **Email** |
| stsalvas85@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| A Trader Joe's would be perfect here. Having previously lived at Sky Crossing, Trader Joe's was always a talking point for being put there. It's an ideal location with a ton of population to support. Trader Joe's needs to happen! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:48:31 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Mac Slane |
| **Email** |
| taskbar.0.eldest@icloud.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| Yes. Support Trader Joe's |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:39:30 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Srie P |
| **Email** |
| sriepati665@gmail.com |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 6:52:26 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Dmitry Streblechenko |
| **Email** |
| dmitry@dimastr.com |
| **Address / Neighborhood (Optional)** |
| 3846 E. Cat Balue Dr. |
| **Support Comments (Optional)** |
| Can't way to see a small grocery store and a restaurant within a walking distance from my house! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:10:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Jenna Turner |
| **Email** |
| jennanturner@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22028 N 59th Way Phoenix, AZ 85054/ Talinn |
| **Support Comments (Optional)** |
| We have lived in desert ridge since 2015 and often have to travel to go to any grocery store other than Albertsons. It would be so beneficial to have another option up in our area. We have seen so much growth it doesn't make sense to only have one grocery option. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:47:14 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Chris Waranch |
| **Email** |
| cwaranch@gmail.com |
| **Support Comments (Optional)** |
| I would like to see a grocery store go in this location |

**From:** website@gblaw.com
**Sent:** Monday, September 9, 2024 1:28:00 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Vanessa Weber |
| **Email** |
| vanessacweber@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| Would love to see a grocer, local coffee and local restaurants |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 9:32:00 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| claude zajac |
| **Email** |
| claudezajac@gmail.com |
| **Address / Neighborhood (Optional)** |
| saguaro valley |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 7:37:51 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Margaret Ewald |
| **Email** |
| margaretbski@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Taking @Desert Ridge |
| **Support Comments (Optional)** |
| I am in support of adding a Trader Joe's to the area! |

**From:** website@gblaw.com
**Sent:** Friday, September 20, 2024 7:46:52 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Jessica Hardman |
| **Email** |
| kamin.jessica@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn and Desert Ridge |
| **Support Comments (Optional)** |
| Please give us a trader joes or a whole foods or a sprouts!!! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:17:54 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Mitch Murillo |
| **Email** |
| mmurillo1218@gmail.com |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 4:49:25 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Liz Schachter |
| **Email** |
| Lizprice88@aol.com |
| **Address / Neighborhood (Optional)** |
| 22007 N 59th Terrace |
| **Support Comments (Optional)** |
| Prefer Whole Foods, Trader Joe's or high end grocery store. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 7:37:52 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Seth Ewald |
| **Email** |
| tupihed@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| I am in support of adding a Trader Joe's to this area |

Desert View
VILLAGE PLANNING COMMITTEE

# *REVISED
# Village Planning Committee Meeting Summary
## GPA-DSTV-3-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 1, 2024 |
| **Proposal** | Amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12 to allow commercial development. |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Approval, per the staff recommendation, with modifications |
| **VPC Vote** | 10-1 |

**VPC DISCUSSION:**

*Item No. 4 (GPA-DSTV-2-23-2), Item No. 5 (GPA-DSTV-3-23-2), and Item No. 6 (Z-39-23-2) are companion cases and were heard together.*

*Fifty-two members of the public registered to speak on this item, 18 in opposition, 34 in support.*

*Twelve members of the public registered in opposition, not wishing to speak.*

*Twenty-six members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. Mr. Grande further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Ashley Marsh**, representing the applicant with Gammage & Burnham, PLC, provided a presentation, highlighting the work the applicant has done with the community since the last meeting and the aspects of the proposed development that have been modified. **Ryan Ash** with Vestar provided an overview of the company and the project, including the process of deciding on the subject site for this project. **Dawn Cartier** with CivTech

described the proposed street improvements in the surrounding area and the impacts on the traffic.

QUESTIONS FROM COMMITTEE

**Vice Chair Lagrave** asked about the provision of crossing guards and whether the applicant would be open to prohibiting car washes. **Ms. Marsh** stated that the applicant would provide the crossing guards and would be open to prohibiting car washes.

**Committee Member Israel** asked about the enforceability of the requirements of the Desert Ridge Specific Plan and about the responsibility to street improvements. **Mr. Grande** replied that the requirements of the specific plan are regulatory and would be enforced for any future development at the site and that developers are generally responsible for street improvements on their half of the street.

**Committee Member Younger** asked about auto-oriented businesses. **Ms. Marsh** replied that the zoning would allow what's found in the C-2 zoning use list.

**Committee Member Nowell** asked about drive throughs and the traffic and noise generated from them. **Ms. Marsh** stated that every drive through is different and has to be reviewed through a use permit for each one.

**Mr. Nowell** asked about the timing of street improvements. **Ms. Marsh** replied that all street improvements would need to be done first before development of the site.

**Committee Member Kollar** asked about the bus stop pad. **Ms. Marsh** replied that it would be incorporated for any future bus routes that may serve the area.

**Mr. Younger** commented on the traffic pattern example mentioned at Xavier College Preparatory School and asked if it would be similar here. **Ms. Cartier** replied that these would be more controlled movements because of the medians.

**Committee Member Carlucci** asked about signal timing changes at Black Mountain Boulevard and Deer Valley Drive. **Ms. Cartier** replied that the timing would be adjusted to allow pedestrians time to cross. **Mr. Carlucci** asked about the overall traffic modeling. **Ms. Cartier** provided details of the level of service in several scenarios.

**Committee Member Kirkilas** asked about the size of the grocery store and asked for clarification on the definition of adult uses. **Mr. Ash** replied that the site plan is conceptual and that negotiations will begin after zoning is in place, which will solidify the store size. **Ms. Marsh** provided a clarification on adult uses.

**Mr. Israel** asked about limiting all auto-oriented uses in C-2. **Mr. Grande** explained that individual uses could be prohibited in the Desert Ridge Specific Plan.

**Mr. Younger** asked about the height limit. **Mr. Ash** replied that it would be two stories, 30 feet.

**Mr. Carlucci** asked about the estimated investment in infrastructure for this project and whether prohibiting drive throughs would negatively impact the project. **Mr. Ash** replied with investment details and stated that prohibiting drive throughs would limit many future restaurant options. **Chair Bowser** added that in the post-Covid market, there are many more pick-up windows and drive throughs than before.

PUBLIC COMMENTS

**Ted Weis** introduced himself and spoke in support of the proposal, highlighting that it will provide more options for the area.

**Stephen Applebaum** introduced himself and spoke in opposition to the proposal, stating that it will provide opportunities for bad behavior for students.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that this will only shift where people spend money, and that housing would be more important to building due to the housing crisis.

**Gary Smith** introduced himself and spoke in support of the proposal, stating that Desert Ridge Marketplace is too crowded, and this will provide an alternative.

**Yana Dashevsky** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**Aimee Sinclair** introduced herself and spoke in support of the proposal, stating that Desert Ridge is growing, and this proposal will make it safer to walk and bike.

**Kristen Cassuto** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**David Barge** introduced himself and spoke in support of the proposal, stating that he did not like the original proposal but is in support due to the changes Vestar made.

**Allie Lucyk** read a letter from **Geraldine Belafsky** in support of the proposal.

**Roland Ward** introduced himself and spoke in support of the proposal, stating it will provide an alternative to Desert Ridge Marketplace, which is too busy.

**Payton Sinclair** introduced himself and spoke in support of the proposal, stating it would be good to have job opportunities nearby.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating she bought her home to be able to safely walk to school, not to have retail neaby.

**Mike Coppola** introduced himself and spoke in opposition to the proposal, stating that it will cause a traffic nightmare.

**Suzanne Sayegh** introduced herself and spoke in opposition to the proposal, stating that this is not a neighborhood shopping center, that stores people are looking for do not want to locate here, and that street improvements would be made by any new development.

**Chris Sinclair** introduced himself and spoke in support of the proposal.

**Allie Lucyk** introduced herself and spoke in support of the proposal.

A member of the public read a letter of support from **Greg Abrams**.

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating this will have a negative impact on the nearby schools and highlighting the issue of child trafficking.

**William King** introduced himself and spoke in support of the proposal, stating they expected new retail to be built to accommodate new housing coming in.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, highlighting a petition submitted of people against the proposal.

**Jason Epstein** introduced himself and spoke in opposition to the proposal, stating there are too many unknowns.

**Megan Lloyd** introduced herself and spoke in support of the proposal, stating that having closer retail options is a good thing.

**Ben Butler** introduced himself and spoke in support of the proposal, stating support for additional retail and that Vestar is a good developer.

**Ron Bookholder** introduced himself and spoke in opposition to the proposal, stating the retail center will be regional due to the presence of the SR-51 and that this will be detrimental to the kids.

**Aaron Lloyd** introduced himself and spoke in support of the proposal, stating it will bring amenities to the area.

A member of the public read a letter of support from **Bob Hamer**.

**Layla Saikley** introduced herself and spoke in opposition to the proposal, stating that the area is a quiet, peaceful community.

A member of the public read a letter of support from **Erin Reese**.

A member of the public read a letter of support from **Richard Kovacik**.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that he moved to the area to enjoy the distance from retail, that he was told this parcel would be residential, and that the shopping center is not needed.

A member of the public read a letter of support from **Rick Merritt**.

**Ronald Diamant** introduced himself and spoke in opposition to the proposal, stating it will bring in more traffic with the proximity of the SR-51.

**Helen Doyle** introduced herself and spoke in opposition to the proposal, stating that this intersection will end up busier than Tatum Boulevard.

**Neeraj Chandak** introduced himself and spoke in opposition to the proposal, stating that the shopping center will be just as bad as Desert Ridge Marketplace and highlighting the issue of homelessness.

**Irina Butler** introduced herself and spoke in support of the proposal, stating that Vestar did a good job of responding to the community's concerns.

**Linda Miles** introduced herself and spoke in support of the proposal.

**Sara Johnson** introduced herself and spoke in support of the proposal.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, stating that it is spot zoning and should be invalidated, and that the existing allowed use is single-family residential.

**Carolyn Dunn** introduced herself and spoke in opposition to the proposal, playing a video showing the traffic issues around the school.

A member of the public read a letter of support from **Harrison Cole**, stating the need for new commercial development to support the new housing.

A member of the public read a letter of support from **Caryn Marchuk**, stating the peak times are better with retail than with residential.

**Nathan** and **Ilene Friedland** introduced themselves and spoke in support of the proposal.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that parking and crime are issues, noting the issue of children crossing the street.

**Robert Miles** introduced himself and spoke in support of the proposal, stating the area is not currently walkable and that this proposal will take vehicles off the road.

**John Norris** introduced himself and spoke in support of the proposal, stating it will enhance the value of the area by providing an amenity.

**Jim Farley** introduced himself and spoke in support of the proposal, stating that Vestar responded to community concerns.

**Greg Collins** introduced himself and spoke in support of the proposal, stating this will provide options for kids and enhance walkability.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that people bought homes based on the Desert Ridge Specific Plan and highlighting the issues with drive throughs.

A member of the public read a letter of support from **Bill Knapp**.

**Christian Jacob** introduced himself and spoke in support of the proposal, stating that friendships are formed at spaces like this and that other similar centers provide a safe space.

**Peggy Neely** introduced herself as the former Councilperson for the area and spoke in support of the proposal, stating that Vestar is a good developer and that the project will benefit the area.

APPLICANT RESPONSE

**Ms. Marsh** showed a drone video highlighting the traffic conditions of the area and discussed the history of the Desert Ridge Specific Plan being amended in the past.

COMMITTEE DISCUSSION

**Committee Member Warren** stated a concern about having retail next to the school, adding that he would be supportive if it was in a different location.

**Vice Chair Lagrave** commented about other examples of shopping centers near schools and noted that he was previously opposed to this because of the size of the grocery store and the gas station, which have been addressed by the applicant, adding that he would be supportive with the condition that there is no car wash.

**Committee Member Younger** asked about the bid process and timing. **Ms. Marsh** provided clarification.

**MOTION**
**Vice Chair Lagrave** made a motion to recommend approval of GPA-DSTV-3-23-2, per the staff recommendation, with modifications that the following item be added to the Special Requirements (Modifying City Regulations) list: "Car washes are prohibited." **Rick Nowell** seconded the motion.

**VOTE**
**10-1;** motion to recommend approval of GPA-DSTV-3-23-2, per the staff recommendation, with modifications passed; Committee Members Barto, Carlucci, Israel, Kirkilas, Kollar, Nowell, Reynolds, Younger, Lagrave, and Bowser in favor; Committee Member Warren opposed.

***VPC RECOMMENDED TEXT:**

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Pages 6-45 to 6-46 as follows:**

**SUPERBLOCK 12**

Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

**Size:** ~~136~~ 133.41 acres
**Maximum Number of Dwelling Units:** 347
**Average Density:** 2.55 du/ac

**12.L – Development Parcel 12.L**

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**
- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

**Special Requirements (Modifying City Regulations):**

- No attached single-family units; no multifamily units.

- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

**Recommendations:**

- Clustering permitted subject to minimum lot size.

**12.C – DEVELOPMENT PARCEL 12.C**

**SIZE**: 20.52 ACRES
**USES PERMITTED**:
- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED BELOW.

**MAXIMUM NUMBER OF UNITS**: **90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

**SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):**

- MAXIMUM GROSS LEASABLE AREA FOR ANY INDIVIDUAL RETAIL TENANT/USER (E.G. GROCER) SHALL NOT EXCEED 65,000 SQUARE FEET.
- AUTOMOBILE SERVICE STATIONS ARE PROHIBITED.
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- **CAR WASHES ARE PROHIBITED.**

**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**
- High school

**Potential Zoning to be Applied:** R1-8

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## GPA-DSTV-3-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 3, 2023 |
| **Proposal** | Amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12, Parcel 12.L to allow commercial development. |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Denial |
| **VPC Vote** | 7-2-1 |

**VPC DISCUSSION:**

*Item No. 5 (GPA-DSTV-2-23-2), Item No. 6 (GPA-DSTV-3-23-2), and Item No. 7 (Z-39-23-2) are companion cases and were heard together.*

*Twenty members of the public registered to speak on this item, 17 in opposition, three in support.*

*Thirty-three members of the public registered in opposition, not wishing to speak.*

*Three members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. He further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, provided a presentation, describing the need for an additional grocery store in the area and highlighting details of the proposed development, including limitations on uses and upgrades to the adjacent streets. Mr. Anderson further noted responses to concerns raised and reviewed data regarding support for the proposal in the community.

QUESTIONS FROM COMMITTEE

**Committee Member Bunnell** asked about the ownership of the property. **Mr. Anderson** replied that the property is owned by the Arizona State Land Department and provided clarification about the future auction process.

**Committee Member Nowell** asked if alcohol sales would be permitted at the grocery store. **Mr. Anderson** replied that it would be permitted.

**Chair Bowser** asked for clarification on uses allowed in proximity to the school. **Mr. Anderson** stated that alcohol is not permitted within 300 feet of the school and that the proposed specific plan text would not permit alcohol sales as a primary use, but it would be allowed as an accessory use.

**Committee Member Kirkilas** asked if the gas station would be permitted to sell alcohol. **Mr. Anderson** replied that a gas station with a convenience store would not be permitted on the site.

**Committee Member Younger** asked whether dispensaries would be allowed on the site. **Mr. Anderson** replied that they would be prohibited by the proposed text.

**Committee Member Kollar** asked about parking management plans for the site. **Mr. Anderson** replied that the developer has experience managing complex parking situations, including at Desert Ridge Marketplace.

**Committee Member Kirkilas** asked about the distance from the site to the Albertsons and if there is a standard distance expected between grocery stores. **Mr. Anderson** stated that the distance is about two miles and noted that the distance to the nearest grocery store from Albertsons is currently around five miles, which is an unusually large separation for the Phoenix area.

**Committee Member Nowell** asked about the median extension stipulation. **Mr. Anderson** provided clarification, noting that the curbing would be added where it is currently striped.

**Committee Member Israel** asked about street conditions on Mayo Boulevard before and after the proposed development. **Mr. Anderson** stated that Mayo Boulevard is currently a half-street and described the proposed street improvements.

**Committee Member Bunnell** stated that bike lanes should be provided in both directions.

PUBLIC COMMENTS

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area did their research and expected this parcel to be residential and that the proposed commercial use will bring customers from the SR-51 freeway and create issues with lighting, safety, loitering, and property values.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that neighborhood retail is limited to three acres in the specific plan and it doesn't need to be changed because it already accomplishes the goals of the General Plan, further noting safety concerns with students walking to school and pedestrian and bike fatalities in relation to Vision Zero.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that commercial activity should take place in the core and reduce in intensity away from the core, further noting that there are other shopping options nearby and that people bought their homes expecting this parcel to be residential.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, highlighting the large footprint of the proposed grocery store and stating that the proposal will not be low impact and will cause traffic issues, in addition to air and light pollution.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that the statements made by the applicant, including alcohol sales prohibition and the inclusion of Trader Joes or Whole Foods, are misleading and that C-1 zoning would be neighborhood retail, rather than C-2.

**Mallorie Laforest** introduced herself and spoke in opposition to the proposal, highlighting issues related to light pollution, traffic, and parking.

**Todd Laforest** introduced himself and spoke in opposition to the proposal, stating there was no immediate need for the development and that it would cause traffic issues, further noting that the development will not necessarily be done by Vestar.

**Randal Spence** introduced himself and spoke in opposition to the proposal, stating that there are many grocery store options in the area and that people supporting the proposal only want small grocers.

**Jeanette Vespalee** introduced herself and spoke in opposition to the proposal, stating that the master plan does not call for commercial use and that the proposal will cause congestion, traffic, and crime issues.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that homeowners with exterior view fencing on neighboring developments expected the site to develop with residential, rather than commercial, and that crime, homeless, and human trafficking are important issues.

**Tom Carlson** introduced himself and spoke in opposition to the proposal, stating that it has transportation engineering issues and will draw traffic into the neighborhood.

**Nathan Goldberg** introduced himself and spoke in support to the proposal, stating that he is generally in favor of the proposal and the area needs more grocery stores, but he noted that he is concerned about the size of the grocery store and that the plan could be modified to include pick up and drop off areas for the school.

**Joe Hudock** introduced himself as a former chair of the committee and spoke in opposition to the proposal, stating that the purpose of the specific plan was to concentrate commercial activity in the core and that there will be opportunities to build with C-2 zoning to the north.

**Laurie Smith** introduced herself and spoke in opposition to the proposal, stating that the plan raises security concerns because residential development allows people to monitor the streets more than with commercial development.

**Jeff Smith** introduced himself and spoke in opposition to the proposal, highlighting that there is uncertainty in the final product because a different developer could come in later with a different proposal.

**Patty Farley** introduced herself and spoke in support to the proposal but noted that there should be no gas station and that a pedestrian bridge should be constructed over Deer Valley Drive.

**Jim Farley** introduced himself and spoke in support to the proposal, stating that the HAWK will be a great device for Mayo Boulevard and that there should be overhead walkways installed.

**Nathan Friedland** introduced himself and spoke in opposition to the proposal, stating that he moved to the location to get away from the lights of Reach 11 and this proposal would introduce more lighting to the area, further noting that there should be no gas station.

**Connie Ahlman** introduced herself and spoke in opposition to the proposal, stating agreement with many of the comments made and adding that Mayo Boulevard will continue to have a parking issue and that C-1 zoning would be neighborhood retail, rather than C-2.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating that people bought homes in this area to be away from commercial growth and allow kids to safely walk to school, knowing the proposed site would be residential.

APPLICANT RESPONSE

**Mr. Anderson** stated that Black Mountain Boulevard connections to the north will be in the distant future, the adjacent streets are major arterials designed to handle a large amount of traffic, lighting limits would be in place through stipulations, and this proposal

will not set a precedent for additional commercial in the area, further reviewing Desert Ridge Marketplace traffic issues.

COMMITTEE DISCUSSION

**Committee Member Warren** stated that the concerns raised by the community about commercial activity next to the school are valid and that he has traffic concerns. **Mr. Warren** further stated that it is not a good idea to put commercial activity next to a school and that he is not supportive of the proposal.

**Vice Chair Lagrave** asked for clarification about the Arizona State Land Department's role in the process. **Mr. Grande** stated that ASLD is the property owner and submitted an authorization to allow Vestar to apply to rezone the property.

**Vice Chair Lagrave** stated that he does not support gasoline sales, that car washes should be prohibited at this location, and that 96,000 square feet is not a neighborhood grocery store. He further stated that if the application is approved, stipulations should be added to limit the size of the grocery store to 64,000 square feet, require a 50-foot building setback on Black Mountain Boulevard and Deer Valley Drive, and prohibit gasoline sales and car washes.

**Committee Member Bunnell** provided clarification on the ASLD process for auction.

**Committee Member Younger** stated that he hopes the shopping center would be moved to a different location.

**MOTION**

**Committee Member Mark Warren** made a motion to recommend denial of GPA-DSTV-3-23-2. **Committee Member Rick Nowell** seconded the motion for denial.

**VOTE**

**7-2-1**, motion to recommend denial of GPA-DSTV-3-23-2 passed; Committee Members Barto, Bunnell, Kirkilas, Kollar, Nowell, Warren, and Lagrave in favor; Committee Members Israel and Bowser opposed; Committee Member Younger abstaining.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.



# Village Planning Committee Meeting Summary
## GPA-DSTV-3-23-2
## INFORMATION ONLY

| | |
|---|---|
| **Date of VPC Meeting** | August 1, 2023 |
| **Proposal** | Amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12, Parcel 12.L to allow commercial development. |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |

**VPC DISCUSSION:**

*Item No. 3 (GPA-DSTV-2-23-2), Item No. 4 (GPA-DSTV-3-23-2), and Item No. 5 (Z-39-23-2) are companion cases and were heard together.*

*Committee Member Michelle Santoro declared a conflict of interest, bringing quorum to 10 members.*

*Eight members of the public registered to speak on this item, seven in opposition, one with questions.*

*One member of the public registered in support, not wishing to speak.*

*One member of the public registered in opposition, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the process to amend the Desert Ridge Specific Plan and the amendment proposed by the applicant, further describing the proposed General Plan Land Use Map amendment and rezoning.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, described the proposed commercial development, noting that the anchor would be a grocery store, described the process for development of Arizona State Land Department property and the City of Phoenix zoning and development process. He further described the proposed text change to the Desert Ridge Specific Plan, in addition to the General Plan Amendment and rezoning cases.

QUESTIONS FROM COMMITTEE
**Committee Member Kirkilas** suggested adding a prohibition on smoke shops.

**Committee Member Powell** asked about the size of the grocery store. **Mr. Anderson** stated that the size was not defined yet.

**Committee Member Nowell** stated a concern about light pollution from the proposed gas station. **Mr. Anderson** stated that there was interest in a gas station in their outreach, but they could consider shifting it south.

**Committee Member Younger** asked if the applicant had spoken with the school leadership and whether electric vehicle charging would be provided. **Mr. Anderson** replied that they had recent discussions with the school leadership, but no specific agreements have been reached. He further stated that there would be EV charging on site.

**Committee Member Kollar** asked about safety issues related to foot traffic around the school. **Mr. Anderson** replied that it was the subject of discussions with the school, adding that a safe crossing is going to be needed for Mayo Boulevard. **Dawn Cartier**, a member of the development team with CivTech, stated that a HAWK crossing is under discussion for Mayo Boulevard.

**Committee Member Kollar** asked about a traffic study for the project, citing gridlock on surrounding streets. **Ms. Cartier** stated that the traffic study is in process, noting that there will be different peak times for the proposed use and the school.

**Chair Bowser** stated that there are a lot of illegal left turns on the surrounding streets.

**Committee Member Dickson** stated that the applicant presented to the Desert Ridge organization and that people in Desert Ridge want a grocery store and gas station.

**Committee Member Kollar** asked about the presentation slides showing geographic limits on certain uses. **Mr. Anderson** replied that the graphics related to liquor licensing.

**Committee Member Nowell** asked for clarification on the proposed prohibition on liquor sales. **Mr. Anderson** replied that it would only be prohibited as a primary use but that a business like the grocery story could sell liquor as an accessory use.

PUBLIC COMMENTS

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating that the community doesn't have interest in a gas station or any alcohol sales at this site.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that traffic is an issue around the school in the mornings and that safety of the kids is a concern.

**Robin Bowie** introduced herself and spoke in opposition to the proposal, citing issues related to traffic in the area, crime, and homelessness, suggesting the commercial use could be located elsewhere.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area don't want a gas station and that the volume of traffic is very high in the area.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that the neighborhood is clean and quiet because there is no commercial in the area and that kids going to the shopping center will be a problem.

**Taylor Moskovich** introduced herself and spoke in opposition to the proposal, stating that people bought in the area with the expectation there would be no commercial uses and that it is a family friendly area with no need for businesses.

**Amanda Jane** introduced herself and spoke in opposition to the proposal, noting that residents of Sky Crossing should be considered, even though they are not in Desert Ridge.

**Frank Soldano** introduced himself and asked for more information about the size of the grocery store, as that would make a difference on the impact, noting he would like to see a gas station at this location.

APPLICANT RESPONSE

**Mr. Anderson** stated that the applicant team will consider all of the comments made and that written comments can be submitted to City staff.

COMMITTEE DISCUSSION

**Vice Chair Lagrave** stated that the developer is going to need to work with the community to find solutions to many of the issues raised at the meeting.

**Committee Member Younger** stated that the public discussion brought up an important issue about lighting, in addition to other issues raised.

# ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
November 7, 2024

| | |
|---|---|
| ITEM NO: 13 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-3-23-2<br>(Companion Cases GPA-DSTV-2-23-2 and Z-39-23-2)<br>(Continued from January 4, 2024) |
| Request: | Specific Plan |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| Proposal: | Amendment to the Desert Ridge Specific Plan Section 6.C.5.Superblock 12 to facilitate commercial development |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Ashley Z Marsh, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 7-2-1.
**Desert View** 10/1/2024 Approval, per the staff recommendation, with modifications. Vote: 10-1.

Planning Commission Recommendation:
11/2/2023 Continued to the January 4, 2024 Planning Commission Hearing, without fee. Vote: 9-0.
1/4/2024 Continued to a date uncertain and remanded back to the Desert View Village Planning Committee for reconsideration. Vote: 7-0.
11/7/2024 Approval, per the Desert View Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve GPA-DSTV-3-23-2, per the Desert View Village Planning Committee recommendation.

Maker: Matthews
Second: Read
Vote: 8-1 (Busching)
Absent: None
Opposition Present: Yes

Findings: None.

Proposed Language:

**Amend Chapter 6 (Development Parcel Regulations), Section C.5. (Development Regulations by Superblock), Pages 6-45 to 6-46 as follows:**

## SUPERBLOCK 12

Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL development parcels may vary in size by 30 percent (25 percent for R1-6 and more dense zoning categories without a minor plan amendment).

**Size:** ~~136~~ 133.41 acres
**Maximum Number of Dwelling Units:** 347
**Average Density:** 2.55 du/ac

### 12.L – Development Parcel 12.L

**Size:** ~~77~~ 55.24 acres
**Uses Permitted:**

- Single-family residential

**Density Range:** 2-5 du/ac for the entire parcel
**Maximum Number of Units**: ~~347~~ 257; ~~451~~ 334 if parcel increases in size 30 percent
**Potential Zoning to be Applied:** R1-18, R1-10, R1-8, R1-6, R-2
**Minimum Lot Size:** Zoning controls

**Special Requirements (Modifying City Regulations):**

- No attached single-family units; no multifamily units.
- Section C.4.B, Chapter 6, Desert Ridge Specific Plan applies.
- No more than 25% of the development parcel may be zoned R-2.

**Recommendations:**

- Clustering permitted subject to minimum lot size.

### 12.C – DEVELOPMENT PARCEL 12.C

**SIZE**: 20.52 ACRES
**USES PERMITTED**:

- ALL USES ALLOWED UNDER CITY OF PHOENIX ZONING DESIGNATION C-2, INTERMEDIATE COMMERCIAL, EXCEPT AS PROHIBITED BELOW.

**MAXIMUM NUMBER OF UNITS**: **90**
**POTENTIAL ZONING TO BE APPLIED**: C-2

**SPECIAL REQUIREMENTS (MODIFYING CITY REGULATIONS):**

- MAXIMUM GROSS LEASABLE AREA FOR ANY INDIVIDUAL RETAIL TENANT/USER (E.G. GROCER) SHALL NOT EXCEED 65,000 SQUARE FEET.
- AUTOMOBILE SERVICE STATIONS ARE PROHIBITED.
- ADULT USES ARE PROHIBITED.
- RETAIL LIQUOR SALES ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.

- TOBACCO ORIENTED RETAILERS ARE ALLOWED AS AN ACCESSORY USE BUT ARE PROHIBITED AS A PRIMARY USE.
- RETAIL MARIJUANA SALES (DISPENSARIES) ARE PROHIBITED.
- **CAR WASHES ARE PROHIBITED.**

**12.S – Development Parcel 12.S**

**Size:** ~~59~~ 57.65 acres
**Uses Permitted:**
- High school

**Potential Zoning to be Applied:** R1-8

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
January 4, 2024

| | |
|---|---|
| ITEM NO: 3 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-3-23-2 (Companion Cases GPA-DSTV-2-23-2 and Z-39-23-2) |
| Request: | Specific Plan Amendment |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| Proposal: | Amendment to the Desert Ridge Specific Plan Section 6.C.5.12.L-Superblock 12 to facilitate commercial development |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham, PLC |

**ACTIONS:**

Staff Recommendation: Continuance to a date uncertain.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 7-2-1.

Planning Commission Recommendation: Continued to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to continue GPA-DSTV-3-23-2, to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration.

Maker: Gorraiz
Second: Vice-Chairperson Busching
Vote: 7-0
Absent: Mangum
Opposition Present: Yes

Findings: The applicant requested a continuance to a date uncertain and to be remanded back to the Desert View Village Planning Committee.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
November 2, 2023

| | |
|---|---|
| ITEM NO: 8 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | GPA-DSTV-3-23-2 (Companion Cases GPA-DSTV-2-23-2 & Z-39-23-2) |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| Proposal: | Amendment to the Desert Ridge Specific Plan Section 6.C.5.12.L-Superblock 12 to facilitate commercial development. |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Continuance.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 7-2-1.

Planning Commission Recommendation: Continued to the January 4, 2024 Planning Commission hearing, without fee.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to continue GPA-DSTV-3-23-2, to the January 4, 2024 Planning Commission hearing, without fee.

Maker: Perez
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings: The applicant requested a continuance to allow more to time to work with the State Land Department and the community.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz 602-602-291-2559, TTY use 7-1-1

# ATTACHMENT F

For additional correspondence, please see GPA-DSTV-2-23-2,

GPA-DSTV-3-23-2, and Z-39-23-2 on the following website:

https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 78

## Public Hearing and Ordinance Adoption - Rezoning Application Z-39-23-2 - Southwest Corner of Black Mountain Boulevard and Deer Valley Drive (Ordinance G-7331) - District 2

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-39-23-2 and rezone the site from S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) to C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan) to allow a commercial shopping center. This is a companion case to GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2 and must be heard following GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2.

### Summary

Current Zoning: S-1 DRSP (Approved R1-6 DRSP) (1.71 acres) and S-1 DRSP (Approved R-2 DRSP) (18.81 acres)
Proposed Zoning: C-2 DRSP
Acreage: 20.52
Proposal: Commercial shopping center

Owner: Arizona State Land Department
Applicant: Ryan Ash, Vestar
Representative: Ashley Z. Marsh, Gammage & Burnham

Staff Recommendation: Approval, subject to stipulations.
VPC Information Only: The Desert View Village Planning Committee heard this item on August 1, 2023, for information only.
VPC Action: The Desert View Village Planning Committee heard this item on October 3, 2023, and recommended denial by a vote of 9-1.
PC Action: The Planning Commission heard this item on January 4, 2024, and recommended a continuance to a date uncertain and remanded the case back to the Desert View Village Planning Committee for reconsideration by a vote of 7-0.
VPC Action: The Desert View Village Planning Committee heard this item on October

1, 2024, and recommended approval, per the staff recommendation, by a vote of 10-1. PC Action: The Planning Commission heard this item on November 7, 2024, and recommended approval, per the Desert View Village Planning Committee, by a vote of 9-0.

## Location

Southwest corner of Black Mountain Boulevard and Deer Valley Drive
Council District: 2
Parcel Addresses: 21502 and 21600 N. Black Mountain Boulevard; 21520, 21618, 21650, 21680, 21702, and 21750 N. Black Mountain Parkway; 3501 and 3517 E. Deer Valley Drive; and 3539 and 3545 E. Mayo Boulevard

## 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-39-23-2) FROM S-1 DRSP (APPROVED R1-6 DRSP) (RANCH OR FARM RESIDENCE, DESERT RIDGE SPECIFIC PLAN) (APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, DESERT RIDGE SPECIFIC PLAN) AND S-1 DRSP (APPROVED R-2 DRSP) (RANCH OR FARM RESIDENCE, DESERT RIDGE SPECIFIC PLAN) (APPROVED MULTIFAMILY RESIDENCE DISTRICT, DESERT RIDGE SPECIFIC PLAN) TO C-2 DRSP (INTERMEDIATE COMMERCIAL, DESERT RIDGE SPECIFIC PLAN).

_____

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

SECTION 1. The zoning of a 20.52-acre property located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive in a portion of Section 24, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 1.71 acres of "S-1 DRSP (Approved R1-6 DRSP)" (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and 18.81 acres of "S-1 DRSP (Approved R-2 DRSP)" (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily

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Residence District, Desert Ridge Specific Plan) to “C-2 DRSP” (Intermediate Commercial, Desert Ridge Specific Plan).

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. All on site lighting shall comply with the following:
    a. Maximum of 20 feet in height including lamp, pole, and base.
    b. All outdoor lighting fixtures must be designed, installed, and maintained to prevent light trespass, glare, and skyglow.
    c. All outdoor fixtures must be full cutoff, ensuring zero light output emitted above the horizontal (90-degree plane).
    d. Utilize LED lights with a correlated color temperature (CCT) of 3000K or lower.
2. A minimum 5,000-square-foot pedestrian plaza shall be provided and maintained by the developer as a gathering place for the public, adhering to the following standards, and as approved by the Planning and Development Department.
    a. The plaza shall be designed to allow pedestrian access and shall not be restricted during the time the shopping center is open.
    b. The plaza shall include seating for public use and a minimum of two additional amenities, such as a water feature, outdoor game area, splash pad, shaded seating, enhanced landscaping, performance stage, fire pit, or other similar amenities.
3. A minimum 6-foot-wide pedestrian pathway, providing cross-block access and connecting with the public plaza, shall be provided consistent with the following standards, and as approved by the Planning and Development Department.

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a. The pathway shall adhere to the requirements of Section 1304.H of the Phoenix Zoning Ordinance.

b. The pathway shall connect with the HAWK crossing provided at Mayo Boulevard.

c. The pathway shall be lined on both sides with either of the following elements, or a combination of the two, except where a pedestrian pathway is a minimum of 16 feet wide:

(1) A minimum 5-foot-wide landscape strip, except where drive aisles cross the pathway where necessary. Structural shade elements may be used, and footers may be placed within the landscape strip along the pathway.

(2) Building frontages meeting the glazing requirements of a minimum of 75 percent of the ground floor frontages facing the pedestrian pathway, measured as the area between 3 and 8 feet above grade for the entire width of the facade, consisting of clear windows that will allow a minimum of 75 percent of the visible light (as specified by the manufacturer) to be visible on either side of the window.

4. 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.

5. All pedestrian pathways, including sidewalks and shared-use paths, shall be shaded by a structure or landscaping at maturity, or a combination of the two to achieve a minimum of 75 percent shade, as approved by the Planning and Development Department.

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

7. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance, except that Section 1307.H.6.c shall not apply, as approved by the Planning and Development Department.

8. A minimum of 2 percent of the required parking shall be EV installed.

9. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by

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the Planning and Development Department.

10. The developer shall dedicate right-of-way and construct a bus stop pad on southbound Black Mountain Boulevard. Bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from Deer Valley Drive according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity.

11. A minimum number of pedestrian connections shall be provided from the development to the adjacent sidewalk, as follows: 2 connections to Deer Valley Drive, 3 connections to Mayo Boulevard, and 3 connections to Black Mountain Boulevard, as approved by the Planning and Development Department. Pedestrian connections shall be sufficiently spaced to allow convenient pedestrian access to the sidewalk from any portion of the proposed development.

12. The landscape planters along all streets, separating the curb from the sidewalk, shall be planted to the following standards, as approved or modified by the Planning and Development Department.

    a. Minimum 2-inch caliper shade trees planted 20 feet on center or in equivalent groupings to provide a minimum of 75 percent shade at tree maturity.

    b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

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

13. A 20-foot-wide shared-use path easement (SUPE) shall be dedicated along Black Mountain Boulevard and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

14. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk, shall be provided along 34th Street, as approved or modified by the Planning and Development Department.

15. A minimum 70 feet of right-of-way shall be dedicated for the west half of Black Mountain Boulevard, adjacent to the development.

16. A minimum 55 feet of right-of-way shall be dedicated for the north half of Mayo

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Boulevard, adjacent to the development.

17. Mayo Boulevard shall be consistent with the Desert Ridge Specific Plan and the approved cross sections in the forthcoming Super Block 12 Master Street Plan.

18. The existing median in Black Mountain Boulevard shall be modified to extend northward to the Deer Valley Drive intersection.

19. The existing traffic signal at the intersection of Mayo Boulevard and Black Mountain Boulevard shall be fully funded and reconstructed to meet City of Phoenix standards.

20. A Traffic Impact Analysis (TIA) and Master Street Plan shall be submitted to the City for this development and Super Block 12 of the Desert Ridge Specific Plan. The Traffic Impact Analysis (TIA) shall also be expanded to address the proposed development's impact and funding responsibility on the Sonoran Desert Drive Corridor. No preliminary approval of plans shall be granted until the study and master street plan are reviewed and approved by the Street Transportation Department.

21. A HAWK traffic control device shall be fully funded and constructed on Mayo Boulevard between 34th Street and Black Mountain Boulevard, as approved by the Street Transportation Department.

22. Decorative metal view fencing shall be constructed in the landscape median along Mayo Boulevard, as approved by the Street Transportation Department.

23. Acquire, dedicate sufficient right-of-way, and construct a southbound right turn lane, including incidental intersection improvements, on the northwest corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

24. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

25. Acquire, dedicate sufficient right-of-way, and construct an eastbound right turn lane, including incidental intersection improvements, on the southwest corner of the Deer Valley Drive and 40th Street intersection.

26. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and 40th Street intersection.

27. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and

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Development Department. All improvements shall comply with all ADA accessibility standards.

28. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

29. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

30. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

31. 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.

32. 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 December, 2024.

_____

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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 (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-39-23-2

A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTH QUARTER OF SAID SECTION 24, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 24 BEARS SOUTH 89 DEGREES 46 MINUTES 38 SECONDS WEST, A DISTANCE OF 2,628.51 FEET;

THENCE SOUTH 00 DEGREES 19 MINUTES 26 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 1,206.07 FEET TO THE CENTER LINE OF MAYO BOULEVARD AS SHOWN IN BOOK 487 OF MAPS, PAGE 46, MARICOPA COUNTY RECORDS;

THENCE ALONG SAID CENTER LINE, NORTH 64 DEGREES 10 MINUTES 09 SECONDS WEST, A DISTANCE OF 1,207.00 FEET TO THE CENTER LINE OF THAT CERTAIN ACCESS ROAD RIGHT-OF-WAY SHOWN IN ASLD DOCUMENT NO. 16-116983 AND DOCUMENT NO. 2017-136250, MARICOPA COUNTY RECORDS;

THENCE ALONG SAID CENTER LINE OF ACCESS ROAD THE FOLLOWING FIVE (5) COURSES:

THENCE NORTH 25 DEGREES 05 MINUTES 44 SECONDS EAST, A DISTANCE OF 263.99 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 505.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16 DEGREES 19 MINUTES 54 SECONDS, A DISTANCE OF 143.95 FEET;

THENCE NORTH 41 DEGREES 25 MINUTES 38 SECONDS EAST, A DISTANCE OF 125.83 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 245.00 FEET;

THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 41 DEGREES 39 MINUTES 00 SECONDS, A DISTANCE OF 178.10 FEET;

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THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS WEST, A DISTANCE OF 60.82 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24;

THENCE ALONG SAID NORTH LINE, NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 744.62 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 893,555 SQUARE FEET OR 20.513 ACRES, MORE OR LESS.

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# ORDINANCE LOCATION MAP

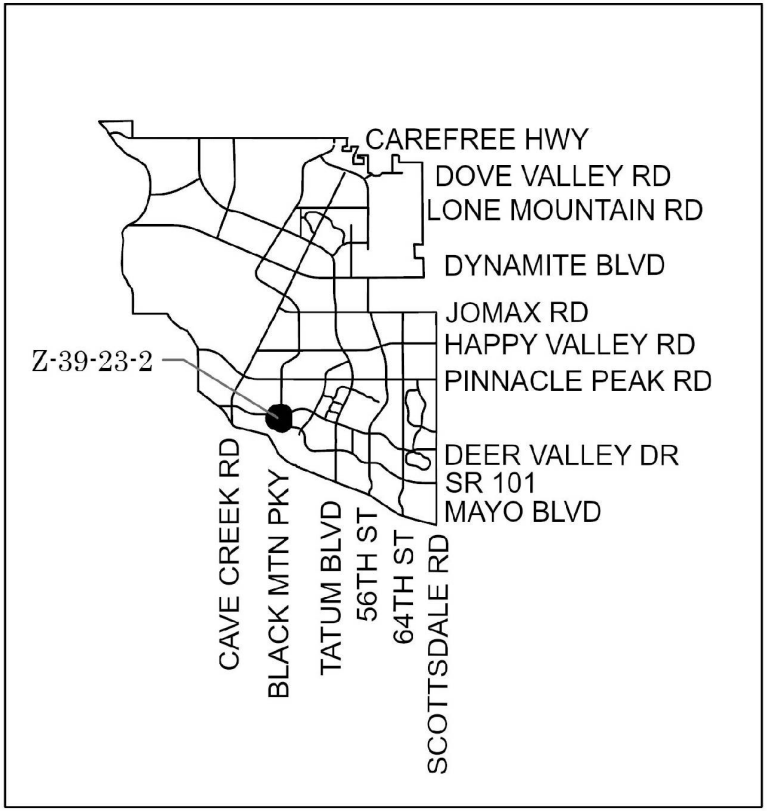
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-39-23-2
Zoning Overlay: Desert Ridge Specific Plan
Planning Village: Desert View




NOT TO SCALE

N

Drawn Date: 11/5/2024

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2024 Ord\12-4-24\12-4-24.aprx

# ATTACHMENT B

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-39-23-2**
September 26, 2023

| | |
|---|---|
| **Desert View Village Planning Committee Hearing Date:** | October 3, 2023 |
| **Planning Commission Hearing Date:** | November 2, 2023 |
| **Request From:** | S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) (1.71 acres)<br>S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) (18.81 acres) |
| **Request To:** | C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan) (20.52 acres) |
| **Proposal:** | Commercial shopping center |
| **Location:** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **Owner:** | Arizona State Land Department |
| **Applicant:** | Ryan Ash, Vestar |
| **Representative:** | Stephen Anderson, Gammage & Burnham |
| **Staff Recommendation:** | Approval, subject to stipulations |

| General Plan Conformity | |
|---|---|
| General Plan Land Use Map Designation | Current<br>Residential 2 to 5 dwelling units per acre<br><br>Proposed (GPA-DSTV-2-23-2)<br>Commercial |

| General Plan Conformity | | | |
|---|---|---|---|
| Street Map Classification | Deer Valley Drive | Major Arterial | 70-foot south half street |
| | Black Mountain Boulevard | Arterial | Width varies from 65-foot to 70-foot west half street (Abandonment from ADOT to City of Phoenix) |
| | 34th Street | Local Street | Approximately 30-foot east half street |
| | Mayo Boulevard | Local Street | Width varies from 0 foot to 12-foot north half street |
| ***CONNECT PEOPLE AND PLACES CORE VALUE; CORES, CENTERS, & CORRIDORS; DESIGN PRINCIPLE: Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.***<br>The proposal, as stipulated, will provide a commercial center with a pedestrian plaza, shaded walkways, enhanced features for pedestrian safety, bicycle parking, and a safe crossing to the adjacent school. | | | |
| **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.**<br>The proposal will contribute to a mix of land uses by providing retail and services closer to surrounding residential neighborhoods. | | | |
| **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CONNECTED NEIGHBORHOODS; LAND USE PRINCIPLE: Locate neighborhood retail to be easily accessible to neighborhoods.**<br>The proposal will enhance accessibility to retail uses by locating retail closer to neighborhoods and providing pedestrian and bicycle amenities that promote non-vehicular transportation. | | | |

| General Plan Conformity |
|---|
| ***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.***<br>The proposed development, as stipulated, provides shaded detached sidewalks on all bounding streets and enhanced shade to pedestrian areas and surface parking areas on site, which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood. |

| Applicable Plans, Overlays and Initiatives |
|---|
| **Desert Ridge Specific Plan** – See Background Item No. 5. |
| **Comprehensive Bicycle Master Plan** – See Background Item No. 6. |
| **Complete Streets Guiding Principles** – See Background Item No. 7. |
| **Tree and Shade Master Plan** – See Background Item No. 8. |
| **Transportation Electrification Action Plan** – See Background Item No. 9. |
| **Monarch Butterfly** – See Background Item No. 10. |
| **Zero Waste PHX** – See Background Item No. 11. |

| Surrounding Land Uses/Zoning | | |
|---|---|---|
| | **Land Use** | **Zoning** |
| **On Site** | Vacant | S-1 DRSP (Approved R1-6 DRSP) and S-1 DRSP (Approved R-2 DRSP) |
| **North (across Deer Valley Drive)** | Single-family residential | R-2 PCD |
| **South (across Mayo Boulevard** | School | S-1 DRSP |
| **East (across Black Mountain Boulevard)** | Single-family residential | R1-6 DRSP |
| **West (across 34th Street)** | Vacant | S-1 DRSP (Approved R1-6 DRSP) |

| C-2 (Intermediate Commercial) | | |
|---|---|---|
| **Standards** | **Requirements** | **Provision on the Proposed Site Plan** |
| *Minimum Building Setbacks* | | |
| Adjacent to Street | 20 feet, Average 25 feet | Deer Valley Drive: 25 feet (Met)<br>Black Mountain Boulevard: 25 feet (Met)<br>Mayo Boulevard: 25 feet (Met)<br>34th Street: 25 feet (Met) |
| *Minimum Landscaped Setbacks* | | |
| Adjacent to Street | 20 feet, Average 25 feet | Deer Valley Drive: 25 feet (Met)<br>Black Mountain Boulevard: 25 feet (Met)<br>Mayo Boulevard: 25 feet (Met)<br>34th Street: 25 feet (Met) |
| Maximum Lot Coverage | 50 percent | 19.7 percent (Met) |
| Maximum Building Height | 2 stories, 30 feet | 2 stories, 30 feet (Met) |
| Minimum Parking | 530 spaces | 533 spaces (Met) |

## Background/Issues/Analysis

SUBJECT SITE

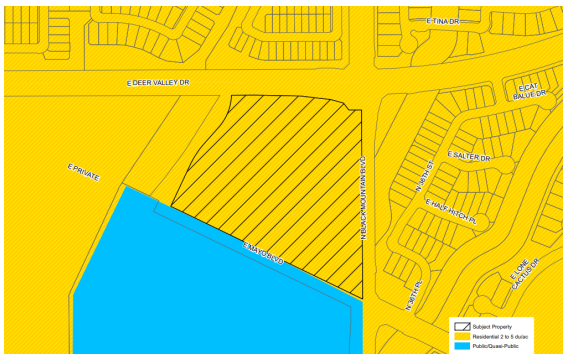
1. This request is to rezone a 20.52-acre site located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive from S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) and S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) to C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan) to allow a commercial shopping center.

   This is a companion case to two other cases that are running concurrently. GPA-DSTV-2-23-2 is a request to change the General Plan Land Use Map designation of the subject site from Residential 2 to 5 dwelling units per acre to Commercial. GPA-DSTV-3-23-2 is an amendment to the Desert Ridge Specific

Plan, Superblock 12, Parcel 12.L, which would create a commercial parcel coterminous with the subject site of this rezoning case.

The subject site is undeveloped land owned by the Arizona State Land Department that was annexed into the City of Phoenix in 1988. The site was incorporated into the Desert Ridge Specific Plan at the original adoption of the plan in 1990 and was identified as a low-density residential parcel. The site was platted in 1997 with a state plat that created the surrounding street grid and blocks and tracts in the area. In 2007, the Phoenix City Council approved rezoning case Z-135-06-2, rezoning the site to R1-6 and R-2 for a proposed single-family residential development; however, the site was never developed.

2. The subject site is designated as Residential 2 to 5 dwelling units per acre on the General Plan Land Use Map. The properties to the north, east, and west are also designated as Residential 2 to 5 dwelling units per acre. The property to the south is designated as Public/Quasi-Public.

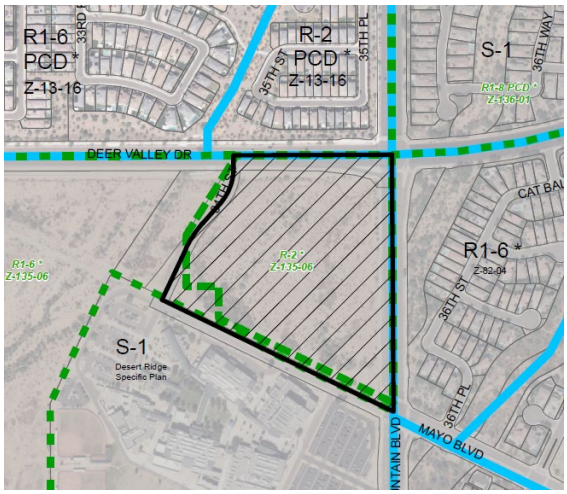


*General Plan Land Use Map, Source: Planning and Development Department*

The applicant is proposing a minor General Plan Amendment (GPA-DSTV-2-23-2) to change the designation of the subject site to Commercial. The proposed zoning district is consistent with the proposed General Plan Land Use Map designation.

EXISTING CONDITIONS AND SURROUNDING ZONING

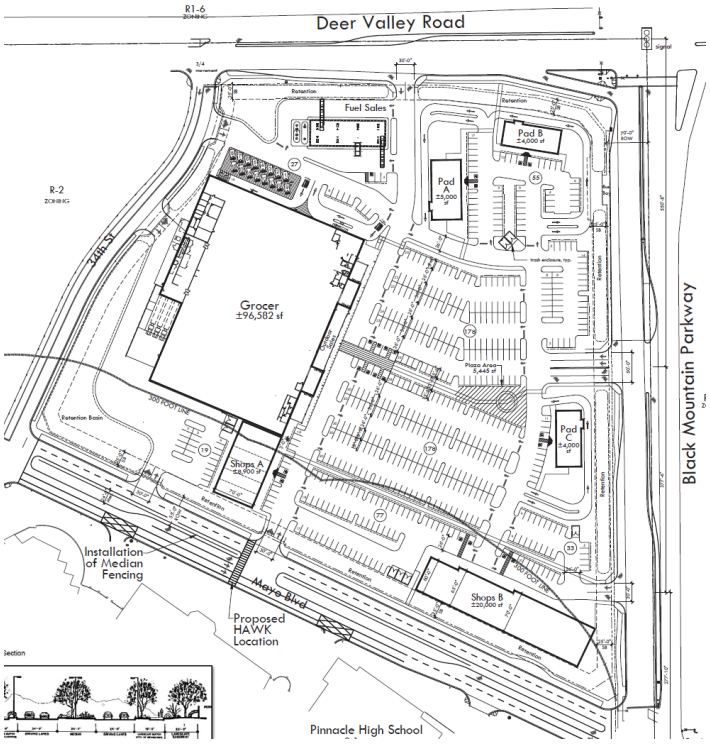
3. The subject site is a 20.52-gross-acre undeveloped lot, zoned S-1 DRSP (Approved R1-6 DRSP) and S-1 (Approved R-2 DRSP). To the north are single-family homes, zoned R-2 PCD (Multifamily Residence District, Planned Community District). To the east are single-family homes, zoned R1-6 DRSP. To the south is Pinnacle High School, zoned S-1 DRSP. To the west is undeveloped land zoned S-1 DRSP (Approved R1-6 DRSP).



*Zoning Aerial Map, Source: Planning and Development Department*

PROPOSAL

4. The proposed development is a commercial shopping center with surface parking, which would include a grocery store as a major tenant, in addition to other medium and small commercial spaces throughout the site. The conceptual site plan shows vehicular access on all four street frontages and indicates 567 surface parking spaces.




*Conceptual Site Plan, Source: Suite Six Architecture and Planning*

The conceptual site plan includes a 5,000-square-foot pedestrian plaza and will include a north-south pedestrian pathway through the site, per Stipulation Nos. 2 and 3. These are discussed further in Item No. 5 below.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. **Desert Ridge Specific Plan**

The Desert Ridge Specific Plan is a 5,700-acre master planned community in northeast Phoenix, generally located between Pinnacle Peak Road to the north, Union Hills Drive to the south, 32nd Street to the west, and 64th Street to the east. At its inception, the planning area consisted entirely of undeveloped land held in trust by the Arizona State Land Department. The Desert Ridge Specific Plan was approved in 1990 and is the governing land use document for Desert Ridge. Desert Ridge is divided into Superblocks, each with their own individual land uses and regulations. The subject site is currently within Superblock 12, Parcel 12.L of the Desert Ridge Specific Plan, which is designated for single-family residential use with a density range of 2 to 5 dwelling units per acre. Companion case GPA-DSTV-3-23-2 is a proposed amendment to the plan that

would create a Parcel 12.C coterminous with the subject site and identify the parcel as a commercial parcel with C-2 as a permitted zoning district.

The Desert Ridge Specific Plan identifies a commercial core area in Superblock 5, which today contains the primary retail destination for the Desert Ridge area. Additionally, the plan allows for convenience retail to be located within all residential superblocks, which is limited to three acres per site and must be away from arterial streets to facilitate pedestrian access from residential communities. To date, most residential superblocks have been developed without any convenience retail included. This proposal fills a gap by providing additional retail options closer to the residential Superblocks and providing an alternative to the commercial core of Superblock 5. In order to meet the original intent of the Desert Ridge Specific Plan, to promote pedestrian connectivity to the commercial development, and to reduce the impact of the development on the surrounding area, staff recommends the following.

- Lighting limitations, including a height limit of 20 feet. This is addressed in Stipulation No. 1.
- A minimum 5,000-square-foot pedestrian plaza to be provided on site as a gathering place for the public. The plaza shall be designed for pedestrian access, incorporate seating and amenities, and be lined with vegetation. This is addressed in Stipulation No. 2.
- A minimum six-foot-wide pedestrian pathway, providing cross-block access. The pathway shall adhere to the paseo standards of the Walkable Urban Code, connect with the pedestrian plaza and the HAWK crossing at Mayo Boulevard, and be lined on both sides with either landscaping or buildings with transparent windows to promote activation and pedestrian comfort of the pathway. This is addressed in Stipulation No. 3.

6. **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. The proposed development will provide bicycle parking, per Stipulation No. 7.

7. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. Per the Desert Ridge master plans and Stipulation Nos. 12, 14, and 17, the proposed development will provide shaded detached sidewalks on all street frontages. The proposal will also provide north-south pedestrian connectivity through a shared-use path along Black Mountain Boulevard (Stipulation No. 13) and a mid-block

pedestrian pathway (Stipulation No. 3), in addition to providing a new HAWK crossing at Mayo Boulevard to allow safer pedestrian crossing (Stipulation No. 21). Additionally, all pedestrian pathways, where they cross drive aisles will provide visually contrasting treatment to enhance pedestrian safety (Stipulation No. 4).

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Per the Desert Ridge master plans and Stipulation Nos. 12, 14, and 17, the proposed development will provide shaded detached sidewalks on all street frontages. Shade will be provided at a minimum of 75 percent for all walkways including sidewalks (Stipulation No. 5) and a minimum of 25 percent for surface parking areas (Stipulation No. 6).

9. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Stipulation No. 8 provides requirements for electric vehicle parking, charging and infrastructure.

10. **Monarch Butterfly**

In April 2021, Mayor Kate Gallego signed the National Wildlife Federation's Mayor's Monarch Pledge. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 9 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

11. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The applicant states that their commercial developments incorporate green initiatives, including recycling.

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

INTERDEPARTMENTAL COMMENTS

13. The Public Transit Department requested dedication of right of way and construction of a bus stop pad on southbound Black Mountain Boulevard and that the development provide sufficient pedestrian connections to the public sidewalk. These are addressed in Stipulation Nos. 10 and 11.

14. The Street Transportation Department requested the following:

- Detached sidewalk on 34th Street (Stipulation No. 14)
- Dedication of 70 feet of right-of-way for Black Mountain Boulevard (Stipulation No. 15).
- Dedication of 55 feet of right-of-way for Mayo Boulevard, construction to Desert Ridge master plan standards, including a detached sidewalk, and inclusion of fencing in the median to prevent mid-block crossing (Stipulation Nos. 16, 17, and 22).
- Median extension on Black Mountain Boulevard to the corner of Deer Valley Drive (Stipulation No. 18).
- Fully funded and reconstructed signal at the intersection of Mayo Boulevard and Black Mountain Boulevard to city standards (Stipulation No. 19).
- Traffic Impact Analysis and Master Street Plan for Superblock 12, including analysis of the impact and funding responsibility to the Sonoran Desert Drive corridor (Stipulation No. 20).

- New HAWK traffic control device on Mayo Boulevard (Stipulation No. 21).
- Construction of turn lanes at the intersection Deer Valley Drive with Black Mountain Boulevard and with 40th Street, required per an existing Intergovernmental Agreement (Stipulation Nos. 23 through 26).
- Construction of street improvements with all required elements and ADA accessibility (Stipulation No. 27).

15. The Aviation Department requested that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. This is addressed in Stipulation No. 28.

OTHER

16. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 29 through 31.

17. 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. 32.

18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments or other formal actions may also be required.

## Findings

1. The proposal is consistent with the proposed General Plan Land Use Map designation and will contribute to a mix of land uses in the surrounding area.

2. As stipulated, the proposal enhances the surrounding area with features promoting pedestrian safety, facilitating alternative transportation, and providing pedestrianized amenity spaces for the community.

3. As stipulated, the proposal provides trees and shade, promoting thermal comfort for users of the site and pedestrians on adjacent sidewalks.

**Stipulations**

1. All on site lighting shall comply with the following:

    a. Maximum of 20 feet in height including lamp, pole, and base.

    b. All outdoor lighting fixtures must be designed, installed, and maintained to prevent light trespass, glare, and skyglow.

    c. All outdoor fixtures must be full cutoff, ensuring zero light output emitted above the horizontal (90-degree plane).

    d. Utilize LED lights with a correlated color temperature (CCT) of 3000K or lower.

2. A minimum 5,000-square-foot pedestrian plaza shall be provided and maintained by the developer as a gathering place for the public, adhering to the following standards, and as approved by the Planning and Development Department.

    a. The plaza shall be designed to allow pedestrian access and shall not be restricted during the time the shopping center is open.

    b. The plaza shall include seating for public use and a minimum of two additional amenities, such as a water feature, outdoor game area, splash pad, shaded seating, enhanced landscaping, performance stage, fire pit, or other similar amenities.

3. A minimum 6-foot-wide pedestrian pathway, providing cross-block access and connecting with the public plaza, shall be provided consistent with the following standards, and as approved by the Planning and Development Department.

    a. The pathway shall adhere to the requirements of Section 1304.H of the Phoenix Zoning Ordinance.

    b. The pathway shall connect with the HAWK crossing provided at Mayo Boulevard.

c. The pathway shall be lined on both sides with either of the following elements, or a combination of the two, except where a pedestrian pathway is a minimum of 16 feet wide:

(1) A minimum 5-foot-wide landscape strip, except where drive aisles cross the pathway where necessary. Structural shade elements may be used, and footers may be placed within the landscape strip along the pathway.

(2) Building frontages meeting the glazing requirements of a minimum of 75 percent of the ground floor frontages facing the pedestrian pathway, measured as the area between 3 and 8 feet above grade for the entire width of the facade, consisting of clear windows that will allow a minimum of 75 percent of the visible light (as specified by the manufacturer) to be visible on either side of the window.

4. 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.

5. All pedestrian pathways, including sidewalks and shared-use paths, shall be shaded by a structure or landscaping at maturity, or a combination of the two to achieve a minimum of 75 percent shade, as approved by the Planning and Development Department.

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

7. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance, except that Section 1307.H.6.c shall not apply, as approved by the Planning and Development Department.

8. A minimum of 2 percent of the required parking shall be EV installed.

9. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

10. The developer shall dedicate right-of-way and construct a bus stop pad on southbound Black Mountain Boulevard. Bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from Deer Valley Drive according to City

of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity.

11. A minimum number of pedestrian connections shall be provided from the development to the adjacent sidewalk, as follows: 2 connections to Deer Valley Drive, 3 connections to Mayo Boulevard, and 3 connections to Black Mountain Boulevard, as approved by the Planning and Development Department. Pedestrian connections shall be sufficiently spaced to allow convenient pedestrian access to the sidewalk from any portion of the proposed development.

12. The landscape planters along all streets, separating the curb from the sidewalk, shall be planted to the following standards, as approved or modified by the Planning and Development Department.

    a. Minimum 2-inch caliper shade trees planted 20 feet on center or in equivalent groupings to provide a minimum of 75 percent shade at tree maturity.

    b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

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

13. A 20-foot-wide shared-use path easement (SUPE) shall be dedicated along Black Mountain Boulevard and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

14. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk, shall be provided along 34th Street, as approved or modified by the Planning and Development Department.

15. A minimum 70-feet of right-of-way shall be dedicated for the west half of Black Mountain Boulevard, adjacent to the development.

16. A minimum 55-feet of right-of-way shall be dedicated for the north half of Mayo Boulevard, adjacent to the development.

17. Mayo Boulevard shall be consistent with the Desert Ridge Specific Plan and the approved cross sections in the forthcoming Super Block 12 Master Street Plan.

18. The existing median in Black Mountain Boulevard shall be modified to extend northward to the Deer Valley Drive intersection.

19. The existing traffic signal at the intersection of Mayo Boulevard and Black Mountain Boulevard shall be fully funded and reconstructed to meet City of Phoenix standards.

20. A Traffic Impact Analysis (TIA) and Master Street Plan shall be submitted to the City for this development and Super Block 12 of the Desert Ridge Specific Plan. The Traffic Impact Analysis (TIA) shall also be expanded to address the proposed development's impact and funding responsibility on the Sonoran Desert Drive Corridor. No preliminary approval of plans shall be granted until the study and master street plan are reviewed and approved by the Street Transportation Department.

21. A HAWK traffic control device shall be fully funded and constructed on Mayo Boulevard between 34th Street and Black Mountain Boulevard, as approved by the Street Transportation Department.

22. Decorative metal view fencing shall be constructed in the landscape median along Mayo Boulevard, as approved by the Street Transportation Department.

22. Acquire, dedicate sufficient right-of-way, and construct a southbound right turn lane, including incidental intersection improvements, on the northwest corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

24. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

25. Acquire, dedicate sufficient right-of-way, and construct an eastbound right turn lane, including incidental intersection improvements, on the southwest corner of the Deer Valley Drive and 40th Street intersection.

26. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and 40th Street intersection.

27. All streets within and adjacent to the development shall be constructed 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.

28. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

29. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

30. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

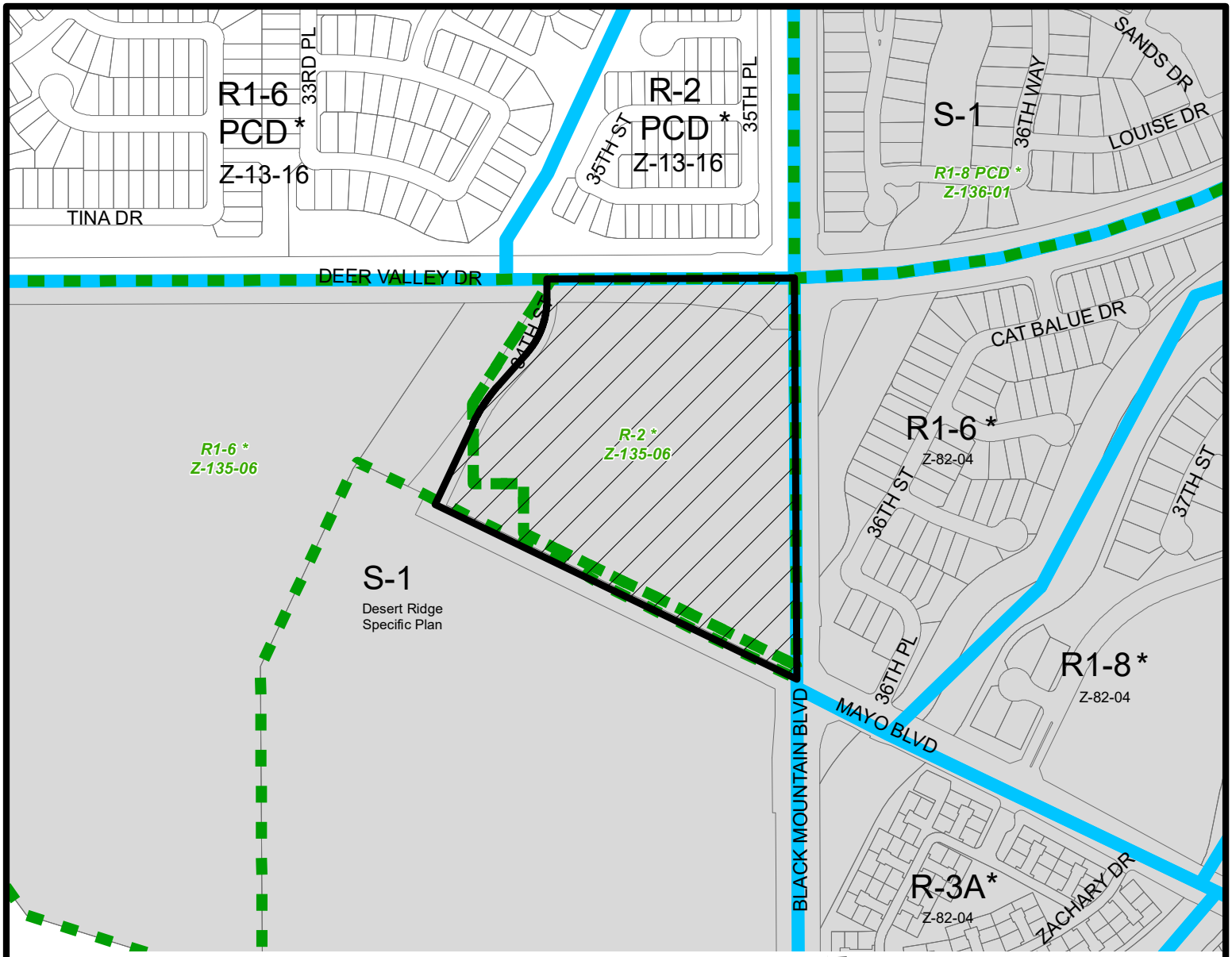
31. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

32. 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**
Anthony Grande
September 26, 2023

**Team Leader**
Racelle Escolar

**Exhibits**
Sketch Map
Aerial Map
Conceptual Site Plan Date Stamped September 22, 2023
Community Correspondence (600 Pages)




Miles

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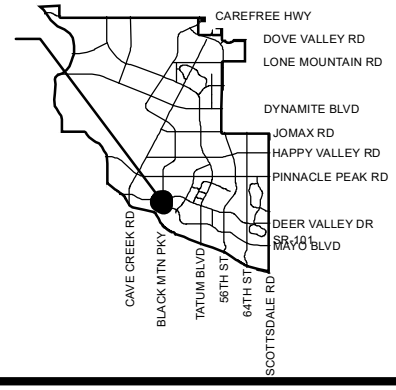
## DESERT VIEW VILLAGE

CITY COUNCIL DISTRICT: 2

Z-39-23




City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**APPLICANT'S NAME:** Ryan Ash of Vestar

**REQUESTED CHANGE:**

FROM: S-1 DRSP (Approved R1-6 DRSP) ( 1.71 a.c.)
S-1 DRSP (Approved R-2 DRSP) ( 18.81 a.c.)

TO: C-2 DRSP ( 20.52 a.c.)

| APPLICATION NO. | DATE | REVISION DATES |
|---|---|---|
| Z-39-23 | 7/03/2023 | |

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.: 20.52 Acres

| AERIAL PHOTO & QUARTER SEC. NO. | ZONING MAP |
|---|---|
| QS 42-35 | N-10 |

| MULTIPLES PERMITTED | CONVENTIONAL OPTION | * UNITS P.R.D. OPTION |
|---|---|---|
| S-1 (Approved R1-6), S-1 (Approved R-2) C-2 | 1 (9), 18 (188) 297 | N/A (11), N/A (225) 357 |

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



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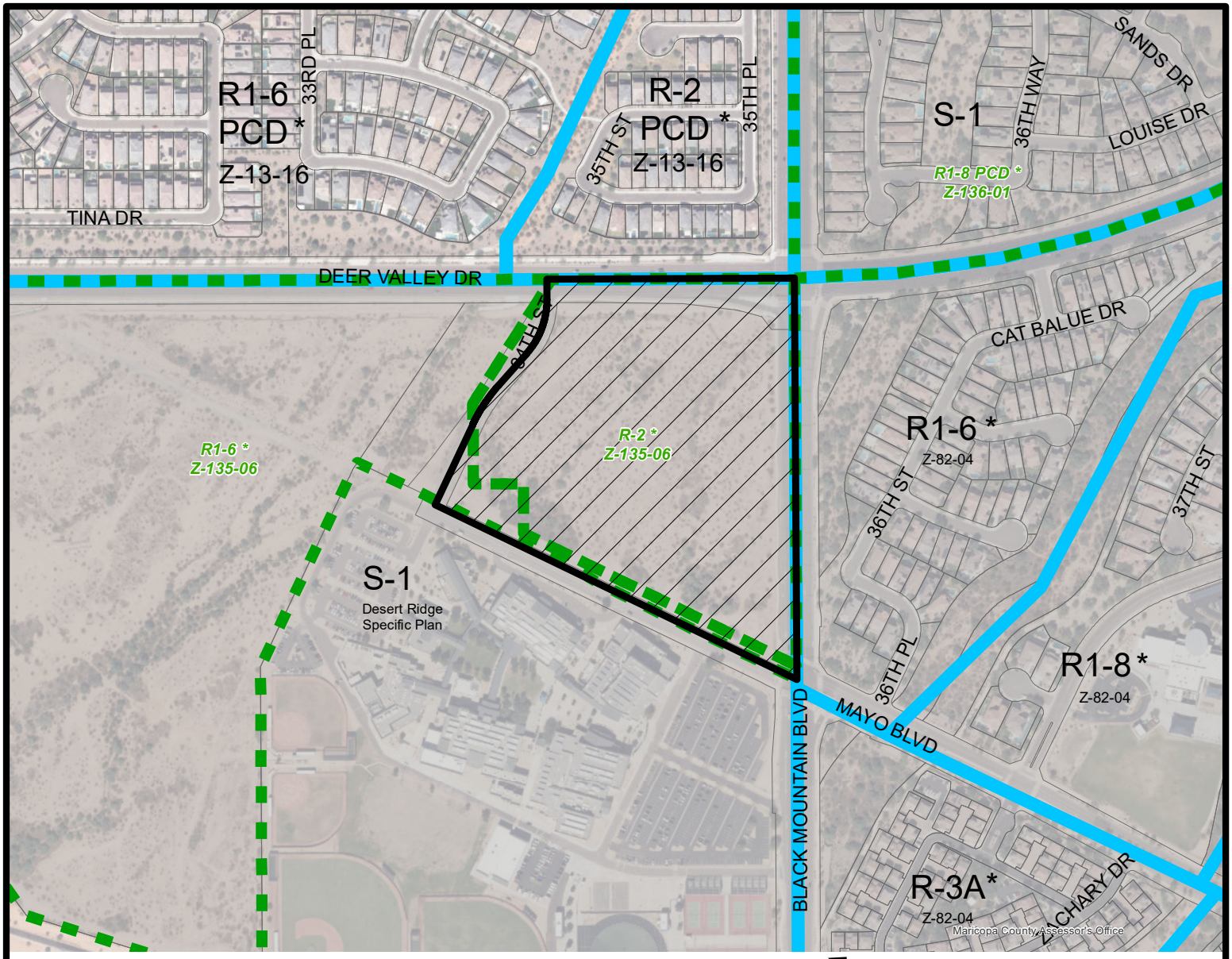


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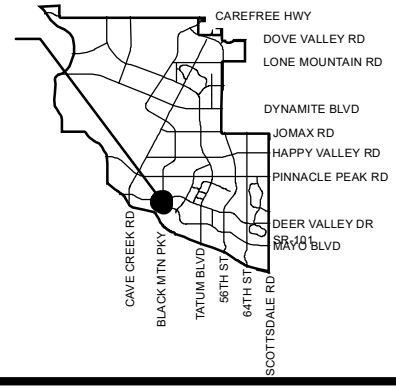
***DESERT VIEW VILLAGE***

CITY COUNCIL DISTRICT: 2

Z-39-23




City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

| | |
|---|---|
| **APPLICANT'S NAME:** Ryan Ash of Vestar | **REQUESTED CHANGE:** |
| **APPLICATION NO.** Z-39-23 | DATE: 7/03/2023 |
| | REVISION DATES: |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 20.52 Acres | AERIAL PHOTO & QUARTER SEC. NO. QS 42-35 / ZONING MAP N-10 |
| | FROM: S-1 DRSP (Approved R1-6 DRSP) ( 1.71 a.c.) S-1 DRSP (Approved R-2 DRSP) ( 18.81 a.c.) |
| | TO: C-2 DRSP ( 20.52 a.c.) |

| MULTIPLES PERMITTED | CONVENTIONAL OPTION | * UNITS P.R.D. OPTION |
|---|---|---|
| S-1 (Approved R1-6), S-1 (Approved R-2) C-2 | 1 (9), 18 (188) | N/A (11), N/A (225) |
| | 297 | 357 |

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



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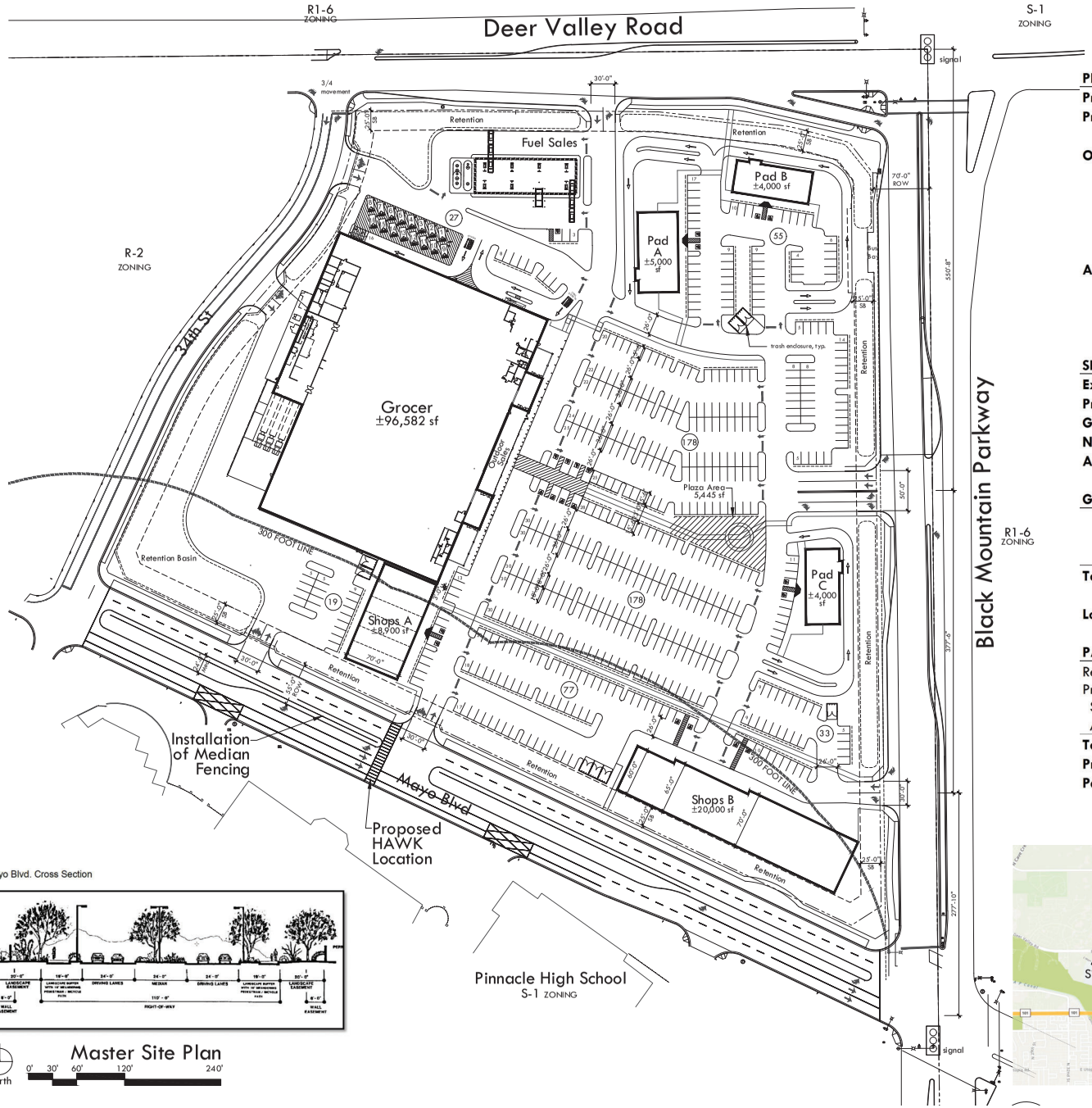



Mayo Blvd. Cross Section



Master Site Plan

north 0' 30' 60' 120' 240'

2843

**PROJECT INFORMATION**

| | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Address** | SWC Deer Valley Rd and Black Mtn Pkwy<br>Phoenix, AZ |
| **Owner** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 6 architecture + planning**<br>6111 N. Cattletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

**SITE DATA**

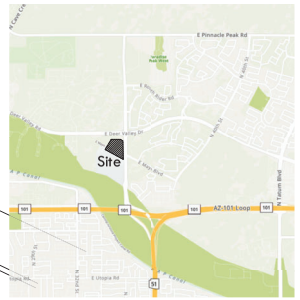
| | |
|---|---|
| **Existing Zoning** | S-1 (Approved R-2) |
| **Proposed Zoning** | C-2 |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,965 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| **GLA** | Area | Req'd Pkg |
|---|---|---|
| Grocer | 96,582 sf | 386 sp |
| Shops | 28,900 sf | 116 sp |
| Pads | 13,000 sf | 52 sp |
| **Total GLA** | 138,482 sf | 554 sp |
| **Lot Coverage** | | 20.6 % |

**PARKING QUANTITIES**

| | |
|---|---|
| Required | 554 sp |
| Provided | |
| Standard Spaces | 546 sp |
| ADA Spaces | 21 sp |
| **Total Parking Prov'd** | 567 sp |
| **Parking Ratio /1000** | 4.1 sp |

Rezoning Case: Z-135-06-2




Vicinity Map n.t.s.

CITY OF PHOENIX
SEP 22 2023
Planning & Development Department

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Road and Black Mountain Parkway
Phoenix, Arizona

- Development Review Set
- Bid Set
- City Submittal
- Construction Set

Revisions:

Ownership of Instruments of Service:
This drawing is not to be used or reproduced without the consent of Suite 6 Architecture + Planning, Inc. The designs, images, and concept on this drawing are the property of Suite 6 Architecture + Planning, Inc.

Seal

Date: September 20, 2023
Project Number: 711
Drawn by: dm/rdb

Sheet Number

PA.1

Master Site Plan A

**From:** Scott Clark
**To:** Anthony M Grande
**Subject:** Case GPA-DSTV-2-23-2/DSTV-3-23-2, Z-39-23
**Date:** Saturday, July 29, 2023 11:20:21 AM

---

Dear Mr Grande,
I am a resident of Aviano neighborhood and live 1 block from Deer Valley Drive and Black Mountain Blvd. I wanted to send an email that my family is opposed to rezoning the land use from residential to commercial, GPA-DSTV-2-23-2.

The reason that I am opposed is that the proposed site is next to Pinnacle High School and during the times of before and after school the area becomes very crowded with families driving their kids to school, children walking and biking to school.

Having a commercial shopping center next to the school is going to create an unsafe environment for the children walking and biking to school. There is a significant amount of vehicle congestion from drop off/pickup that makes that area very congested. Adding a commercial shopping area will make the area even more congested and unsafe. I have 4 children that may go to Pinnacle High School and think the current zoning as residential is appropriate for the area next to a high school.

Thanks

Scott Clark
Resident of 3610 E Donald Dr
602-363-7729 (Cell)

**From:** Nathan Friedland
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Superblock 12
**Date:** Wednesday, August 2, 2023 10:52:40 AM

---

Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard. As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected and I appreciate our community's need for additional businesses like a grocery store and restaurants. However, I would like to bring to your attention some concerns that I have and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly bringing to our community more noise with drivers revving their engines and peeling out of the new center. This will be especially realized should a gas station be approved and built. A gas station, if approved on this parcel, must be restricted in their hours of operation with it being closed over night. In all candidness. a gas station is not really needed as there are a number of stations near by on Cave Creek and on Tatum - all within 2 to 3 miles from this area.

2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the night time that will disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

*Nathan Friedland*
North 34th Way - Sky Crossing
Phoenix, Az 85050

**From:** Rachel McLean
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Wednesday, August 2, 2023 3:18:23 PM

---

Hello Mr. Grande,

I am writing to you in regards to the Black Mountain Village Project (GPA-DSTV-2-23-2). I understand that you are the City Planner for this project and would like to share my opinion. I live in the Sky Crossing neighborhood directly across Deer Valley Rd from the proposed project. While I am in favor of commercial development on this parcel, I must urge you to only allow for businesses that will not degrade our neighborhood. For example, most neighbors are opposed to a gas station. This is an unnecessary addition as there are multiple gas stations on both Tatum and Cave Creek Rd. A gas station would bring unwanted loitering and excessive noise and traffic to this residential neighborhood.

Another issue I have is with a large grocery store (ie Frys, Albertsons, etc). Again, this being an entirely residential neighborhood it would detract from our community to have a large grocery store. I do however support a smaller grocery store with less traffic such as a Sprouts or Trader Joe's.

Both the grocery store and a gas station would create a large amount of light pollution. I would like to see building plans that involves less lighting, more landscaping and a more cohesive ambiance with the desert and the natural surroundings.

This leads me to my last point that our homes in Sky Crossing are typically selling around $1M. To me, this would indicate a higher scale neighborhood. I would appreciate if the commercial businesses fit in with the demographic of the area, similar to business parks in Scottsdale. A gas station and large grocery store would be unwelcome and an eye sore whereas a smaller neighborhood grocery store and smaller, tasteful restaurants and shops would be a welcome addition.

Please consider these points and I look forward to attending the next meeting to hear the latest development.

Rachel McLean
Sky Crossing Resident

*Laurie D. Smith*
*3749 E Covey Ln*
*Phoenix, AZ 85050*
*602-826-3181*

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23

August 2, 2023

To whom it may concern:

Thank you for notifying me of Vestar's application. I did attend the Desert View Planning Committee Meeting last night and after hearing Vestar's presentation and comments/questions from committee members and residents, I wish to express my strong opposition to this rezoning request.

A change to the City's General Plan, and particularly a change from residential to commercial, is a major change in general and to our Desert Ridge master planned community in particular. I was struck by the very close proximity to Pinnacle High School and surrounding residential communities.

The following concerns were expressed by residents during Public Comments and are shared by me:

- Traffic in that area continues to be a major challenge, especially during drop off and pick up times at the high school. It is frankly unsafe, yet the city and the school have been unable to find solutions. A shopping center of any size will, of course, generate additional traffic.
- On Vestar's conceptual site plan three driveways are shown on Mayo Blvd, which directly adjoins the school. Pedestrian and motor traffic safety on that shared street will be real concerns. Oddly, there are fewer points of ingress/egress shown on the major roads of Black Mountain Blvd and Deer Valley.
- Drive-through fast food restaurants/coffee shops present additional concerns for lines and traffic like those seen at Starbucks on Tatum Blvd.
- Residential homes will be impacted by light and noise pollution homeowners could not have anticipated when they purchased their homes under the current General Plan.

Some homeowners paid a premium for view fences that would look right over the natural open area into the shopping center. Their quality of life and their property values will be negatively impacted.

- A gas station generated the strongest opposition, adding gas fumes to the negative impacts.
- Tanker tracks and semi-trucks making deliveries to a grocery store, restaurants and gas station will generate noise in the nighttime and early morning.
- The Arizona Republic reported, "The application also claims the development would provide options for Pinnacle High School students before and after school, and during lunch, which could reduce their car trips." I would disagree that student hangouts close to a high school would be of benefit to anyone.

I appreciated the thoughtful questions and comments from Planning Committee members last night as well as this opportunity to express my opposition. I will plan to attend the next Village Planning Committee Meeting.

Sincerely,



Laurie D. Smith

**From:** Richard Starr
**To:** Anthony M Grande; PDD Desert View VPC
**Subject:** planned commercial/retail center at SWC Black Mtn Pkwy & Deer Valley
**Date:** Wednesday, August 2, 2023 3:50:16 PM

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Hello Anthony and Desert View VPC,

I am a nearby resident (Fireside) of this proposed project. My main concern here is Pinnacle HS parking. The high schoolers often park in the adjacent residential neighborhoods as Pinnacle's lot are simply not large enough for its growing population. The AZ State Land Department, Paradise Valley School District and any potential bidder/buyer of this ASLD property should work together (now) to facilitate the purchase of additional 3-5 acres for more Pinnacle High School parking north of Mayo Blvd. The school parking could be on west side of future retail center. Otherwise, students and visitors for sporting events will simply park in the new commercial center, upsetting retail tenants and customers alike.

Thank you.

Richard "R.T." Starr
(623) 521-5668
rtstarraz@hotmail.com

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Construction possibilities Deer Valley and Black Mountain
**Date:** Wednesday, August 2, 2023 7:24:45 PM

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As Sky Crossing homeowners, we wanted to express our objection to the potential of large commercial development at this corner. When school is in session the traffic is awful. It's going to be exceptionally worse if there is a commercial structure at that corner. Moreover, I have no idea how the owner will police the students parking there. It's going to bring more traffic, crime, congestion and so on. This is not the kind of thing we want to see in our area. It's very likely to negatively impact home values as well.

Thanks so much for noting our objection.

Tracy and Ronee Steiner

**From:** Sabrina Sundquist
**To:** Anthony M Grande
**Date:** Wednesday, August 2, 2023 11:45:07 AM

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Mr. Grande:

I understand that you are the City Planner for the subject rezoning of the land parcel at the Southwest corner of Deer Valley and Black Mountain Boulevard.

As a resident of Sky Crossing, directly across Deer Valley from this subject parcel, my family and I along with 1220 homeowners will be directly impacted by this proposed development.

I am not naive to believe that this development will be rejected, and I appreciate our community's need for additional businesses like a grocery store and restaurants.

However, I would like to bring to your attention some concerns that I have, and I am sure our neighbors have relevant to this rezoning.

1. Traffic is already high on these two streets and with the addition of a large shopping center, the traffic will expand greatly. Please do not allow a gas station on this corner, it is not a major arterial intersection. There are plenty of gas stations in both directions of this corner and those are both busier streets and can accommodate the need.
2. Light Pollution is another major concern. Nobody wants to see glaring bright lights during the nighttime, this will greatly disrupt the tranquility of our lives and interrupt our sleep over night. The developers must be required to adhere to dark sky compliance to limit the amount of blue light at night.

These two items are my current concerns, and I am sure my neighbors will have other issues such as neighborhood safety and security that they will bring to your office's attention.

Thank you for your time and attention to this most important matter.

Sabrina Sundquist

3506 E. Daley Lane

**From:** nav bajwa
**To:** Anthony M Grande
**Subject:** REZONING OF THE LAND AT BLACK MOUNTAIN AND DEER VALLEY
**Date:** Friday, August 4, 2023 7:38:56 AM

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To Mr. Grande,

My name is Nav Bajwa. I am a resident of Aviano. As a concerned citizen, I am writing this email to urge and appeal that you reconsider keeping the area zoned for residental purposes only. The infrastructure in that area is not built to handle a shopping complex, with all the increased traffic from the Pinnacle high school as well.

Thanks,
Nav.

**From:** Julie Gibson
**To:** Anthony M Grande
**Subject:** Oppose the development Black Man Deer Valley
**Date:** Friday, August 4, 2023 7:55:25 AM

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Hi Anthony,

First I want to thank you for what you do. I worked ever so briefly in planning in Portland, OR. I know it's a tough and under appreciated role in development. So I do not like sending an email with a negative tone, but on this one I must.

Regarding the development at Black Mountain Blvd and Deer Valley I have 2 major concerns:

1. The additional traffic to an already clogged area - especially with high schoolers in the area. It increases frustration and potential for life treating accidents. (Teen brains in the mornings aren't really the the sharpest in the intersection).

2. How can we guarantee that this doesn't end up a strip mall of vape stores and liquor stores? Again the last thing that should be placed near a high school. Our kids have so much on their plate already in terms of the availability of addictive substances. Why make this any harder for them?

I do hope the City will take in consideration the development's proximity to a high school and the challenges it poses with the teens that will no doubt surround the area before and after school.

I will do my best to be at the next meeting in October.

Warm regards,
Julie

Julie Gibson
julsgc@me.com
480-352-8612

**From:** Gordon Smith
**To:** Anthony M Grande
**Subject:** Development at the corner of Deer Valley and Black Mountain Blvd
**Date:** Friday, August 4, 2023 2:17:59 PM

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I live close by and strenuously object to developing this land for commercial use. This would place a commercial lot right in the middle of neighborhoods and a school. I happen to live in the closest adjoining neighborhood (Fireside - Copper View) and my property values will be negatively impacted by this decision. My quality of life will be negatively impacted by this decision.

From a practical perspective, this is a dangerous place to build a development of that nature. We already suffer from high school kids parking and clogging our streets in the adjoining neighborhood. At best, this would shift that burden to this new development. Having entitled parents with their bad parking/waiting habits combined with parking lots full of high school teens disobeying parking regulations and the increased pedestrian traffic there is a recipe for disaster. I sure hope they have amazing insurance - they'll need it.

This will create light and noise pollution, add more traffic to an already congested area and degrade my property values. If anything, this state land should be used for an expansion of the school itself to allow for more high school parking and activities of the existing population attending that school.

We have gas stations nearby already. We have grocery stores nearby already. We have fast food nearby already. We do not need this development.

Sincerely,

Gordon Smith
3608 E Salter Dr
Phoenix AZ 85050

**From:** Christian Klein
**To:** Anthony M Grande
**Subject:** Case: GPA-DSTV-2-23-2
**Date:** Friday, August 4, 2023 12:42:04 PM

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Dear Anthony Grande,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime which when coupled with declining property values would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Christian Klein

**From:** Ronee Korbin Steiner
**To:** Anthony M Grande
**Subject:** Additional information on potential project at Deer Valley and Black Mountain
**Date:** Friday, August 4, 2023 7:33:48 AM

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I urge you or someone from your office to come by between 7 am and 7:30 and see what the traffic is like. It's unbearable. I literally have to change my work schedule by leaving either before 7 or after 7:30. Any commercial addition to that corner is going to make things exponentially worse, create more accidents or worse. Kids are walking across the street and not at the intersection because there is gridlock and they think that they can just do that.

The Steiners

Jeffrey Smith
3749 E Covey Ln
Phoenix, AZ 85050
August 7, 2023

City of Phoenix Planning and Development Department
Zoning Section
200 West Washington Street 2nd Floor
Phoenix, AZ 85003

Re: Case Number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23

Dear City of Phoenix Planning and Development Department:

I recently became aware, through your notification, of Vestar's application to have the above referenced parcel rezoned from residential to commercial. After attending the Desert View Planning Committee meeting on August 1st and listening to Vestar's presentation I wish to register my strong opposition to this rezoning change.

The property in question sits directly north of Pinnacle High School and butts up against two short stretches of major roads that lead in and out of the adjacent neighborhoods. These two roads are (and have been for 10+ years) choked with traffic to the point of gridlock twice a day with the start and end of the school session. Adding a commercial development with multiple businesses and around 500 parking spaces would simply add to the congestion already present. The current traffic situation has led to numerous accidents and unsafe practices and is unacceptable. To add to it would be irrational.

Additionally, Vestar made the claim that the businesses brought in would offer the high school students options before, during, and after school. I submit that such options to allow students to "hang out" are not beneficial to our community.

Lastly, to change from residential to commercial after the fact is also unacceptable. As homeowners, we bought in a master planned community because of the master plan and its planned land use. Changing the land use from the master plan violates the conditions under which we made our decisions and has the potential to materially impact our home values in a negative way.

For these reasons and others that were expressed at the Planning Committee meeting, I urge the Department to oppose these requests for rezoning.

Sincerely,



Jeffrey Smith

**From:** Layla
**To:** Anthony M Grande
**Subject:** Case#GPA-DSTV-2-23-2/ Desert Ridge Community
**Date:** Tuesday, August 8, 2023 10:25:52 AM

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Mr. Grande,

My husband and I, and our children, have lived in the Desert Ridge Community since 2010. What attracted us to this area was the quiet, beauty of the desert, and the many, many young families that live here. Our children attend all the neighborhood schools including Pinnacle High School.

We feel strongly that changing this residential land site to commercial would be detrimental to our community. The increased traffic would be catastrophic to the neighborhood environment. It is already difficult to get my children to school, this would increase substantially. We have studied the developers plans for this land and we are deeply troubled. Our neighborhood will be forever changed with drive-thrus and a gas station. Huge semi trucks will now be delivering gas and food to our quiet community. We cannot allow this to happen! We do not need another gas station or grocery store here. We can drive less than a mile to obtain that. Why destroy a neighborhood/community all for money.

We are pleading with you to put a stop to this! If you have any further questions, please let us know.

Thank you,

Darrin and Layla Saikley
602-329-4432

**From:** Wendy
**To:** Anthony M Grande
**Subject:** Rezoning for Commercial of Corner Black Mountain & Deer valley
**Date:** Tuesday, August 8, 2023 10:00:00 AM

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Hi Mr. Grande,

This email is too put in our objection for the rezoning to make commercial the corner of Black Mountain Blvd and Deer Valley.

The traffic in that area is already very busy with the school and subdivisions. As is there is usually backups. This is a residential neighborhood with lots of families and kids. We do not need to bring additional traffic or buildings that don't belong in the middle of a residential area. There is enough stuff very close by. We did not buy in the area to have that type of stuff right in the middle of our neighborhoods.

I highly object to this and would not approve it!

Thank you,
Wendy

**From:** Helen"s Cox Email
**To:** Anthony M Grande
**Subject:** Application No. GPA-DSTV-2-23-2
**Date:** Thursday, August 10, 2023 10:42:07 AM

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Hello Mr. Grande,

We are homeowners of (2) homes in Desert Ridge and we STRONGLY OPPOSE the proposed commercial tract along Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

Please make a note of our position.

Thank you,
Helana and Timothy Doyle

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:20:48 AM

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**Name**

Peter Feldman

**Email**

peterjfeldman@gmail.com

**Address / Neighborhood (Optional)**

Fireside at Desert Ridge

**Support Comments**

This development is a terrible idea. Traffic in right lane of Deer Valley is already backed up for a half mile at drop off and pick up at high school. Black Mtn is impassible with the kids crossing the street and cars parked along the sides of the roads. Some kid is going to get hit by a shopper leaving that center and everyone associated with the development is getting sued.

This is literally the worst possible use for the property.

**From:** Sue
**To:** Anthony M Grande
**Subject:** Zone change of the Southwest Corner of Deer Valley Drive and Black Mountain Boulevard
**Date:** Thursday, August 10, 2023 11:23:32 AM

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Dear Mr. Grande,

I am against the zone change from residential to commercial.
There are many, many reasons why I am opposed to this zone change (lights, noise, traffic , etc.).
I live in the Sky Crossing community.
I attended the August 1st meeting, but nothing favorable was convincing.

Sincerely,
Suzanne Corlett Sayegh
21827 North 33rd Street
Phoenix, Arizona 85050

Sent from my iPhone

| | |
|---|---|
| **From:** | Rusty Ludwig |
| **To:** | Anthony M Grande |
| **Subject:** | Proposed Development on Black Mountain and Deer Valley |
| **Date:** | Saturday, August 12, 2023 12:30:18 PM |

Hi Anthony,
We have lived in Aviano for the past 17 years, when we purchased our home, in the general plan this was zoned residential. We have no problem driving to the commercial areas already developed for that type of businesses. From the sounds of the development it's catered to capture the local high school, the area is already congested in that area. Please forward this response to the City Staff responsible for the decision to change the zoning, please leave it residential.
Thank You,
Rusty Ludwig
--
Rusty Ludwig
RJL Excavating, Inc.
602-920-8003
rjlexc@gmail.com

**From:** cmotjen
**To:** Anthony M Grande
**Subject:** Deer Valley & Black Mountian
**Date:** Sunday, August 13, 2023 9:51:17 AM

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Hi Anthony,

If possible, I hope you can restructure the thought of making Deer Valley and Black Mountain a commercial property. Our kids have to walk by this intersection everyday on their way to school. We moved into a neighborhood to have a neighborhood, not a city.
If commercial is the only option, please look at other corporations. The locations built by Vestar are tacky and unappealing, sprawling at best. We need something sophisticated and classy. We/You are beyond fortunate Sky Crossing Elementary, Fireside Elementary and Pinnacle High School are some of the BEST schools in the PV school district.
Please don't let us down in making a rash decision,
Christina Otjen

Sent from my iPhone

**From:** Helen's Cox
**To:** Anthony M Grande
**Subject:** Application # GPA-DSTV-2-23-2
**Date:** Monday, August 14, 2023 11:05:23 AM

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Hello Anthony,

I understand that the city would like a more detailed explanation as to why we are strongly against rezoning this tract for commercial building.

My husband and I have lived in Desert Ridge since 2004. Phoenix does not have many areas where the beauty and quiet of the desert is so prominent. However, the Desert Ridge community is one of the beautiful, quiet and family friendly neighborhoods in Phoenix. In fact when we outgrew our home and decided to buy another one we chose to remain in Phoenix in the Desert Ridge area because we love it so much.

All of our children have and do attend the neighborhood schools. The Desert Ridge area has always been a safe and quiet neighborhood. Building a commercial plot right next to Pinnacle High School would be outrageous. It would cause a dangerous amount of traffic, crime and be very disturbing to the school and surrounding neighborhoods. Desert Ridge Marketplace is less than 1 mile away.

We understand there is a proposed gas station in the plans. This is extremely short sighted. There is a gas station less than a mile away. The future is electric. In the next few years gas cars will become obsolete. Gas stations are so toxic, it is incredibly hard to convert the land when it will no longer be needed. This begs the question, is the development being funded by a gas company?

It appears that the city is being motivated by money and not seeing how this will impact a beautiful neighborhood.

Currently, the neighborhoods in Desert Ridge are very much like you'd see in the city of Scottsdale. The Desert Ridge area is highly sought after in the City of Phoenix and gives the City of Scottsdale a "run for its money". This proposed tract is obviously money motivated with no regards as to the impact it will have on Pinnacle High School and the surrounding neighborhoods and ultimately the City of Phoenix.

The City of Phoenix is already filled with unsightly commercial plots next to neighborhoods and schools which downgrades those areas immensely.

Keep the Desert Ridge neighborhood as one of the few in the City of Phoenix that is peaceful, beautiful and safe.

Be the future and preserve this neighborhood for generations to come. Please Do Not build commercial on this land. Be better and do what's right for the city.

Thank you,
Timothy and Helana Doyle
602-432-9504

**From:** Ginger Kurtz
**To:** Anthony M Grande
**Subject:** new development in desert ridge phx az
**Date:** Wednesday, August 16, 2023 12:09:48 PM

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I am a resident of Desert Ridge. We have been in Desert Ridge since the beginning March 1995. We have seen the growth . We feel blessed everything is within walking or a short drive . We have gas stations, grocery storel and plenty of restaurants and some fast food. If you dont like Desert Ridge for shopping you have a short drive to Bell Road off Tatum for morel choices or go to cave creek off of Deer Valley. We dont need to bring more traffic and more traffic and chaos to this neighborhood. We oppose the new development off Deer Valley BLack mountain.

Thank you Ginger Kurtz, Kristina Koontz

**From:** V H
**To:** Anthony M Grande
**Subject:** Parcel at Black Mtn and Deer Valley
**Date:** Thursday, August 17, 2023 2:47:26 PM

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Hi Mr. Grande,

I want to express my opposition to the proposed rezoning of the parcel on the Southwest corner of Black Mountain and Deer Valley. It is being proposed that the land be rezoned from residential to commercial. This is a terrible idea for many reasons. I am a full time resident in Sky Crossing and below are just a few potential issues that will be created by commercial zoning.

Violence, as experienced at Desert Ridge shopping area
Increased noise
Predators/sex trafficking
Light pollution
Increased burnouts - burnouts are currently in every intersection in the area
Increased traffic in an already crowded area
Safety - speeding is rampant in the area and there was a death on Deer Valley last year
High school pedestrian safety
High school drop off and pick up is already severely congested
Increased wear and tear on roads from commercial vehicles
Increased commercial vehicles - brakes, horns, noise

There is zero need for a gas station, grocery store, or any other commercial property on this land. Those services are already conveniently located 2-3 miles in either direction.

Please don't make a decision to rezone the parcel. The future cannot be undone when issues arise. It's not always about money. Sometimes - in this case for instance - it's about keeping a neighborhood a neighborhood with residential properties as initially zoned. Home owners in Sky Crossing were sold on the idea of residential and not commercial across the street. No commercial zoning nearby was a huge selling point for property owners. Don't go back on this commitment.

Please don't rezone the parcel at Black Mountain and Deer Valley north of Pinnacle High School. Be proactive and put residents first.

Thank you for your time.

Vicki

**From:** Wendy Piermarini
**To:** Anthony M Grande
**Subject:** Do Not Change Residential Lot into Commercial
**Date:** Friday, August 18, 2023 9:05:36 AM

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Anthony,
We built in Desert Ridge back in 1997 and studied the Master Plan. It **DID NOT** include commercial inside the Desert Ridge Community. It is the worst idea to change the residential property into commercial. It will only bring crime, homelessness and more congestion to an already very congested area. Trying to navigate around Pinnacle High School is already ridiculous and any changes to the navigating that problem has not helped. . This was never the plan and it should not be a new plan in order to profit a few. Keep our area beautiful!!!!

**From:** wroodenburg@cox.net
**To:** Anthony M Grande; David Urbinato
**Cc:** Laura Farrell; Council District 2 PCC; Sarah Stockham; bgeorge@pvschools.net; nwilcox@pvschools.net; PDD Desert View VPC
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero
**Date:** Friday, August 18, 2023 4:00:29 PM
**Attachments:** image003.png
image005.png
image006.png

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Thanks everyone for your input.

What strikes me in general is that it seems a very reactive process to "wait and see" who comes up with a plan for the vacant land.

There is :

1. already a master plan for Desert Ridge,
2. the land is owned by the Arizona State Land Department, beneficiaries include the k-12 schools,
3. there is a Vision Zero plan and budget to reduce casualties,
4. there is a federal program regarding infrastructure.

On top of that,

1. the school was build in 2000 during a time when Fireside/Aviano/SkyCrossing/DesertRidge marketplace were not even there yet.
2. The school was build in 2000 whilst the freeways like 101 were not build yet, etc, etc
3. During curriculum night at the Pinnacle High School, this topic was brought up and the principal re-iterated that he was 100% against the commercial proposal – this is not what came across in the meeting and I would love to see the exact wording used that night.
4. Pinnacle High school is further expanding the number of students every year and it should be able to get the infrastructure and parking capabilities for students to get to school safely.
5. Student Drivers are mixed with in with people that need to get to work in time and this creates a recipe for disaster for these drivers and the students crossing the intersection.

Adding up all these before mentioned items and elements of existing/approved budgets, would we (as a community) be wrong to assume that there is somebody at City or State level working with the school district to alleviate the pressures that now exist in this neighborhood, proactively.
We have escalated the issue, discussions and actions have taken place between the school and the city, but this year the dropoff and pickup is in exactly the same state of chaos around the school and we're all just waiting for 1 child to get run over.
This doesn't seem in line with the Vision Zero.

My main question is this;
Does the city planner and the village planning committee have the ability to – themselves - create a proposal for this vacant land, recognizing that the area has grown tremendously over the last decade and that improvements to the infrastructure, traffic patterns, school safety, etc are now needed.

Here are the benefits:

1. The biggest benefit is the fact that Pinnacle Highschool is one of the few lucky schools that has vacant land around it to still expand and address the issues.
2. Both committees are experts in State and City guidelines and laws
3. Both committees can invite other necessary parties to the table that they know are required to make a good plan and include people from the school districts and the department of education.
4. You have inside knowledge of budget and grant opportunities at State and Federal level to plan for funding
5. Vision Zero survey results are available in more detail then what the public gets to see and it should have been highlighted by the participation of the community in Aviano and Fireside.
6. State Land should benefit the school – so why not expand the footprint for this high school directly (and not selling the land for proceeds)

I'm no expert in what it is people on this email can do or not – but I would strongly urge all of you to take my points into consideration and NOT approve the vestar proposal in any shape or form, because it is NOT what the area needs and it is NOT in the best interest of student safety.
We can only decide ONCE what will happen to this piece of land and it was already decided to NOT be commercial.
We have a great community, they have engaged with surveys and shown up at meetings. We love where we live and it's mainly because of the master plan that is already in place.

If you require further input and or participation of our community and/or have any suggestions to have this proposal stopped, please let us know.
Much appreciated if this can be added to the proposal as feedback.

Kind regards,
Wouter Roodenburg
4805672716

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**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Friday, August 11, 2023 4:00 PM
**To:** David Urbinato <david.urbinato@phoenix.gov>; wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Hi all,

I want to add some information here. Vestar has filed an application to rezone the property for commercial use. The Desert View VPC heard an informational presentation on August 1 and took public comments. I know Mr. Roodenburg, you were there and provided input on the rezoning proposal. As was discussed at the meeting, the case is still under review and won't have a formal staff recommendation until it returns to the VPC in October for public hearing and recommendation. In the meantime, we are reviewing all comments received, which will be made part of the case file and included in the staff report for the case.

Please feel free to reach out with any additional questions or comments.

Thanks,
Anthony

**Anthony Grande**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

**From:** David Urbinato <david.urbinato@phoenix.gov>
**Sent:** Friday, August 11, 2023 12:37 PM
**To:** wroodenburg@cox.net
**Cc:** Laura Farrell <laura.farrell@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** FW: Pinnacle High School - Traffic flow / Vision Zero

Mr. Roodenburg, Street Transportation Department staff forwarded your question about development plans for the circled parcel below. This parcel of land is owned by the Arizona State Land Department. They submitted a request for a pre-application review (PAPP 2206799) of a site plan and potential rezoning that proposed a shopping center on the property. At this time, the owner has not submitted any additional documents beyond the pre-application stage. Please note that details of proposed plans can change somewhat as they move past the early pre-application stage.

I have copied the village planner for that area, Anthony Grande, if you have any questions about how the rezoning process would play out from here should the applicant choose to proceed.

The State Land Department sells parcels based on guidelines in state law. Whether they legally could donate the land to the school district would be a question to address directly with the Land Department. I've included a link to their home page as a place to start. Home | Arizona State Land Department (az.gov) [land.az.gov]




**David Urbinato**
Economic Development Program Manager
Ombudsman Section
Phone: 602-534-3630
City of Phoenix
► Planning & Development Department
Ombudsman Section
200 West Washington St., 3rd Floor
Phoenix, AZ 85003
pdd.ombudsman@phoenix.gov

**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, August 1, 2023 1:48 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>; bgeorge@pvschools.net; nwilcox@pvschools.net
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Following our previous conversations, it seems that Pinnacle high school and the city have worked together on a better drop off procedure for this year by changing the drop off route to be going around the school.
There also seem to have been an investment in more signs everywhere and a reduction in speed at Mayo boulevard, but it won't stop the students being dropped off on the corner of mayo from where they literally cross this junction in anyway they can (no longer following the crossings). It actually has gotten worse in the last year.

Although these previous mentioned actions are positive signs, they do not seem to address the rootcauses of the traffic issue and doesn't directly help the safety of the students, nor provide extra capacity for drop off locations.
Only the land north of the school would be able to provide this with some development.

However, residents have noticed that the city is considering an application for rezoning the land North of the school with commercial intentions. ( Black Mountain Village / Superblock 12 - Gammage & Burnham | Attorneys at LawGammage & Burnham | Attorneys at Law (gblaw.com) [gblaw.com] ). See Zoning hearings sign attached.
I have copied some board members of the PV school district and hope they are aware of this rezoning application, impacting Pinnacle high school student safety.

After the Fireside residents have tried to communicate our concerns with the safety of this area with the City and our participation in the Road Safety surveys, I find it very surprising that the City is considering to add yet more traffic to this junction where a lot of high school students are and more new student drivers are going to be this year.

Are you able to share the information you have gathered last year that prompted some of the changes with this Planning commission to take into consideration?
Would you be able to advise us about the options, procedures needed to rezone/donate this exact piece of land to be of future use for Paradise Valley School district and expansion of the highschool?

Looking forward to further information on this topic.

Kind Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Thursday, August 11, 2022 11:09 AM
**To:** Wouter <wroodenburg@cox.net>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Wouter,

I apologize for not getting back to you Monday, but I was unexpectedly out. I did leave you a voicemail yesterday afternoon, and I promised to follow up with an email today.

Staff analyzed the traffic count data and have been monitoring the two traffic signals near Pinnacle High School, especially the one at Black Mountain and Mayo boulevards, this week as school started. They determined that an adjustment to the signal at Black Mountain and Mayo was needed to allow for more green times when the signal detects an increase in vehicles. However, while the adjustment has helped some, the amount of traffic present during school pick-up and drop-off times is still causing congestion, which signal adjustment cannot remediate.

Staff also noticed some issues with the way students/pedestrians are crossing at this intersection. Therefore, staff will contact the school to work with them on safety education. Staff will also see if they can make some suggestions to the school regarding their pick-up/drop-off plans.

Unfortunately, there is no street engineering solution we can offer to solve this issue. The traffic congestion at Pinnacle High School is not unique; all high schools in the City have similar congestion issues during the peak morning and afternoon hours, which dissipate once those peak hours are over. We do have a school safety coordinator who works with schools on their pick-up and drop-off plans to minimize traffic impacts as much as possible, while also educating them on safety. However, we can only make suggestions as the City does not have the authority to force schools to change their plans. Arizona State Law exempts them from having to comply with zoning ordinance requirements as other businesses and property owners must do within the City. Schools are governed by the locally elected school district or the Department of Education at the state level.

I do understand that safety is of utmost concern to you and the other parents as it is for us, too. We will continue to provide as much assistance as we can by monitoring the signals and communicating with the school. I also urge you to contact the school board or district to solicit their assistance with your concerns.

I also want to thank you for participating in the Road Safety Action Plan Phase I survey. The results are available at phoenix.gov/streets/roadsafety. Another survey for Phase II is now open through August 31 if you'd like to take that one as well. Please keep checking the website for other community engagement opportunities and plan updates.

I do hope this information is helpful. Please feel free to call me if you have other questions or concerns.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
**laura.farrell@phoenix.gov**
Follow us on Twitter **@StreetsPHX** [twitter.com]




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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Monday, August 8, 2022 7:47 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Laura,

Hope you also had some time off this summer.
We're ready to have the kids go back to school and was wondering whether any changes will be made to the traffic light timing of the various lights.

As a community we continue to participate in the questionnaires that came out, etc but hope there is something the city is willing to do now to make the situation safer.

Kind regards
Wouter Roodenburg
480-567-2716

Sent from my iPhone

> On May 20, 2022, at 4:00 PM, Laura Farrell <laura.farrell@phoenix.gov> wrote:
>
> Hi Wouter,
>
> Thank you for your email, and I appreciate the chance to speak with you on the phone today.
>
> Just to reiterate our conversation, we are monitoring the two traffic signals near Pinnacle High School, and we are finalizing traffic counts before school is out next week. We will analyze the data to see if there are any adjustments we can make. During our monitoring, we did note the school ingress/egress pattern, so our school safety coordinator is going to review and reach out to the school to see if we can provide some assistance.
>
> I know school is out next week, but we will continue to work with the school and monitor the traffic signals especially when school is back in session in August. I've noted that one of your main concerns is with vehicles getting backed up on Mayo Blvd when turning onto Black Mountain (both turning left with the arrow going west then southbound onto Black Mountain and turning right when going east then southbound onto Black Mountain from Mayo) as they wait for students to cross. I have forwarded your concern to the traffic management center, so they can be sure to monitor this especially. I will let you know if there are any adjustments we can make.
>
> I also let you know that the results of the Road Safety Action Plan (RSAP) public survey should be published on the RSAP website at phoenix.gov/streets/roadsafety in early to mid-June. I'll make sure to keep this on my radar to update you once it's available.
>
> I do appreciate you letting us know of your safety concerns as we are dedicated to working on improving the safety of our roadways as much as possible.
>
> Please feel free to reach out to me again if you have other concerns. In the meantime, I'll make sure to provide you with updates as I have them.
>
> Have a wonderful weekend!
>
> Thank you,
> Laura Farrell
> Management Assistant II
> City of Phoenix Street Transportation Department
> 200 W. Washington St., 5th Floor
> Phoenix, AZ 85003
> (602) 495-2047
> laura.farrell@phoenix.gov
> Follow us on Twitter @StreetsPHX [twitter.com]
>
> Streets PHX
> STREET TRANSPORTATION DEPARTMENT

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**From:** Wouter <wroodenburg@cox.net>
**Sent:** Friday, May 20, 2022 7:33 AM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; Tricia Quiroz <tricia.quiroz@phoenix.gov>
**Subject:** Re: Pinnacle High School - Traffic flow / Vision Zero

Good morning
I wanted to follow up on the traffic light evaluation. Has it occurred yet?

There really should be some adjustments to make it safer for the kids

Will the results of the questionnaire be published ?

Much appreciate an update

Regards
Wouter

Sent from my iPhone

On Feb 17, 2022, at 7:46 AM, Laura Farrell <laura.farrell@phoenix.gov> wrote:

Good morning Mr. Roodenburg,

Thank you so much for sharing the survey with your neighbors and submitting your feedback.

I have requested the two signals be evaluated, and I'll follow up once they have been completed. Staff is also evaluating the area for any pedestrian crossing issues and looking into options.

We do appreciate your willingness to help. We can certainly let you know if there are any opportunities for neighborhood feedback. I'm copying Tricia Quiroz to be your future contact person. She is my counterpart in our Traffic Services Division, which is the division that handles traffic signals, pedestrian crossings, and school safety.

One of us will follow up with you with the results of the signal timing evaluations. Let me know if you have any other questions.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Tuesday, February 15, 2022 2:47 PM
**To:** Laura Farrell <laura.farrell@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Laura,
Thank you for the information. I will take this up with the school district as well.
I did post your survey on our community facebook page and you should see multiple submissions already from me and my neighbors.

I hope that traffic around schools gets prioritized appropriately in your plan.

Please start the process required to get the timing of traffic signals around that intersection reviewed again and adjusted accordingly.
The cross walk lights should be isolated and run separately from the cars to avoid accidents between the kids and cars making last minute turns.
The light from Mayo turning onto black mountain south - should be isolated and run longer to clear up the lines.

Again – there is a large group of parents in Fireside that wish to participate in any effort to make that area safer for our kids and ideally allow them to walk/bicycle more to school.
Let us know how we can help or who our contact is at the Transportation department.

Regards,
Wouter Roodenburg.

---

**From:** Laura Farrell <laura.farrell@phoenix.gov>
**Sent:** Tuesday, February 15, 2022 9:02 AM
**To:** wroodenburg@cox.net
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Pinnacle High School - Traffic flow / Vision Zero

Good morning Mr. Roodenburg,

Councilman Waring's office sent your email to the Street Transportation Department for investigation.

Thank you for contacting the City of Phoenix with your concerns. Unfortunately, the Street Transportation Department has no authority over your proposals for parking ingress/egress for the school. We also have no jurisdiction over the state land parcel. We suggest taking your proposal directly to the school district first to see if they can accommodate any of your parking proposals.

What the city can offer at this time is to review the timing of the traffics signals at Black Mountain and Mayo boulevards, and Black Mountain Boulevard and Deer Valley Road to ensure they are timed appropriately for the traffic volumes.

Regarding Vision Zero, Phoenix City Council did just recently approve adopting Vision Zero with the goal of eliminating all traffic fatalities on Phoenix roadways. We are also developing a comprehensive Road Safety Action Plan (RSAP) for the city and will be incorporating

Vision Zero goals into the RSAP. We are currently requesting public input to help shape the plan, so I highly encourage you and your neighbors to visit phoenix.gov/streets/roadsafety for information on the RSAP and to take the survey.

I do hope this information is helpful and thank you again for contacting the City of Phoenix. Please let me know if I can be of any further assistance.

Thank you,
Laura Farrell
Management Assistant II
City of Phoenix Street Transportation Department
200 W. Washington St., 5th Floor
Phoenix, AZ 85003
(602) 495-2047
laura.farrell@phoenix.gov
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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 4:10 PM
**To:** Council District 2 PCC
**Subject:** Pinnacle High School - Traffic flow / Vision Zero

Dear Councilman Waring,
We are living in Fireside Community near Pinnacle High School. Every morning dropping our kids off has turned into a nightmare.
A lot of traffic is building up around this area. Lot of frustrated drivers that I have filmed going through red lights and near collisions, mixed in with student drivers trying to park their car at the school.
Currently I'm not aware of any fatalities on this highschool junction, but we would hope the city will be pro-active in this case preventing any accidents before they happen.

Please find below a request to the city with regards to the traffic situation around Pinnacle High School.
Parents are getting very concerned about the safety of our kids.
A lot has changed in this part of phoenix, with big new housing divisions going in and black mountain blvd connecting to the 51 freeway.
The way this new road was build did not consider the kind of traffic that we're dealing with currently. A bridge to cross Black mountain blvd was build 500 feet away from the junction which is causing nobody to use it.
Available State land on the corner – highlighted below in picture - is staying vacant and would be the perfect addition to repurpose for the safety of our kids and increase the parking capacity of the school.

I have seen articles regarding "Vision Zero" and new funding being available to reduce the number of accidents and fatalities in Phoenix and would very much hope that his will be a timely request to consider by the city council.

We would very much like to understand how we can work with the city to address this dangerous situation.
Much appreciate your feedback on the matter.

Kind regards,
Wouter Roodenburg
480-567-2716

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**From:** wroodenburg@cox.net <wroodenburg@cox.net>
**Sent:** Thursday, February 10, 2022 3:42 PM
**To:** 'patrick.presley@phoenix.gov' <patrick.presley@phoenix.gov>
**Subject:** Pinnacle High School - Traffic flow questions

I'm trying to find out who to speak with regarding the traffic situation at Pinnacle High school.
Most parents in our Fireside community are very concerned about the junction our kids have to cross and cars that are driving through that intersection.
I've got some video's from just 1 random day and captured a lot of dangerous driving through red lights and almost collisions.
A lot of traffic is going down the same roads trying to reach the school or get onto the 51 freeway causing a massive traffic jam every day.

We would very much like to know if we could work with the City to resolve these situations to increase the safety of our kids.
The plot of state land highlighted in light blue should ideally become part of the highschool to have additional parking for a fast growing highschool.
Closing the entrance from black mountain blvd, forcing students to go via Deer Valley instead.

I've included the situation and also some possible solutions to consider.
When the State land becomes part of PV district - Then you could have much needed additional parking and also incorporate a safe drop off and bridge to have them enter the school.
Traffic will then be diverted away from Mayo Blvd and Black mountain blvd

Much appreciate your feedback.




Kind regards,
Wouter Roodenburg
480-567-2716

*******

## Anthony M Grande

**From:** Chris Hanley <c3hanley@gmail.com>
**Sent:** Saturday, August 19, 2023 4:16 PM
**To:** Anthony M Grande
**Subject:** Black Mountain and Deer Valley Village

Hello Anthony,

My name is Chris Hanley and I live in the Sky Crossing community. I moved into this neighborhood in March 2020 and am the original owner of my home.

I understand there is a zoning hearing for the parcel of land on Deer Valley, West of Pinnacle High School. I also understand that a commercial developer wishes to buy the land to develop a shopping center and needs the land to be rezoned from residential to commercial.

I am opposed to this rezoning.

Sky Crossing is a new neighborhood. Many of us bought here in the last few years with the knowledge of the open land to our south being other homes, not a grocery store, gas station, and other retail. This isn't an old neighborhood where things have changed over the decades, we're less than 5 years into this.

As you know, Deer Valley is a 3 lane road in each direction. It is heavily travelled. The high school contributes to the traffic load at certain times of day. WIth Black Canyon as a feeder onto SR 51, there is high traffic already.

While I understand how that would appeal to a commercial developer, the community is highly concerned about the added traffic and congestion a shopping center would bring. In addition, the shopping center would add light pollution and added noise pollution.

As you also know, shopping centers draw in pan handling, the homeless, and additional trash. We don't need that in a family community, next to a high school and close to Sky Crossing Elementary.

Cave creek road to our West has 2 gas stations on it (north of the 101) and plenty of retail. We have an Albertsons at Tatum and Deer Valley, with a gas station, and again lots of retail at Desert Ridge. There is also a Safeway and Frys north of us at Tatum and Cave Creek. We don't need any more grocery stores and there are plenty of gas stations.

Please do not approve the rezoning. Thank you for your consideration on this matter and please reach out if you would like to discuss.

Chris Hanley
3118 E. Herrera Dr
Phoenix AZ 85050
c3hanley@gmail.com

## Anthony M Grande

**From:** Justin M <justinmeyers20@yahoo.com>
**Sent:** Sunday, August 20, 2023 9:44 AM
**To:** Anthony M Grande
**Subject:** Opposition to Vestar Development Group's Plans for Northwest Corner Deer Valley and Black Mountain

Dear Anthony Grande,

I hope this messages finds you well. I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Northwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale, the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Northwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

Sincerely,

Justin M.
(602)-481-8143

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:30:19 PM

---

**Name**

Rebecca Eldridge

**Email**

rebecca.n.eldridge@gmail.com

**Address / Neighborhood (Optional)**

Fireside Desert Ridge

**Support Comments**

I do NOT support a shopping center at this location. It's already too congested as it is at that intersection and south toward the 101. This is not a prime location for something like this right near the high school and between so many large neighborhoods. Maybe great for the businesses but terrible for neighbors!

The design of our roads and infrastructure in our area was not designed and is not currently conducive for more high traffic areas. The roads will become a nightmare - even more so (esp in black mountain) than they are now.

It's relatively quiet in our area too - aside from the chaos on Tatum in Desert Ridge. Let's not bring that chaos west a few blocks!

I will not support a shopping center at this location and aside from those reasons shared above, I have a list full of others.

If anything, make parking and traffic easier on Pinnacle students and families so they don't have to block intersections, slow traffic, or bring their traffic for pick up and drop off into neighborhood streets. If anything, that high school and its community need support for better access before, during, and after school.

I guarantee if you put a shopping center in, that parking lot will be filled with student parking M-F. Make decisions that are to the benefit of the community, not for making money hungry investors richer.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 3:51:41 PM

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| **Name** |
| --- |
| Jennifer Francyk |
| **Email** |
| jfrancyk@me.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| Please do not allow a gas station on that corner. How about a public library? A park? A community center? Do we really need to put junk food outlets and hang outs so close to the high school? Property values won't be the same if this is not done properly. If anything a small grocer like sprouts or Trader Joe's might be ok. Prefer it was just housing. |

JAMES W. TUFFIN
21214 N. 36th Pl
Phoenix, Arizona 85050
(516) 359-6420
james.tuffin@tuffinlaw.com
(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
Property Fax: 480.551.6000
terrance.smith@fsresidential.com
**desertridgelifestyles.com**

**24/7 Customer Care Center: 855.333.5149**
Facebook | LinkedIn | YouTube

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

| | |
|---|---|
| **From:** | Rajesh Gadde |
| **To:** | Anthony M Grande |
| **Subject:** | Fireside resident - regarding black mountain village |
| **Date:** | Wednesday, August 23, 2023 9:37:38 PM |

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Hello Anthony,

I am Rajesh Gadde live in fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village , I think it's going to make our safe neighborhood area into commercial area thus causing danger to kids , we don't want this at all. Please help us om this matter.

Thanks
Rajesh

**From:** Julia Levene
**To:** Anthony M Grande
**Subject:** Desert View, rezoning application
**Date:** Wednesday, August 23, 2023 4:45:07 PM

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HI Anthony:

I attended the recent board meeting regarding case GPA-DSTV-2-23-2 regarding the rezoning of the 20.5 acres located on the corner of Deer Valley and Black Mountain in the Desert Ridge area.

I currently live in the Fireside neighborhood, and was taken back by plans to change this lot from residential use to commercial use. I would like to see that land developed for residential as it was originally intended; or given to Pinnacle High School, as they need additional parking for their students.

In no way would I want a gas station or large grocery store to be located in that area. Not only would the light pollution from the gas station be bothersome, and the noise from delivery trucks at early hours, but the added traffic to the area as well! This is already a busy corner!

Please take the residents, the high school students, and the neighborhoods into consideration before changing this lot from residential to commercial.

Thank you,

Julia

Julia Levene, CMP
CEO
Go West Destinations, Inc.
DBA: APP, Association Planner Partners
3734 E. Ringtail Way
Phoenix, AZ 85050
Phone: 602 320-8323
www.associationplannerpartners.com [associationplannerpartners.com]






| | |
|---|---|
| **From:** | Andrea Remke |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Eric Molenaar |
| **Subject:** | Proposed land development at Mayo/black mtn |
| **Date:** | Sunday, August 27, 2023 9:29:11 AM |

Mr Grande, city officials, etc,

Assuming you are the proper representatives to contact regarding this matter, I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

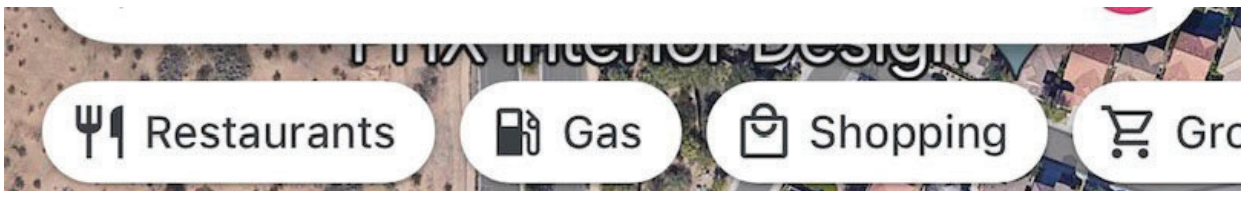
City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,
Andrea Remke,
Phoenix resident of Fireside Desert Ridge




problem intersection
Blvd
E Mayo Blvd
N 36th St
Cloud Reflexol
Black Mountain Blvd
current bridge
200 ft
50 m
Google

**From:** T R
**To:** Anthony M Grande
**Subject:** Southwest corner of Deer Valley and Black Mountain
**Date:** Monday, August 28, 2023 10:28:56 AM

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Hello Mr. Grande,

We are Desert Ridge community members. We have lived here for almost 15 years and in that time, we've seen many changes. Some are good, some not so good.
We are very concerned about the proposal to convert the property from residential to commercial at the corner of Black Mountain and Deer Valley. That corner is active all day, especially during school and sports hours. It's grown from 2 lanes into the large vein that cuts through Desert Ridge connecting Cave Creek to 56th and possibly in the future, Scottsdale Road. Added traffic and distractions could be disastrous for all drivers on the road. Traffic will become heavier (shoppers coming and going, drive-through lines, delivery trucks, etc.) creating an even more congested intersection. We would honestly love to see a traffic survey done as this is such a busy intersection and we all need to get a full idea of usage and traffic patterns.
There are 3 schools within walking distance of this area. We are very concerned about inviting strangers to the heart of our neighborhood for a quick stop. Security and issues at DR Marketplace have been escalating and we don't feel we need to invite more people into our neighborhood for some Chick-fil-A or to gas up their vehicles. We don't have the resources to handle disturbances in DR Marketplace. Why would this be any different?
We also don't believe stores and convenience markets should have the ability to sell alcohol and tobacco products that close to a high school. It will just bring issues to law enforcement that is stretched unbearably thin.
Our children are still young, but we've heard there isn't enough parking at the high school so this will just entice kids to park there and create issues with parents, the high school, and business owners. We've heard that the developer won't limit the store sizes so parking could be inadequate for the project which would add an additional level of stress for shoppers and drivers trying to find parking spots and exit or enter the center.
We feel converting this land will come with a whole host of issues that will outweigh the benefits to DR citizens. We in no way think the land developers have the community's best interest in mind. They, as many before them, build and leave. They never give a second thought to what impact they add to the communities they have worked within. Honestly, with all the new builds going up in Desert Ridge, we feel we need to proceed slower than we are to make sure the roads and area can handle all this growth. We have several big projects currently in different stages (clearing land on Deer Valley for 882 new apartments, a whole new community going in off 56th and the massive plans for City North) the added fallout including the number of new community members, additional cars on our already congested roads without an option for expansion and added pressure on the school district, etc., is yet to be seen.

Thank you for your time,
Adam and Timari Rusak

**From:** Jason Tininenko
**To:** Anthony M Grande
**Subject:** planning committee
**Date:** Monday, August 28, 2023 7:13:35 PM

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We have lived here in Aviano for 7 years. It's a great neighborhood with easy access to Fireside, Explorer, Wildfire and Pinnacle. If you allow a gas station and other stores to be built next to Pinnacle - the traffic will increase, the crime will increase, the traffic accidents will increase and our properties will devalue. Please vote against building in this area. thank you.

| | |
|---|---|
| **From:** | Brad Burnes |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Black Mountain marketplace - NO |
| **Date:** | Tuesday, August 29, 2023 5:03:20 PM |

Hello, my name is Brad Burnes, and my family and I moved to 36th St in Fireside a little over 10 years ago. I can unequivocally say the idea of a shopping center at Deer Valley and Black Mountain is an awful idea, and only a play for cash.

Have you witnessed the traffic during school dropoff and pickup? It's a disaster. Can you provide details of home values in other neighborhoods where a shopping center was allowed to be built after a re-zoning?

We moved to this area because of the vision and community aspect. If the city proceeds with this development against the majority of Desert Ridge residents, how does that value the voice of the residents?

There's plenty of land north of Pinnacle Peak. Please use common sense and do not allow this to happen.

A very concerned voter and resident,
Brad Burnes

**From:** Micheal Copeland
**To:** Council District 2 PCC; Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, August 29, 2023 9:43:47 PM

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Hi Anthony,

My name is Micheal Copeland and I'm a resident in Fireside. I would like to express my deep concern and opposition to the proposed rezoning by Vestar of the parcel located at the SW of Deer Valley and Black Mountain High.

Potential uses including gas stations and quick service retail with drive would have quite a negative impact on the neighborhood. It would also increase the risk to high school students next door given the already existing issues with traffic and parking.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

I'd also point to the City's "Vision Zero" (zero traffic casualties) plan to highlight my concerns with regards to the traffic situation and student safety around Pinnacle High School. I have not seen anything from Vestar that would ameliorate these concerns.

Furthermore, Vestar could easily develop what they want under the existing plan on pre identified commercial zones. Given the proximity to over 600,000 square feet of retail within a mile, there simply is not a need to add additional retail on this parcel.

Sincerely,

Micheal Copeland

Sent from my iPhone
Quick reminder to everyone that tonight at 6pm is the Fireside HOA meeting. The attorneys from Vestar will be doing their presentation and answer any questions you may have.

Goto zoom.com and use meeting ID: 811-9962-3685 and Passcode : 997589

I attended the Desert Ridge Community HOA meeting last week and my conclusion was that nobody in the HOA's, nor the Village Planning Committee for our area will stop this proposal.

It will take all surrounding communities to attend all the meetings and at least write their views on the proposal and submit them to our councilman ([council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov) ) and the City Planner ([anthony.grande@phoenix.gov](mailto:anthony.grande@phoenix.gov) ). Reference : GPA-DSTV-2-23-2

They should know that it needs their attention instead of making a quick buck by selling the land. We need to separate the school traffic from the work traffic to ease the congestion around that area and we should be adding safer drop off areas behind the school and away from Blackmountain boulevard and point out that this Highschool still has vacant land available to address the situation.

Once this is sold and a big box grocery, gas station, big trucks, etc, etc are put their instead, the community will have to live with the consequences. Everyone should also be concerned about the impact of Grocery/Gas stations on the students behavior and attendance of classes. Other folks from the community have brought up other concerns as well.

Ultimately - I would argue that whilst it is still State Land, it should benefit the schools per Arizona laws because

Public Education is the main beneficiaries of state land sales. It should not hurt a public school when they sell it.

The school will be there for a long time – so we should make an effort now to keep Desert Ridge communities desirable and family friendly.

We should put student safety before anything else whilst we still can.

Please email your views!!

Let us know your thoughts on this at the meeting or on this post.

**From:** Andy M
**To:** Anthony M Grande
**Subject:** Black mountain village plan - no vote
**Date:** Tuesday, August 29, 2023 10:50:35 PM

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Hi Anthony,

I'm strongly against the Black Mountain Village plan and zoning changes (cases are GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

It feels like a bait and switch for our community (especially us in the cooper view sub-community on black mountain and deer valley who would feel this impact the hardest).

There is plenty of land closer to cave creek available and already designated for commercial purchase.

Thank you,
Andy Mesecher

**From:** Sara Millett
**To:** Anthony M Grande
**Subject:** Black Mountain Village - Strongly Oppose
**Date:** Tuesday, August 29, 2023 10:11:20 AM

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Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of an 8th grader and a 5th grader in the community.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle High School is already dangerous and adding a commercial building would surely lead to additional traffic issues and potential accidents.

Desert Ridge Marketplace and High Street already offer plenty of shopping and restaurants and we are have plenty of convenient options being so close to the freeway.

Please halt plans for the Black Mountain Village shopping center.

Thank you for your time and consideration.

Sara Millett
3845 E Cat Balue Drive
Phoenix, AZ 85050

**From:** Marisa OConnor
**To:** Anthony M Grande
**Subject:** Black mountain village - strongly oppose
**Date:** Tuesday, August 29, 2023 8:59:01 AM

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Mr Grande,

I wanted to express my strong opposition for the commercial development Black Mountain Village. I am a parent of a freshman at the nearby Pinnacle High School and a 5th grader at Fireside Elementary.

We purchased our home in this area for the community feel, residential zoning and walkability. The traffic near Pinnacle high school is already horrible and adding a commercial building would surely lead to additional traffic issues and potential accidents.

There is plenty of shopping nearby with Desert Ridge Marketplace and High street.

Please help keep the children of our community safe!

Thank you for your time and consideration!

Marisa O'Connor
3905 E Half Hitch Pl
Phoenix AZ 85050

**From:** Peter Feldman
**To:** Council District 2 PCC; Anthony M Grande
**Subject:** Reference : GPA-DSTV-2-23-2 - Proposed development at deer Valley and Black Mountain
**Date:** Wednesday, August 30, 2023 10:09:02 AM

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I am a resident of Fireside and my children attend the local schools. I am writing to tell you that I am completely opposed to the rezoning of land for commercial development at the corner or Black Mountain Pkwy and Deer Valley Rd.

The proposed development will make an already difficult traffic situation dramatically worse. Student safety crossing Black Mountain is already compromised by the lack of crossing guards and / or police presence. Cars are parked on Black Mountain and Mayo Blvd at dropoff and pickup times, already blocking normal traffic flow. Eastbound traffic on Deer Valley already gets backed up for hundreds of yards on school days during pickup and dropoff times. This new development would make it significantly worse and dangerous for pedestrians.

The property in question was previously earmarked for public space, like a park. Why is that plan being dropped?

There are other plots of land nearby (Cave Creek / Pinnacle Peak) which are already approved for the type of development being proposed. There should be no changes of the use of the property at Deer Valley and Black Mtn, until that already approved plots are sold and developed.

-Peter Feldman

**From:** Alexandra Hyszczak
**To:** Anthony M Grande
**Subject:** Opposition to Black Mountain Village / Superblock 12
**Date:** Wednesday, August 30, 2023 11:47:11 AM

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Dear Anthony,

I am writing in regards to the rezoning of the land parcel at the corner of Deer Valley Rd and Black Mountain Boulevard ("Black Mountain Village / Superblock 12"). As a resident of Sky Crossing, across Deer Valley from this parcel, my family and I, along with 1220 homeowners, will be directly impacted by this proposed development.

I would like to bring to your attention some concerns that I have relevant to this rezoning.

Traffic is already high on these two streets – at morning drop-off, cars line up from the school around the corner onto Deer Valley all the way to 32nd St. The addition of a large shopping center will greatly increase this traffic, bringing more inconvenience, noise and pollution, especially so if a gas station is built. A gas station is not something we need in this location, as there are a number of gas stations nearby on Cave Creek and on Tatum, all within 2 to 3 miles from this area.

Additionally, the proposal contains multiple access/egress points with no provision for safe crossing or pedestrian/bike safety. A proposal that has the potential to create roughly double the traffic should be required to address these impacts, especially when located across from residential areas and next to a school.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are, frankly, unproven and unsupported by the conceptual design, given the proposed rezoning contains no description of how the commercial center will cater to walking and biking.

Light Pollution is another major concern. Nobody wants to see bright lights on all night that will disrupt the tranquility of our lives and interrupt our sleep.

We chose to build our home in Sky Crossing due to its location, being *between* two retail areas (Desert Ridge and Cave Creek Rd) and not directly adjacent to those busy areas. Creating a commercial zone in this community greatly reduces the value of this location.

Thank you for your time and attention to this important matter.

Alexandra Hyszczak

3144 E Tina Dr

Phoenix 85050

| | |
|---|---|
| **From:** | Kelly Davis |
| **To:** | Anthony M Grande |
| **Cc:** | msantoro@gblaw.com |
| **Subject:** | Black Mountain Village Development GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, August 31, 2023 1:43:39 PM |

To whom it may concern,

I appreciate the opportunity to have my voice heard. I am a homeowner in Fireside and I absolutely love our neighborhood. I love it how it is. I am extremely concerned for the future of our neighborhood and the other surrounding areas if this project is allowed to commence.

I absolutely do not support this development. Desert Ridge Marketplace is bad enough with all the fights, theft, and sketchy people that it draws to the area! I refuse to allow my kids to go to Desert Ridge without an adult present, and my oldest is 16! There are too many homeless panhandlers, and unsavory people that are drawn to shopping centers. To have a development right next to the high school and elementary school than my kids attend is not what we were promised when we bought our home. My kids walk to school, that's a primary reason for buying our house. I would not feel comfortable with my kids walking to/from school if it was right next to a shopping center like Desert Ridge Marketplace, I see the type of people that shopping centers draw in. Even this one, being a more high end area brings in distasteful people.

This area is residential, and it needs to stay that way. The increased traffic alone, is a huge concern. Have you ever tried to come through the area in the morning or afternoon when kids are arriving or leaving school? I pray the day NEVER comes that an impatient or inexperienced driver strikes and kills a student, but this area is like a ticking time bomb. Too many cars on too few streets. The area cannot support more traffic. Does the bottom line only come down to money? What about our kids and their safety? We bought our home here to have a safe place for our kids to grow up…this was NOT a part of the plan for this community. The safety issue comes down to more than just cars. Do you realize how easy it is for a kid to be abducted in/around a shopping center or for kids to be lured into trying drugs or alcohol as they pass by on their way home? I am not in support of this development and I truly hope that this will not just be pushed through without the consent of the taxpayers living in the surrounding neighborhoods.

Kelly Davis
Fireside Homeowner

**From:** Zak House
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Thursday, August 31, 2023 11:57:07 AM

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Hello Anthony,
I am reaching out to voice my displeasure and to ask for your support with ensuring that Vestar/other corporations are blocked from rezoning from “residential” to “commercial” for the proposed Black Mountain Village in Desert Ridge. The *residential* zoning was absolutely a key factor when we purchased our home and would be devastating to our community if rezoning is allowed. There seems to be plenty of commercial zoning between High Street, Tatum and Cave Creek Roads.

Regards,
Zak House

**From:** Sam
**To:** Anthony M Grande
**Subject:** Black Mountain Village/Superblock 12
**Date:** Thursday, August 31, 2023 5:06:20 AM

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Sam Zytcer and Marlene Zytcer are totally against this commercial development project monstrosity. It will bring excess traffic and crime to an already over crowded area. My neighbors are also in concurrence with me.
There will be major resistance from your constituents to this commercial project as proposed. Remember, we vote.
Sincerely,
Sam Zytcer

Sent from Mail [go.microsoft.com] for Windows

| | |
|---|---|
| **From:** | Matthew D. Chitwood |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Anne Chitwood |
| **Subject:** | land at Black Mountain and Deer Valley Road - rezone consideration |
| **Date:** | Friday, September 1, 2023 12:51:36 PM |

re: Black Mountain Village plan and zoning changes cases GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2/Z-39-23-2

Mr Grande -

Writing as a concerned resident of Desert Ridge in the Fireside neighborhood. I moved here in 2007 and have watched this neighborhood grow. Love it. Raised 3 children here, two of which are at Pinnacle High School and another starting next year.

My wife and I are quite concerned with the proposed re-zoning of the property north of Pinnacle High School at the corner of Black Mountain Blvd and Deer Valley Road. This property is smack dab in the middle of other residentially zoned homes, Thousands. There are sufficient commercially zoned properties in the Desert View Village to support future resident growth of this beautiful area... not to mention a wonderful village core in and around Desert Ridge Marketplace.

There is the issue of commercial traffic conflicting with the Pinnacle traffic which is already a safety issue. I am aware of the fact that Pinnacle High School leadership is NOT supportive of this re-zoning even though that was misrepresented by the developer at the 8/1/23 village meeting. Adding commercial traffic to this area that is not familiar with the daily high school traffic patterns (as residential traffic would be) is IRRESPONSIBLE. This issue in and of itself should be enough for the Committee to reject this re-zoning request.

On top of this are the hundreds of neighbors of mine who invested in property thinking this land would be used for future residential use.

I don't intend to hop on the NIMBY train; I just don't think this request of Vestar is in alignment with what the General Plan originally intended this land be used for and I specifically request the Committee REJECT the developer's case.

Thanks for listening -

Matt Chitwood
21625 N 39th Place Phoenix 85050

| | |
|---|---|
| **From:** | Steven Deacon |
| **To:** | Anthony M Grande; msantoro@gblaw.com |
| **Cc:** | Metty, Cody; emolenaar@associatedasset.com; Steven Deacon |
| **Subject:** | Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 - Opposed |
| **Date:** | Friday, September 1, 2023 10:58:13 AM |
| **Attachments:** | image004.png<br>image005.png<br>image006.png<br>image007.png<br>image008.png<br>image009.png |

Anthony,

I also live adjacent to the project at Black Mountain Village proposal. From an outsider's opinion, I can see why the idea of more commercial real estate would monetarily benefit the city of Phoenix, Vestar and their attorneys Gammage & Burnham. However, **what is heavily being overlooked is the safety of our community and our children** with the rezoning from residential to commercial.

**Safety of our children:**
Our section in the Fireside community called Copper View sits adjacent to the proposed land at the southeast corner of Black Mountain and Deer Valley. Since 2012 our section has been a cut through for the aggressive drivers both parents and children of Pinnacle High School. On my street alone (Cat Balue Dr.) there are 27 children under the age of 10 years old that walk to the elementary school and play in our neighborhood. This doesn't include the other 4 streets with 50 additional homes to consider. We have seen too many close calls where our children were almost hit by these aggressive drivers! Imagine living in a community where you do not feel safe letting your kids play out front.

Additionally, Stephen, the attorney for Gammage & Burnham, said on our Fireside community call this Tuesday that the new traffic would be "counter cyclical patterns" around school hours during the week and weekend. This means to me that not only do we have to deal with aggressive drivers from Pinnacle High School, but now we must deal with aggressive drivers all day and on the weekends! We cannot live in a community where our children are at a greater risk of being hit by a car while walking to school or playing in their neighborhood.

Secondly, I am concerned that a commercial zone would bring a bus stop right at the corner of Copper View (Black Mountain & Deer Valley). There are numerous amounts of homeless people that sleep on the bus stops at Tatum & Deer Valley. I see them at all hours of the day starting at 5am when I go to Mountainside Fitness and in the evening. We do not want to attract nor give reason for more homeless to encroach our family neighborhoods with a commercial zone. This is not only a safety concern for our families but will also impact our property values. PLEASE keep our neighborhoods (Fireside, Aviano, Sky Crossing) a family suburb of Phoenix. **I am asking as a concerned parent of 3 little kids that you help us protect our children and the safety of our community by putting a stop to this project.**

I appreciate your time and commitment to keeping Desert Ridge a GREAT, family friendly community in Phoenix.

Steve Deacon & Family

3625 E Cat Balue Dr.
Phoenix, AZ 85050

3654 E Cat Balue Dr.
Phoenix, AZ 85050

Best,

Steve Deacon, CFP®, CIMA®, *Private Wealth Advisor*
CA Insurance License #0H03830
***Five Point Wealth Advisors***
*8925 E Pima Center Pkwy, Suite 135*
*Scottsdale, AZ 85258*
***Phone: 480-948-2416***
***FAX: 480-291-8643***
**www.fivepointwealth.com** [fivepointwealth.com]

FivePoint WEALTH ADVISORS [fivepointwealth.com]



[forbes.com]



[forbes.com]

**2023 Forbes Best In State Wealth Advisors**, created by SHOOK Research. Presented in April 2023 based on data gathered from June 2021 to June 2022. 22,243 were considered, 7,321 advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

**2022 Forbes Top Next-Gen Wealth Advisors Best in State**, created by SHOOK Research. Presented in Aug 2022 based on data gathered from March 2021 to March 2022. 3513 Advisors were considered, 1000 Advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.

*Securities and advisory services offered through Commonwealth Financial Network®, member FINRA/SIPC, a Registered Investment Adviser. Fixed insurance products and services are separate from and not offered through Commonwealth Financial Network.

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**From:** Metty, Cody <CodyMetty@rocketmortgage.com>
**Sent:** Friday, September 1, 2023 8:40 AM
**To:** anthony.grande@phoenix.gov
**Cc:** Steven Deacon <sdeacon@fivepointwealth.com>
**Subject:** RE: Black Mountain Village- Please NO commercial development

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
Triple Crown Banker
Rocket Mortgage

**T** (480) 346-0885
**C** (248) 404-7854
**F** (877) 380-8287
**NMLS# 26912**









| | |
|---|---|
| **From:** | Metty, Cody |
| **To:** | Anthony M Grande |
| **Cc:** | sdeacon@fivepointwealth.com |
| **Subject:** | RE: Black Mountain Village- Please NO commercial development |
| **Date:** | Friday, September 1, 2023 8:40:01 AM |
| **Attachments:** | image001.png<br>image002.png<br>image003.png |

Forgot to include this: Black Mountain Village plan and zoning changes GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Anthony, I live adjacent to the project at Black Mountain Village proposal. We do not want to have beer, liquor and cigarette sales next to our neighborhood or Pinnacle High School. Nor do we want drive through restaurants and gas stations that are open 24/7. This will bring about crowds of people at all hours that we current have the benefit of avoiding as it stays closer to Tatum or Cave Creek roads. I feel that this completely changes the residential feel of our area in Desert Ridge and feel like this is a money grab right in our neighborhoods of Fireside, Aviano and Sky Crossing.

When we built our homes this was *never* a consideration and do not want this project proceeding. **Please help us put a stop to this project in any way we can**. If anything this area should be used as an overflow for the high school or some type of traffic mitigation for Black Mountain. We already see the overflow from the high school traffic in our direct part of the neighborhood and do not want this to increase where our kids walk to and from school every day, to their elementary school. We have 40+ children that walk every single school day and any increased traffic will up the risk of someone getting hurt through reckless driving, with people trying to avoid the traffic on Black Mountain.

Please help us and hear what we're asking before this goes forward. There are much better uses of that land and once it's commercial, all bets are off.

Cody Metty and family
3646 E Cat Balue Dr.
Phoenix, AZ 85050

**Cody Metty**
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**T** (480) 346-0885
**C** (248) 404-7854
**F** (877) 380-8287
**NMLS# 26912**







[rocketmortgage.com]




[social.pr]

| | |
|---|---|
| **From:** | Neeraj Chandak |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Cc:** | Neeraj Chandak; Emolenaar@AssociatedAsset.com |
| **Subject:** | Desert Ridge Superblock 12 rezoning |
| **Date:** | Sunday, September 3, 2023 9:57:47 AM |
| **Importance:** | High |

Hi,

I am a long-time resident of Fireside at Desert Ridge and am very concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

We moved here 10+ years back with an explicit understanding that this was a residential area, with high quality living and low crime rates. Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Connection to Hwy 51 has significantly increased vehicular traffic and noise levels at all times for the neighborhood
- It is a nightmare getting out near Pinnacle High school in the morning, traffic back up in all directions and is a nuisance to the Fireside neighborhood. I have to go around it to drop my daughter to PVHS at that same time.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

If the rezoning and the development project is approved, here is what I foresee happening :

- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby areas
- Property value will take a dip

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I would urge you to strongly oppose this change, and save the serenity and quality of the neighborhood that we all love and like so much. It would be shame to have money-grab development destroy the character of the community.

Regards,
Neeraj Chandak
623-203-9583

| | |
|---|---|
| **From:** | Kavita Chandak |
| **To:** | Council District 2 PCC; Emolenaar@AssociatedAsset.com; Anthony M Grande |
| **Cc:** | Kavita Chandak |
| **Subject:** | Desert Ridge Superblock 12 rezoning- Opposing Vestar"s Balck Mountain Village proposal |
| **Date:** | Sunday, September 3, 2023 10:36:21 AM |

Hello,

As a long-time resident of Fireside at Desert Ridge I am deeply concerned with the proposed changes to the land parcel between Pinnacle High school and Deer Valley Rd (**Case No. SPA-DS1 V-2-23-2), (Case No. CPA-DSTV-3-23-2) and (Case No. Z-39-23).**

I moved here back in 2013 with my family and 2 young daughters to be part of this beautiful neighborhood with great community feel and low crime rates.
Over the years, several things have happened that are cumulatively of an increasing level of concern :

- Increased traffic and noise level due to Connection to Hwy 51.
- Dis-respect and abusing of our neighborhood by Pinnancle High School drop off and pick up crowd. Our Neighborhood has become a parking spot for Pinnacle parent drop off and pick up making it extremely difficult for residents to walk or even take their cars out for morning and afternoon commute.
- Getting out of the copper view subdivision is at nightmare due to backed up traffic for Pinnacle High school in the morning, It back up in all directions and is a nuisance to the Fireside neighborhood. I fear for my teenage daughter's safety as she drives to her high school amidst this crazy traffic.
- An extension of Mayo Blvd to Tatum will make it even worse
- As more homes have been added, traffic at both Tatum and Cave Creek is getting progressively worse

This is what I dear with the rezoning and the development project is approved.

- Crime rates are likely to increase, homelessness and drug use are already of grave concerns in the nearby area
- Retail center will have bright lighting and noise at night and early morning hours with logistics
- Already horrible traffic at school times will get even worse, plus additional delivery trucks going in and out
- Our property values will dip considerably

A much better use of that space would be to expand parking access to Pinnacle high school that will also alleviate some of the traffic concerns everyone can feel and have raised.

I strongly oppose this change and request you to not zone this as a commercial zone to save the serenity and quality of the neighborhood that we all love and like so much. I would hate to see this beautiful neighborhood being destroyed by few folks who are looking at it for mere financial gains into their pockets.

Thanks,
Kavita Chandak

**From:** Lori Tininenko
**To:** Anthony M Grande
**Subject:** Proposed Shopping Center
**Date:** Monday, September 4, 2023 7:06:39 PM

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I am 13+ year resident of Desert Ridge and strongly oppose the proposal to build a shopping center at the corner of Black Mountain and Deer Valley. It will increase traffic tremendously at an already congested intersection, endanger kids walking in the area, increase crime, increase noise & light pollution, and serve as an overall eyesore.

PLEASE keep our residential area residential!

Lori Tininenko

Sent from my iPhone

Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

September 1, 2023

Dear Members of the Desert View Village Planning Committee,

Paradise Valley Unified School District appreciates the opportunity to provide input regarding the potential retail development on the southwest corner of Black Mountain Blvd. and E. Deer Valley Dr. We understand the importance of responsible and thoughtful planning in our community, and we want to share our concerns regarding the proposed development.

In a holistic evaluation, it appears that the proposed development may not be optimally situated, given the potential challenges it could pose to Pinnacle High School. In the event that the committee decides to approve the development, we respectfully request that the following considerations be taken into account as a minimum requirement.

**1. Student Safety with Crossing Mayo to Enter the Shopping Center:**
Our primary concern is the safety of our students when crossing Mayo Blvd. to access the shopping center. This may pose a significant risk, especially during peak traffic hours. If this development is approved, we urge the committee to consider safety measures such as pedestrian crosswalks, traffic signals, or other infrastructure improvements to ensure the well-being of our students.

**2. Increase in Traffic along Black Mountain and Mayo Blvds:**
The proposed retail development is likely to lead to an increase in traffic along Black Mountain Blvd., which is already a busy thoroughfare, and Mayo Blvd. The additional traffic congestion could have a detrimental impact on the flow of school buses and the safety of our students. If this development is approved, we recommend a comprehensive traffic impact analysis to assess potential congestion and to explore mitigation strategies.

**3. Parent/Student Parking at the Shopping Center:**
The existing parking capacity at Pinnacle High School is currently quite constrained, and it is highly likely that some students will opt to utilize the parking facilities within the proposed retail development. It is important to acknowledge that the school lacks the necessary staffing and resources to effectively manage or mitigate this parking issue.

**4. Shoppers Parking Along Mayo Blvd. or on School Grounds:**
Without sufficient parking spaces within the shopping center, there is a risk that shoppers may resort to parking along Mayo Blvd. or, worse, on school grounds. This could lead to disruptions and safety concerns for our educational environment. We urge you to require the developer to provide ample parking options within the development.

**5. Increase in Tardy/Truancy due to Shopping Center Services:**
We are concerned that the proximity of the shopping center to our school may lead to an increase in tardiness and truancy. Students might be tempted to leave campus to access the services provided by the shopping center, causing disruptions to their education. We recommend working with the developer to establish guidelines that minimize these distractions during school hours.

In conclusion, we have serious reservations about the impact this project will have to the safety of our students. If the development is approved, we believe it is essential to address these concerns proactively to ensure the safety and well-being of our students and maintain the quality of our educational environment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,

Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

| | |
|---|---|
| **From:** | Bill Smith |
| **To:** | Anthony M Grande |
| **Subject:** | Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar |
| **Date:** | Tuesday, September 5, 2023 6:52:27 AM |
| **Attachments:** | GPA-DSTV-2-23-2-App2Amend.pdf |

September 5, 2023

Greetings,

I'm writing you today regarding a rezoning request made here by Vestar application No. **GPA-DSTV-2-23-2** and some comments heard by residents resulting from a recent HOA board meeting held by Desert Ridge Community Association.

My name is William Smith and I am a resident of Regalia Bear Subdivision which is located just off Tatum Blvd and North of Marriott Drive in Desert Ridge for 13.5 years. Formally a resident in Vista Norte located at Dynamite and 57$^{th}$ Streets for 14 years. I've been a resident in Arizona since 1969 and have lived the majority of my life in North Scottsdale / North Phoenix 25 miles or more from downtown.

When my wife and I moved to Desert Ridge I began participating in many of the community HOA meetings assisting mostly on the Awareness Committee. I believe it's important we continue to live in a safe and healthy community. The many challenges I've witnessed over the past 13.5 years have been noise pollution, traffic congestion and bottle neck due to lack of arteries (roads), vandalism and crimes committed by an increase number of teenagers.

Noise pollution continues from above with fly overs; also truck deliveries made during overnight or early morning hours are heard by vehicles creating those loud safety warning beeps when backing up. With the increase of home deliveries since the pandemic we've seen an more delays within our Desert Ridge community and about. Thankfully a great deal of the air traffic above was reduced after our Desert Ridge community associates worked with the aviation department to reverse a decision that was made several years ago that allowed commercial places to fly directly over Desert Ridge using a new flight path. We still have a few non commercial planes and helicopters that don't always follow the appropriate flight path, but we are thankful the majority of commercial planes are no longer constantly flying low overhead. In addition, we reported to the Marriott about the noise issue from trucks backing up that could be heard for a mile in the silence of the early morning hours and that has stopped. Our voices are being heard!

As far as vehicle noise issues we continue to hear traffic due to the type of road surface and proximity of both Tatum Blvd and Marriot Drive. Everyone is racing to be first coming in both

directions cutting through our community because as we all know there aren't enough arteries (roads) that allow traffic to flow around the heart of Desert Ridge. Traffic on Tatum Blvd has met it's maximum capacity 5 years ago and its only getting worse. ***Deer Valley road is starting to show signs of stress unless we start now and think forward***.

Let's talk a little about Desert Ridge planning and how Vestar was originally involved in the design and planning of this community. I believe just 13.5 years ago when we moved here I heard mention Desert Ridge was just over 40 percent built out. Since then we seem to continue cramming more and more condos, apartments, schools, single family homes in addition to the huge development along the 101 from 56th to Tatum Blvd. There seems to be this need to fill up every inch of both Super Blocks along the 101 from 56th through to Black Canyon Blvd. We all know growth brings congestion and headaches.

Listening to representation by Vestar at community planning meetings they talk about building another marketplace in an area of Desert Ridge that is zoned **low** residential. I'm writing you here today to provide my opinion about why we ***shouldn't*** change this residential parcel as this application suggest to commercial and that we should consider looking for a location that has better access to the 101 and has the ability to get vehicles in and out of the area from all four directions without impeding traffic and causing delays. For the past 8 years or so all I've brought up to anyone that would listen that the City of Phoenix must work on a plan that will open up more arteries (roads) that allow traffic to flow more around Desert Ridge Market Place and through our community as well.

***We can not continue to build both up and out; allowing thousands of more residents, merchants, delivery vehicles and visitors to move about and not have additional access roads and arteries (roads) that will provide additional alternatives to Tatum Blvd and Deer Valley Road.***

Everyone knows it will be expensive and we need it; an access road along the 101 that will allow traffic to access both super blocks from 56th street to as far as Cave Creek Road if we have too. The idea is to take excess traffic away from Tatum Blvd and Deer Valley Road when everyone is either trying to get to and from their residence in Desert Ridge, pass through it to get home in Tatum Ranch or visit Desert Ridge Market Place to enjoy all the shops, restaurants and planned activities Vestar an their business partners plan throughout the year. Additional roads that could help the flow of traffic could be at 40th street, Black Mountain Blvd, 56th street and any additional roads developed during the super block expansion phases which should include access roads along the 101 freeway. **We can't even head east or west using Black Mountain Blvd at the 101 to help avoid using Tatum Blvd at the 101?**

We understand change is necessary and some people believe we need more growth and there is no stopping it. However, the reason Desert Ridge has lasted as long as it has being in the

spotlight a community most desirable for its amenities and location is because we live in a place beyond the boundaries of the City. ***A place between Rural and the big City life; simply a suburban experience like no other.***

If we allow another marketplace with a gas station at the location of Southwest Corner of Black Mountain Boulevard and Deer Valley Drive we are going to have big disappointment with additional traffic, noise, crime, vandalism not only during the day, ***but all night as well.*** We don't want or need any more attention drawn to close to existing residential community during the overnight hours. If you have to rezone **which I'm not for**, bring in medical therapy centers, Dental, Vision, Day Care Centers, Animal Veterinarians businesses that will bring value to the investment and more in line with education and health without attracting any negative impact we currently have going on at Desert Ridge Market Place and our Community City Parks by individuals that hang out in groups in public places with no regard for others property. There is so much open space in super block there where the fitness center is and the hotels are located that if Vestar thinks Desert Ridge needs another grocery store well go big and ***put a Walmart there along the 101***; build the access road along the 101 and make it easy to visit the store without impeding any more traffic delays on Tatum Blvd and Deer Valley Road and push the traffic away from our beautiful neighborhoods.

***Final thoughts that come to mind you can all think about …***

Observation #1 – The traffic gets so bad moving North and South on Tatum sometimes it takes 3 minutes just to exit out of my subdivision from Williams Drive onto Tatum. The traffic gets backed up so bad the distance on Tatum between Deer Valley and the 101 one can spend 6 minutes waiting for lights going in any direction. When there is construction, emergency vehicles or an accident forget being on time for any scheduled appointment. **This is not right**!

Observation #2 – Recently in the past 4 years after the completion of this new condos and new single family subdivisions we noticed in addition to Vestar bringing live entertainment along with Sip and Stroll attractions among other big events, that traffic delays have now extended everywhere including Tatum Blvd to 56$^{th}$ street going North or South along Deer Valley road. Drivers are in such a big hurry they speed illegally North on 56$^{th}$ to Pinnacle and in addition there is so much traffic during rush hours on Deer Valley from 56$^{th}$ all the way to Cave Creek and beyond due to the 101 bottlenecks experienced when approaching the 51 freeway from either direction. Drivers are not only using Deer Valley, but they are using Pinnacle Peak from Scottsdale all the way to Cave Creek Road to escape the 101 traffic debacle during rush hours.

Observation #3 -

Recently we've seen a huge increase in teenagers committing crimes and they seem to like

hanging out at Desert Ridge Marketplace. This was brought up at our meetings and Vestar did speak out regarding our community concerns about the lack of security and care anyone we would expect to be responsible for managing issues of this nature. Concerns about Target, Albertsons, In&Out Burger and Panda Express have been going on for as long as I can remember brought up at Community gatherings with our neighbors for coffee and other meetings. It's been on the news this summer about a gang of teenagers sucker punching a teenager from another group causing 15,000 worth of dental work needed. Teenagers hang out at Target and act like the sports department is there personal playground. Teens stealing a cell phone right out of another teenagers hand who was picking up a take out order from Panda Express and too often homeless people coming up to you for money in front of and in the parking lot of Albertsons. These attractions that are enticing young people to party drink and get high not only occur in the marketplace, now we are seeing these young people come into the neighborhoods within Desert Ridge causing quite a bit of damage. Our Cashman park has been vandalized at least 3 times within the last couple years that I've heard about.

**Conclusion**:

Please consider another location for this grocery store and gas station to be developed. Lets choose a location away from existing residential and try to develop existing locations already designated residential and take the idea of bringing another grocery store and gas station to already designated commercial zones.

We don't need any **24 hour a day business** on Deer Valley and Black Mountain Blvd. We already have Desert Ridge Market place a gas station on the intersection at Tatum Blvd and Deer Valley Road. Take this proposed plan and build on 20.5 acres closer to the 101 and Black Mountain Blvd. Even if you were to propose moving this development to 40th Street and Deer Valley Road my suggestion would be to insure there are enough roads leading away from Tatum and Deer Valley for vehicles to maneuver towards the 101 without impacting the already congested traffic flow on Tatum and Deer Valley.

We should consider bringing in a large super center like Walmart along the 101 in the super block between Tatum and Black Mountain Blvd's. Get the City of Phoenix and the Army Core of Engineers to build functional access roads and lets see how well traffic flows around Desert Ridge. Spread things out a bit, petition for business to build on one of the two corners on the north side of Pinnacle Peak Road.

Leave the corner next to the high school open for **residential** or if you really think businesses deserve to come in an take over that property; like I said before consider those businesses that would help families with their children's education, day care, health services (mental health services), vision and dental care along with considering Veterinarian services.

Look I could write a book on how if think about all this push for growth here in Desert Ridge, but I'm sure in the end people that have the most funding will win. In the past whenever there was a decision made about something that didn't entirely make good sense and I would later bring up my thoughts I was told where were you when during the planning stages and why didn't you speak up then. Well I decided maybe its time I did.

Thanks so much for the opportunity to speak my thought and for listening.

As Ever,

Bill Smith

CITY OF PHOENIX

SEP 05 2023

Planning & Development
Department

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

City of Phoenix Planning Case Nos:
Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

Dear. Mr. Grande:

This letter is regarding the proposed rezoning of the Parcel **212-38-023B** and the application by Vestar Development to develop it as a C-2 medium intensity commercial property. The current proposals for Minor General Plan and Specific Plan Amendments, as well as Rezoning to C-2 commercial development are out of step with the character of the area and should be rejected.

The intersection of Black Mountain Boulevard and Deer Valley Drive is surrounded by a unique residential area with preserved natural desert spaces and carefully integrated bike and pedestrian paths. It is unlike the majority of Phoenix neighborhoods and honors the physical geography immediately around it. Socially, it is an active, engaged community full of care for the landscape and protective of the safety of people living there. With such a significant change in land use, the proposed zoning amendment and subsequent commercial development would result in considerable new traffic to the subject site, resulting in more traffic congestion, potential car-pedestrian-bike safety conflicts, added emissions, and light and noise pollution.

Further, there are a number of disconnects with the application itself. The developers have attempted to justify their zoning amendment proposal by saying that the nearby Desert Ridge Marketplace experiences traffic congestion and parking issues. This point is unsubstantiated in their application and from a resident's point of view, completely unsupported by the experience of living in the area and regularly visiting the shopping center. There is more than enough (much more!) parking at Desert Ridge and circulation in and around the site runs smoothly. The retail offerings are substantial and do <u>not</u> leave a gap in market offerings that would be improved by adding medium-intensity commercial at Black Mountain Boulevard and Deer Valley Drive.

The conceptual site plan put forth by the developers is also incongruous with their explanation letter. They attempt to claim community benefit from "a reduction in transportation burdens, increased opportunities for exercise and a cleaner environment." However, there is nothing to support their mention of transportation burdens on the residential area surrounding the subject parcel, nor anything in the conceptual site plan to suggest it would be safe for area residents to

walk or bike to the subject site if developed as a commercial property. Further, the explanation letter states that provision has been made for 580 parking spaces (well beyond the code requirement), while the conceptual design includes 533 spaces, which is still more parking than is required by code. This will not create a cleaner environment, as the developers claim, but will create increased emissions in a sensitive area where residents would like to keep emissions to a minimum. Worse still, the conceptual plan calls out opportunity for a fueling center, yet no designated space for electric vehicle charging (which would be far more helpful in the area, given a pronounced lack of public charging). As such, increased emissions will become a core characteristic of this shopping center if built as presented. It would not result in the "connected oasis" the City hopes to achieve, nor the "village" concept the developer is attempting to sell. What it achieves is what Phoenix already sees too much of—islands of unspectacular commercial offerings drowning in a sea of parking.

The subject parcel for proposed rezoning also lies immediately north of Pinnacle High School, which sees students regularly walking and biking to school, but the concept site design does nothing to ensure student and faculty safety or effective circulation around the school. To the contrary, the conceptual site plan shows 3 access/egress points just off Mayo immediately across from the high school with no provision for safe crossing by pedestrians and bicyclists. To put the greatest number of access points to the site directly across the road from the school shows a serious lack of awareness about school zone safety, as does proposing a site plan that does not incorporate effective circulation by pedestrians and bikes (as the surrounding neighborhoods do through extensive trail systems), but to cars. And the related traffic study does nothing to elevate hope for improved traffic circulation or safety. Instead, it reflects lower levels of service on streets that already experience diminished capacity.

While the concept of community commercial may have some potential if explored at a C-1 neighborhood level, the current applications for Minor General Plan Amendment GPA-DSTV-2-23-2, Specific Plan Amendment GPA-DSTV-3-23-2, and Rezone Z-39-23 to C-2 commercial do nothing to improve livability in the area and should be rejected in the interest of public safety, as well as public health.

Thank you for your consideration,

Ellen Kennedy

**From:** Richards, Dan
**To:** Anthony M Grande
**Cc:** Council District 2 PCC
**Subject:** Black Mountain Village - Superblock 12 Opposition
**Date:** Tuesday, September 5, 2023 4:24:56 PM
**Attachments:** image001.png

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Hello Mr. Grande and Councilman Waring,

I wanted to formally write to you both to express my opposition to Vestar Development's push to rezone the Property known as a portion of Parcel 12.L, within Superblock 12 of the Desert Ridge Specific Plan. My wife and I did a lot of research about the area prior to purchasing and building our home 10 years ago, located at 21618 N 36th Street. I've attached a map with the proposed development layered on it. You can see the yellow star located on the East side of Black Mountain Boulevard showing the location of our house. I have been very vocal at each of the previous two meetings expressing my opposition to this development from happening.

As mentioned, my wife and I did our research prior to building the home we wanted to raise our three boys in. We understood we would have a roadway in our backyard that would create some noise, and that was fine because that meant we wouldn't have another house directly behind our backyard. We love the location, being across the street from Pinnacle High School. One of our boys is currently a sophomore with our other two boys being 8th graders. When they were younger, they could walk the opposite direction to Fireside grade school, so we figured this was a perfect location for our family. If you aren't aware of this yet, Pulte homes sold the West side of 36th Street as premium lots with view fences in our backyard. We all paid extra to have a view of the wash behind our homes. We all paid this knowing that the only thing going in across the street in the future would likely be an exterior block wall of another residential development. That's what the Desert Ridge Specific Plan called for so why would anyone think differently? The news of this commercial development potentially getting built across the street has made every one of these homeowners sick to their stomachs. Talk about a bait and switch!!!!! Pulte probably wouldn't have built these lots as view fences if there was commercial development zoned for directly across the street. Serious question to Mr. Grande - Would the City even sign off on a residential development having view fences directly across the street from a commercial development if it was built after the commercial was already there?

One major concern from the residents of Copper View (36th Street from Mayo to Deer Valley) is the decrease in safety for all our families and our properties due to a commercial development being directly across the street. Shopping centers bring loiterers. Gas Stations are even worse. The increase in homelessness in the Desert Ridge area can't be ignored. If this development happens, this will make Deer Valley a main thoroughfare for these homeless people to walk down between Desert Ridge Marketplace to Black Mountain Village. Nobody wants the potential for this to happen. Several years ago, a group of neighborhood kids found a homeless encampment with mattresses in the wash near Mayo and Black Mountain Boulevard. It was in the storm sewer, under Mayo. We fear more of this will happen if you move forward with this project. None of us with a view fence, just across Black Mountain Boulevard, signed up to live across the street from this sort of development. I enjoy my backyard having a view fence. It makes these tiny yards feel a little larger. Now I will be fearing someone might jump my back fence because they see something they like.

Another major concern that Copper View resident have is light pollution. Nobody wants to live across the street from a lit up commercial development. If Vestar moves forward with plans to include a gas station with this proposal, I would imagine this would be right on the corner, where they have PAD C is shown on the map I included. That will be my new view from my backyard. A lit-up gas station. Can you even begin to imagine how upset we all were when we heard not only are we going to have a commercial development, but also a gas station? Nobody wants a bright gas station directly across the street from them. Every gas station has loiterers. No place attracts more loitering than a gas station. Copper View residents are not interested in having this across the street from us. Not to mention the constant smell of gasoline. Mr. Grande - Would the City sign off on a residential development having view fences directly across the street from a gas station if it was built after the gas station was already there? The argument for needing more gas stations within Desert Ridge is garbage. Replace Jacksons with a Circle K and I'm guessing you'll see a much higher volume of people using that gas station. Nobody uses that place because the prices are too high. I go to either Costco or Circle K on Union Hills because they're cheaper. Most people with half of a brain do the same.

A 20-acre commercial property in a mostly residential area wouldn't just be making a minor tweak to the Desert Ridge Specific Plan (DRSP). This commercial development would be taking the DRSP and completely throwing it out the window. The DRSP called for commercial development within the residential superblocks to be limited to neighborhood convenience commercial centers with a maximum of 3 net acres. During Mr. Anderson's presentation to the Desert Ridge committee, he mentioned there were 6 previous developments that could have included a neighborhood convenience commercial center but decided against adding them. These 18-acres of commercial development not getting added throughout Desert Ridge are being used to justify Vestar developing 20-acres in one location. Just because other developments decided against adding 3-acre neighborhood convenience commercial centers doesn't justify adding them all together and asking to rezone this area just because Vestar thinks it would be a good investment.

Please take into consideration the families that built around this area that thought they were moving close to commercial development, but not directly across the street from it. I know you have been contacted by several other residents expressing their concerns about the traffic impacts and proximity to the high school. I am 100% in agreement with all other concerns you have heard pertaining to these two topics. This development needs to be stopped. It's just not the right fit for this location. There are a growing number of residents that share this sentiment. We will be at the next OCT 3 Desert Village Planning Committee meeting as well as the NOV 2 City of Phoenix Planning Commission meeting to express our opposition.

Thanks,

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052

STRAND ASSOCIATES®
[strand.com]

dan.richards@strand.com | www.strand.com [strand.com]

*Excellence in Engineering*[SM]

| | |
|---|---|
| **From:** | paul dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Wednesday, September 6, 2023 6:01:06 AM |
| **Importance:** | High |

It is indisputable that the area affected by Vestar's proposal already has a traffic problem. The 366-page October 2022 Traffic Impact Analysis commissioned by Vestar acknowledges this existing problem. Please note the following excerpt from that Analysis:

> *The results of the existing conditions analysis indicate that all study intersections operate with acceptable levels of service (LOS D or better) with the exception of the northbound approach at the intersection of Black Mountain Boulevard & Deer Valley Drive and the northbound and southbound left at the intersection of Aviano Way & Deer Valley Drive.*

This same Traffic Impact Analysis also reveals the extent to which Vestar's proposal would exacerbate this existing problem. The Analysis describes this impact as follows:

> *The Black Mountain Village proposes to rezone approximately 16-acres of undeveloped land from existing R-2 (residential) to C-2 (commercial) to consists of approximately 76,200 square feet (SF) of grocery supermarket, 41,500-SF of various commercial shops each under 40,000 SF, and 19,700-SF of fast-food restaurants with drive through window. The proposed developed is located on the southwest corner of Black Mountain Boulevard and Deer Valley Drive in the City of Phoenix, Arizona. The site is planned to provide a total of eight (8) access points, of which five (5) are planned for full movement access and the remaining three (3) are proposed restricted right-in/right-out driveways.*

This Traffic Impact Analysis does not mention that Vestar's proposal also includes a gas station. Moreover, this Traffic Impact Analysis does not analyze the traffic impact of the nearby Garden Communities 882-unit apartment complex currently underway at the northeast corner of Tatum Blvd and Deer Valley. It also does not analyze the impact of the planned development of the 410-acre parcel at the southeastern corner of Deer Valley and 40th Street purchased by Taylor Morrison and Pulte Homes for a 1,200-lot master planned community. Because the west boundary of this parcel directly abuts Mayo Blvd, traffic from this planned community would likely use Mayo Blvd for ingress and egress. Moreover, the vehicular traffic entering and exiting the community would also increase the traffic on 40th Street and Deer Valley.

Vestar's description of its proposal is disingenuous. It describes its proposal as a

"low-impact" commercial development. Their description of the proposed project mentions a "neighborhood grocery store and inline retail opportunities." However, omitted from their description is a gas station that they have acknowledged is part of their plan. Also omitted is the "19,700-SF of fast-food restaurants with drive through window" described in their Traffic Impact Analysis. How can anyone honestly describe grocery stores, gas stations, and fast food restaurants with drive through windows as "low impact" uses? Each of these operations would result in increased vehicular traffic entering the proposed site from all four bordering streets. In addition to the increased private passenger vehicular traffic, other traffic entering and exiting the proposed site would include gas tanker trucks and commercial delivery trucks. This increased traffic would be in addition to the traffic already generated by 2,600 students and their parents entering and exiting the Pinnacle High School parking lots twice daily during the school year. Also not to be overlooked are the evening activities at the school that result in numerous vehicles exiting onto Black Mountain Blvd and Mayo Blvd. Even now there are not enough traffic lanes on Mayo Blvd to efficiently handle the vehicular traffic exiting the high school parking lots.

Pinnacle High School is not the only school affected by Vestar's proposed rezoning request. The Fireside Elementary School, with 775 enrolled students, is only a short block away from Superblock 12. Vestar's rezoning request would also impact the traffic to and from this elementary school.

The Arizona State Land Department agrees with Vestar's C-2 rezoning request because it wants to sell this parcel for the highest possible price. The Land Department's position is understandable. However, in this instance, it represents a grave injustice to those homeowners who purchased their homes (many with their life savings) in this neighborhood. They justifiably believed their homes would never border a commercial development because this area was zoned **Residential**. These homeowners should not have their legitimate expectations sacrificed on an altar of money.

For the foregoing reasons, I respectfully request that Vestar's proposal **not** be approved.

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | James Tuffin |
| **To:** | Anthony M Grande |
| **Cc:** | dan.richards@strand.com; "Wouter Roodenburg"; cvanek@arizonarepublic.com; akwok@azcentral.com; Council District 2 PCC; Mayor Gallego |
| **Subject:** | RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Wednesday, September 6, 2023 6:49:55 AM |

Dear Mr. Grande:

An unidentified party is running a sponsored ad on Facebook directing viewers to an online "petition" for a new grocery store in Desert Ridge. The online petition page can be seen at https://chng.it/6L8mkBrdDq [chng.it] . It identifies the promoter of the petition as "New Grocer". It makes no reference to the ongoing zoning and plan amendment cases. It fails to mention, as Vestar's counsel has publicly admitted on more than one occasion, that Vestar cannot say what kind of grocery might ultimately go in. And needless to say, there is no reference to the 20 acres of drive through junk food and gas station also included in Vestar's conceptual plan for the site right next to the high school.

These deceptive tactics are unworthy of any responsible business. City staff should give no weight whatsoever to the results of this patently misleading petition drive.

Thank you for your attention to this matter.

James W Tuffin
21214 N 36th Pl
Phoenix, AZ 85050
James.tuffin@tuffinlaw.com (retired attorney not offering services to the public).

**From:** Treye Elzenga
**To:** Anthony M Grande
**Subject:** Desert View Zoning Feedback - Black Mountain Village Project
**Date:** Thursday, September 7, 2023 11:09:28 AM

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Hello Anthony,

As you and constituents consider the proposed Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23), I wanted to express my strong opposition to this project. City Planners got this right the first time in the General Plan. Schools, dog parks, walking trails, community soccer fields, and four housing developments adjoin this property. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.

Living in this community, safety should always be our number one concern as residents. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children under the age of five. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. Increasing transient traffic flow, especially off the high-speed HWY 51 into this area, greatly increases risks for residents, especially our younger children. Simply there is no compelling argument for this project and only increased risk.

While traffic studies were completed, the analysis and land schematics fail to demonstrate any reference to Fireside Elementary School which is within four hundred yards of this project. How can we consider no traffic turning Left or Right from or onto Mayo Boulevard. This lack of detail shows severe disregard for our pre-school and elementary age children. In the analysis, they also fail to reference when the study was completed other than November 2022. In November, we have slower traffic patterns based on holidays, people traveling outside of Phoenix to visit family, and winter residents not yet arriving to the area. While the necessary paperwork was completed, beyond the abundance of words in the report where is the holistic detail that considers an elementary school within yards of this project.

In 2022, the Arizona Department of Housing identified shortages of over 270,000 housing units across our state. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks. Approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates not the community.

While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, Vestar project and along Cave Creek Road, and HWY 51 south. In addition, all these commercial properties have clearly defined borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. Within Desert View we have an abundance of services of all commercial types within one mile. Making the argument that driving one mile creates hardship is unsubstantiated, unless data is provided on how many cars each household owns in village. Desert View is not the same as an urban core, such as downtown Phoenix. Lack of concrete detail is consistent throughout the rezoning application, while there is an abundance of words and feelings including 'potentially' and 'we feel' it fails to acknowledge key considerations as I have outlined.

We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this rezoning request.

Treye Elzenga

Resident City of Phoenix - Desert Ridge

| | |
|---|---|
| **From:** | Lesley Anderson |
| **To:** | Anthony M Grande; msantoro@gblaw.com; PDD Desert View VPC |
| **Subject:** | Open Letter to the Desert View Village Planning Committee re: REZONING LAND NEAR PINNACLE HS |
| **Date:** | Friday, September 8, 2023 6:47:42 AM |

Dear Anthony Grande, Michelle Santoro, ad the Desert View Village Planning Committee,

I am one of the many **Sky Crossing residents** who found out about the **rezoning of the 20.52 acres on the SW corner of Black Mountain Blvd and Deer Valley Drive** from an article posted on a Facebook group and **not from the City of Phoenix**. I am obviously disappointed that Vestar and the City of Phoenix failed to notify about 95% of the Sky Crossing residents of this potential zoning change that will deeply affect our neighborhood.

**I personally attended the meeting on August 1, 2023** in order to get more information about the potential gas station, grocery store, and restaurants/shops that will affect neighborhood traffic as well as my property value in the near future. My hopes were high as I listened to the presentation by Gammage & Burnham. I was actually in favor of some sort of small commercial property before the meeting.

I waited for details as to the type and size of grocery store, types of restaurants, and of course a solution to the traffic problem that haunts that corner of Desert Ridge, but sadly none of that happened. **It felt like no solutions were given**. Very general information was shared on the slides. No 3D rendering of what it would look like. Will the grocery and gas station lights be on all night? What about the noise from semi trucks dropping off 3 am deliveries at the grocery store? Will the stores blend with the desert landscape like in Fountain Hills or stick out like a sore thumb? Residents were simply left with more questions than answers.

**With this in mind, I am writing to you all to express my opposition to rezoning this land from RESIDENTIAL to COMMERCIAL which would allow for a commercial shopping center.**

I think Sky Crossing residents would be more supportive of a project if it answered the questions above, and somehow solved the traffic mayhem. Perhaps Vestar could have proposed to help the school and the community by building Pinnacle High School a parking garage? **Traffic literally comes to a standstill in the morning hours** and prevents area residents from accessing the Black Canyon Road heading south in order to get on the HWY 51 on-ramp. Apparently because there is not enough parking for students, so parents have to drop their kids off every morning. Which is ridiculous. **If you live in this area, you know about the problem. The high school and the Phoenix Police are well aware of the problem.** This strip center will only add to the traffic issue.

I am but one of the many voices who oppose the rezoning of this land and the potential traffic issues it will cause. **I am asking the members of the Desert View Village Planning Committee to please vote NO when voting for the rezoning of this parcel of land. There are too many unanswered questions.**

Thank you for your time and for reading this. Much appreciation.

Regards,
**Lesley Anderson**
**22413 N. 30th Street, Phoenix**

Sky Crossing resident

**Realtor®** with **HomeSmart**

Email: AZAndersonRealEstate@gmail.com
**Direct: 480-390-6297**

**From:** Jamie Bauschka
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 12:36:27 PM

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Dear Mr. Grande-

This message is in regards to GPA-DSTV-2-23-2
GPA-DSTV-3-23-3
Z-39-23-2

I live in the neighborhood in Fireside that is directly across Black Mtn from this currently vacant land. While we understood this to be slated as residential, it seems now someone is trying to change that.

While we are not in favor of this changing to commercial, there is a much more pressing issue for this area that should be addressed prior to any development on that land. The drop off/pick up/ and parking for students at PVHS. The current situation there is unsafe and terribly inconvenient. The fact that there is not a sufficient amount of parking for students attending the school has got to be expanded prior to anything else being developed there. The kids crossing this major intersection (Black Mtn & Mayo) to get to their awaiting rides, is a tragedy waiting to happen.

Please consider working with the school district & community before it's too late to address these issues.

And, no thank you to changing the zoning from residential to commercial.

Thank you for your time & consideration!

Jamie Bauschka

Sent from my iPhone

| | |
|---|---|
| **From:** | Yatharth Chowdhary |
| **To:** | Anthony M Grande |
| **Subject:** | Opposing Black Mountain Village |
| **Date:** | Friday, September 8, 2023 10:29:24 PM |

Hi Anthony,

I am current resident of desert ridge area and regarding GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 i don't want Black Mountain Village.

Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

I would like to oppose the rezoning of this area.

Thanks
Yatharth

**From:** Diana Dichter
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 9:56:56 AM

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Please consider my vote AGAINST the Black Mountain Village Commercial development sought after by Vestar. My family, including two children, live in Fireside Desert Ridge and plan to stay here for the next 10-20 years, at least.

We would like to keep Fireside and the overall Desert Ridge community, as originally planned - residential.
The lot across from the Pinnacle High School could be made into a community park, perhaps with some additional parking to relieve the already horrific traffic conditions for the schools in the area. We do not need more traffic in the neighborhood or even worse - though it.

Hope our voices carry some value in these determinations.

Thank you,

Diana Dichter
310-912-2790

**From:** SCOTT ELLEFSON
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Friday, September 8, 2023 8:34:28 AM

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Anthony,

Please note, I am Opposed to the Black Mountain Village Plan.

Case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Sincerely,
Scott Ellefson
Fireside at Desert Ridge

**From:** Joe Haglund
**To:** Anthony M Grande
**Cc:** Joe Haglund
**Subject:** Black Mountain Village Proposed Development
**Date:** Friday, September 8, 2023 11:06:40 AM

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Hello Anthony,

I am resident in Aviano in Desert Ridge in Phoenix and I wanted to reach out to you about the proposed Black Mountain Village Development that is up for rezoning. Unfortunately I will not be able to be present at the meeting on October 3rd and wanted to reach out on this.

I have lived in Desert Ridge since 2012 and there have been several great changes over the past 10+years including access to the 51 and widening Black Mountain. I strongly feel that the rezoning of this area would be a major mistake for several reasons.

1.) Currently Pinnacle High School has a large amount of traffic that creates a backup onto Black Mountain and sometimes Deer Valley as well which makes this area extremely difficult to get through during the week from 7-8:30am, between 3-5, and also when there are sporting and other events held at the school. Adding this development will bring increased traffic and and chaos for many new drivers that attend the high school and residents and guests of the area.

2.) Parking is a major issue at Pinnacle and students will end up parking in this new development which will create issues with the property manager/owner and tenants as well

3.) As a resident I am all about convenience and the thought of a grocery store and other stores close by my home sounds great initially, but I think there are a lot more negatives than positives for this one and the most important one is the safety of the kids and residents of the area.

Thank you for your help with this and please feel free to contact me with any questions

Joe Haglund
22116 N 36th Way
Phoenix, AZ 85050
480-650-1873-cell
joehaglund1@gmail.com

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Joe Haglund
480-650-1873-cell
NMLS ID: 24351

**From:** April Justman
**To:** Anthony M Grande; Rob A. Justman
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 4:38:15 PM

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Hello Anthony,

We are residents of Fireside and parents of Pinnacle High School children. We are strongly opposed to th Black Mountain Village.

When we purchased our home, Fireside was advertised as a clean, quiet, and safe neighborhood oriented towards families with children. It is our understanding that commercial activities within the superblocks adjacent to Fireside are to be limited to minor conveniences of three (3) acres or less. Vestar is proposing a twenty (20) acre shopping center directly adjacent to Pinnacle High School; that, as you know, includes drive thrus (which are also prohibited commercial activities in the superblocks adjacent to Fireside).

Not only is our family concerned about what may become a falsity of how Fireside was advertised when we purchased our home seven (7) years ago, should Vestar succeed with this initiative, we are also concerned about the associated crime, noise, pollution, and traffic that will no doubt plague our residential community. We already have an issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Street, as commuters travel to Interstate 51. Vestar's initiative will only heighten this problem, and create a more dangerous situation for our children including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration.

Thank you for your time.
April and Rob Justman
3713 E. Huett Lane
Phoenix, AZ 85050
480-904-1560

**From:** rmarranca ourfiresidedesertridge.net
**To:** Anthony M Grande
**Subject:** Case #GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Friday, September 8, 2023 11:07:18 AM

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Good Morning,
We have bought into our community at Fireside with the zoning of all residential. We are NOT in favor of changing the zoing and the plan to put in a 20 acre shopping center right across from Pinnacle High.
the Black Mountain Village

I hope you can respectfully reconsider this change in which we did NOT buy into
Thank you,

With Warmest Regards,

*Rita Marranca*
*Administrative Assistant*
*and Front Desk Manager*

Fireside at Desert Ridge
480-203-2166

| | |
|---|---|
| **From:** | Chintan Patel |
| **To:** | Anthony M Grande |
| **Subject:** | CASE # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Friday, September 8, 2023 8:49:37 PM |

Good evening Mr. Grande:
My name is Dr Chintan Patel and I am a cardiologist at our local, Thompson Peak hospital and resident within the Copper view community in Fireside here at Desert Ridge. I am writing to you in reference to case number GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, also known as Black mountain village.

I know that you may be receiving numerous letters and petitions against this commercial community. I would like to take the opportunity to waste my concerns and join amongst the ranks of those against this proposed commercial shopping area.

The appeal of Desert Ridge and what makes it a unique location is the sense of community that we all feel and try to bring to the various neighborhoods within the Desert Ridge communities. While we may live a different neighborhoods, much of what unites us is the sense of community and safety that we sought when we first moved here. The glue that tends to bind us all here, like most neighborhoods, is our children. Personally I have two young daughters who attend Fireside elementary who are currently six and five. We moved to this community after talking with neighbors and seeing how happy they were raising their kids from elementary to high school in an area that they felt safe enough to have their kids be independent.

I do understand the financial benefits of a commercial property, but the location that is proposed is already in a high traffic area with his own intrinsic problems because of high school traffic and the on/off ramp to route 51. If the point of the shopping plaza is to serve the needs of the community, and the community has spoken that the current Desert Ridge is sufficient then the only thing this could bring are consequences. People moved to this community the way it was designed with the promise of trying to keep it from being a commercial hotspot. Bringing more homes and more families to create more neighbors only makes us stronger, but bringing in businesses that invite more outside traffic, their own self interests, and the potential negative influences only brings down the reputation of Desert Ridge and instills of distrust in the city of Phoenix and it's social responsibility to it's citizens.

I thank the city of Phoenix and representatives like you for making communities like Desert Ridge available to us and keeping it in its current splendor. All we ask is a mutual sense of trust in us to help continue to grow the community while maintaining its integrity and safety.

I appreciate your time and willingness to hear our voices.

Thank you so much,
Chintan Patel.

**From:** Susan Sheroff
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Friday, September 8, 2023 7:04:25 PM

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Dear Mr Grande:

I reside in Desert Ridge at 21214 N 36th Pl

The applications submitted to enable the Black Mountain Village must be denied. I am aware of the comments submitted by other homeowners including Mr. Tuffin, Mr. Richards and Mr Roodenburg. I will not repeat the many reasons why this project is a terrible idea. This attempted betrayal of innocent homeowners who purchased under the existing Specific Plan cannot be justified; the justifications put forward by Vestar are essentially specious and insufficient to destroy the reasonable expectations of innocent home buyers.

Thank you for your attention

Susan Sheroff

Sent from my iPhone

**From:** Taylor Ungerer
**To:** Anthony M Grande
**Subject:** No to Black Mountain Village
**Date:** Friday, September 8, 2023 9:11:33 PM

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Case number-
GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Hello Anthony,
Myself as well as most of the community at black mountain rd. absolutely disagree with Black Mountain Village being rezoned from residential to commercial. If you could please let me know an update after the planning committee meeting with the decision on October 3rd, 2023.

Thank you for your time,
Taylor

**From:** Jeannette
**To:** Anthony M Grande
**Subject:** Case no Z29-23
**Date:** Friday, September 8, 2023 9:05:10 PM

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I am writing to you regarding the request to rezone in our area 85050 Black Mountain Project.

As a resident and homeowner 17 years in this area - Desert Ridge, I have seen a lot of growth in our area. I want to make sure we DO NOT REZONE THIS AREA TO COMMERCIAL. We are currently inundated with traffic from the 51 and all the traffic from the area who avoid the 51. You should be focusing on community not convenience. Save this are for Pinnacle High School. Every morning my kids walk to school and the amount of traffic is massive and congested. The 51 Black Mountain ramp has also increased the congestion and safety of residents and children who live in this area. DO NOT BE MOTIVATED OR SEDUCED BY THE ARROGANCE OF COMMERCIAL BUSINESS In our community!!!!!

Vote NO!!!!
Jeannette Vespalec

**From:** Dan Welker
**To:** Anthony M Grande
**Subject:** Black Mtn Village
**Date:** Friday, September 8, 2023 11:22:38 AM

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Mr Grande -

I live across the street from the proposed Back Mountain Village Commercial development in the Desert Ridge area. This is a major issue for my family. Traffic is already crazy. The noise from Deer Valley and Black Mtn is already bad (why isn't there a noise ordinance for Harley Davidsons and tuner automobiles, by the way) and it would just get worse. The high school students next door at Pinnacle don't need this. Go to the Walgreens next to PV High School after classes get out if you want a sample of what goes on. I have two kids there right now and my third will be going there in 3 years. This is supposed to be a residential area and is currently zoned that way. The bait and switch that is going on is unacceptable. I will oppose this every way possible. Please stand up and represent your citizens and keep the peace in a neighborhood that is supposed to remain quiet.

Thanks for your help.

Dan Welker
602-821-0262

**From:** Debbie Bolde
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 SW Black Mountain & Deer Valley
**Date:** Saturday, September 9, 2023 4:59:53 PM

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Dear Mr Grande.

We are residents of Sky Crossing and we received notification of the proposed re-zoning at the SW Corner of Black Mountain & Deer Valley roads because we live in close proximity of it. We are opposed to the development and rezoning of this parcel for the following reasons:

1. This project does not fit the neighborhood and it is contradictory to Desert Ridge's original plan for this area to be a low noise, light traffic community. We purchased our home in 2020 with the understanding this parcel would be a residential parcel only. We moved here to get away from the city traffic and noise.
2. The suggested development is not needed in this area because all of these services are available 2 miles in each direction on Tatum blvd and Cave Creek road. Furthermore a gas station and drive thru coffee shop/fast food restaraunt will increase pollution into neighboring communities.
3. Currently PHS turns their lights off at 9pm because of the residential zoning. This provides a quiet serine and tranquil neighborhood for all homeowners. This development would change the entire feel of the neighborhoods which is not at all fair to any homeowner that purchased as described above.
4. With the increasing concerns of rising temperatures, water shortage, high traffic and other issues within the city of Phoenix, it would seem prudent for the city council to preserve open land to insure a better quality of life for it's residents. Our temperature in the area is typically 3-7 degrees lower here than it is at Sky harbor airport where the land has been overdeveloped. We need more trees, bushes and open land and less concrete, blacktop, buildings and traffic. A better use of this land would be a park with walking paths, covered picnic area's and additional parking that could be used for PHS during the week. This would meet the needs of all of these neighborhoods and would alleviate the current problem with people using the private parks in Sky crossing, it would be a win win for everyone.

Thank you for your consideration of these issues above. We hope the city council will find another alternative for this parcel that will be better suited to the neighboring communities than a commercial development.

Mike & Debbie Bolde
3436 E Louise Drive
Phoenix Az 85050
480.419.9385.

**From:** Susan Marshall
**To:** Anthony M Grande
**Subject:** case numbers GPA-DSTV- 2-23-2/GPA-DSTV-3-23-2/2-39-23-3
**Date:** Saturday, September 9, 2023 11:14:34 AM

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To All Involved,

I don't want Black Mountain Village at
Deer Valley-Sky Crossing-Black Mountain.
This land is zoned for residential and should remain so. I see no reason to add more commercial businesses to a zoned residential area. It will only bring more, crime, noise, litter, pollution, and traffic nightmares to quiet residential area. This is where very young children through high school ages are in large number playing outdoors in sports and in neighborhoods. This will be monstrosity of various issues. Especially with the exit to Black Mountain-51-101 and intersection of Black Mountain Blvd and Deer Valley. This is easy to predict. Look at the issues of traffic already. Our neighborhoods were built and purchased with this in mind of being residential. We would not have purchased otherwise. It's a promise you are conducting rescinding. To have it be a bait and switch now will only cause more ill will in our communities and with government. Please consider everyone's concerns.

Cordially,
Susan Marshall

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|---|---|
| **From:** | Marty Minzer |
| **To:** | Anthony M Grande |
| **Subject:** | This better never take place. You will have a war on you hands! |
| **Date:** | Saturday, September 9, 2023 1:26:50 PM |

Our homes were built under the Desert Ridge Specific Plan. The plan promised us clean, quiet and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.
The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to rake in even more money by changing the zoning, and the plan, to put in a 20 acre shopping center right across from Pinnacle High School. They say it will contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and heaven knows what else.
Many of us are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity. And we are taking action.

Sincerely,

Marty Minzer

**From:** Alan Walstad
**To:** Anthony M Grande
**Subject:** Black Mountain Village proposal
**Date:** Saturday, September 9, 2023 12:36:21 PM

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Anthony Grande
Planner II* Village Planner
City of Phoenix
200 W Washington St
3rd Floor
Phoenix, AZ 85003

Greetings Anthony, I appreciate you taking the time to read my note regarding case number GPA-DSTV-2-23-2 and/or GPA-DSTV-3-23-2 and/or Z-39-23.

My family and I are current residents in the Sky Crossing community, living just northwest of the intersection of Black Mountain Boulevard and Deer Valley Road. We have some concerns about the proposed zoning changes for the parcel at the southwest corner of that intersection.

- We moved to our home in part due to the quiet community surroundings, including the residential neighborhoods of Aviano and Desert Ridge to the east, and Fireside to the southeast. Also, Sky Crossing is bounded by vegetation and city property to the west, the National Memorial Cemetary of Arizona to the north, and the Joni Fitts School of Horsemanship to the northeast.
- The Desert Ridge Specific Plan (in which the parcel in question lies) limits commercial activity in the residential superblocks to no more than 3 acres.
- Pinnacle High School is directly to the south of the proposed zoning change/development.

Our decision to move to this area was predicated on the quiet, residential feel of our neighborhood and surrounding areas. I know that many neighbors in Sky Crossing as well as friends and neighbors in Aviano and Fireside feel the same, and this proposed change to existing zoning conflicts with one of the primary reasons that many families may have selected these neighborhoods.

We find that existing stores and shops (essential and non-essential) as well as medical facilities and outdoor activities are all plentiful within a very reasonable distance (most less than 7 miles) from our existing home. We believe that there are multiple alternative locations in the general vicinity if further development is necessary.

Each morning during the school year, the traffic at the intersection of Deer Valley Road and Black Mountain Boulevard is horrendous. The current combination of Pinnacle High School

traffic coupled with traffic accessing SR-51 southbound from Black Mountain Boulevard creates a backup that can take 15+ minutes to travel less than one mile. This traffic situation will only worsen with any future development north of Pinnacle Peak Road, including the potential extension of Black Mountain Boulevard to connect to I-17/AZ-303 through Sonoran Desert Drive.

Our family is not in support of the proposed zoning changes:

- Adding a retail shopping center will create additional traffic, including commercial trucks and trailers delivering goods at all hours of the day and night.
- Lighting in the parking lots and the stores themselves will shine directly into homes/bedrooms along the north side of Deer Valley Road. The same homes will also have significant noise pollution from the center.
- The addition of a gas station/convenience store will also bring environmental concerns, and even greater light and noise issues.
- Any waivers granted for alcohol purchases in the center would be a significant concern with Pinnacle High School just south of the development.
- Criminal activity, which is currently minimal in our community, will very likely increase with the addition of retail and restaurant businesses directly across the street.
- Traffic at the intersection, already a significant concern each morning during the school year, will be exacerbated with multiple businesses open at that time.

Thank you again Anthony, for reviewing our concerns about the potential zoning changes.

Best regards,
Alan Walstad

**From:** Rajendra
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:13:07 PM

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Hello Anthony,

My name is Rajendra Danda and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Rajendra Danda

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 11:54:31 AM

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Hello Anthony,

I am Rajesh Gadde. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Rajesh

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|---|---|
| **From:** | kay ehrick |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2. ABSOLUTELY NO global international here thanks |
| **Date:** | Sunday, September 10, 2023 7:46:34 AM |

Hi Anthony,

Lived here for 10 years and please tell vestar his partners and the global leaders they hang with to all take their equity BS and play the game in some other county. We have enough crazyness on these roads and riffraff pretty much all around us. We get eniugh traffic from the 51 enough from all the highschool and elementary. So forgive me when I say we don't need anymore traffic around these parts. Not to bright of an idea at all. Maybe the partners can build near their homes or kids schools. Or find another globe to pollute. Stop building new and be the globalist equity folks you claim to be.. let me k iw if you need the buildings that need some fixing since global love screams vestar, and investment of international people who should be maybe building in their own countries and stop bringing in shops that cater to worldly people. We are o lay one country and our language is English. Foreign builders should do the climate a favor and fix the the homes already up. We sure as hell don't need another drive through, hell no to a gas station and really another grocery store? No thanks if we were looking for so much crap around us we all would have moved elsewhere! Sick of these investors coming in and messing with something good. Here's a suggestion vestar can take all their ideas and I don't know maybe FIX ALL THE BUILDINGS CLOSED due some bioweapon plandamic! We don't need anymore corners with the crap we see that has all the crap they bring in! Vestar needs to leave it the way it was zoned for! Absolutely no businesses! Save the planet by using all the empty buildings do to all this equity BS! Hell no to the idea! I wasn't born yesterday and please tell vestar to take their global equity and shove it where the son don't shine! They should not be so money hungry to into our neighborhood and bring in businesses they know aren't needed! Plenty around us within a 3 mile radius. HELL NO TO VESTAR THEIR PARTNERS AND THEIR GLOBAL EQUITY BS! The word these globalists and their partners don't like is Equality cause equity is racist! Maybe vestar should go and build something in south phoenix for all the homeless and OUR VETS

Hell no to vestar in this area! Equity bs doesn't work here I've already lived that time of my life . It's equality and if vestar is a foreign entity would rather they go globalize some other suckers! I've seen what these globalists and their equity has done to Greece first hand! Hell no! Fix the buildings that are up and need a gut job remodel! Don't want nothing from vestar or their desert ridge ideas!

No more businesses around 3 schools! No riff raff needed anywhere close to any of these kids! Globalists OUT and the word is EQUALITY.

No to this build.

Kay E

| | |
|---|---|
| **From:** | Mahitha |
| **To:** | Anthony M Grande |
| **Cc:** | Mahi |
| **Subject:** | NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2 |
| **Date:** | Sunday, September 10, 2023 12:48:25 PM |

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Hello Anthony,

I am Mahitha Valluri. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Mahitha

Sent from my iPhone

**From:** Justin Scott
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 8:53:43 PM

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Hi Anthony,

I am reaching out to you with my concern about the Black Mountain Village proposal at the intersection of Black Mountain Road and Deer Valley. I am a current resident of Desert Ridge in the Fireside community. I kindly request that Case Numbers: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 are denied. I have no interest in this property and there is absolutely no need for it. This will only cause significant issues in our community.

I hope you consider the Phoenix residents that will be very negatively affected by this proposal if passed. Thank you for your attention.

Sincerely,
Justin Scott

Justin Scott
Justinscott634@outlook.com
(480) 865-4700
21264 N. 36h Place, Phoenix AZ 85050

**From:** ramya silpa
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:19:47 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** lakshmi alapati
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Sunday, September 10, 2023 1:24:31 PM

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Hello Anthony,

My name is Lakshmi Ramya Silpa Alapati and I am a resident of the Skycrossing community located at Deer valley Rd and Black Mountain Blvd intersection. I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area which will primarily cause danger to the kids . It also will lead to more crime activities, noise, litter, pollution, more traffic nightmare,damage our home values as well.

Thus, we strongly oppose building Black mountain village as we don't feel any necessity of this commercial complex . Please help us on this matter.

Thanks,
Lakshmi Ramya Silpa Alapati

**From:** Bob Donnelli
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Monday, September 11, 2023 3:05:16 PM

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Hello Anthony,

A topic was brought to my attention re: Black Mountain Village development on the corner of Deer Valley road and Black Mountain freeway. In the communication, it stated a plan to develop the area commercially.

As a resident homeowner in the Desert Ridge Aviano community, I would be opposed to such development. The expression ‘convenience has its costs’ is not a mantra that would garner local resident support.

As you are aware, with the implementation of such comes an impact on the local community. These external, non-controllable influences would add additional burden to the traffic flow, already very challenged with the high school across the street; an esthetic decline of the local neighborhood housing; an invitation to non-resident commuters; and the potential for a parabolic change of public safety in the local community.

I understand business well. The location would embrace a single family residential development, a logical option for the land. This area is a much sought after residential community and the ability to pre-sell any number of residences would be accomplished with little effort.

Albeit one email, this topic was brought to my attention by a host of local homeowners. I look forward to your consideration.

Sincerely,

Robert Donnelli
602.708.1250

Sent from my iPhone

| | |
|---|---|
| **From:** | Praveen Mahadevaiah |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village (case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2) |
| **Date:** | Monday, September 11, 2023 9:13:42 AM |

Dear Sir,

This is Praveen Mahadevaiah a resident of Fireside in Desert Ridge, Phoenix. I am writing this email to express our opposition to the proposed Black mountain village with case numbers GPA-DSTV-2-23-2/GPA-DTV-3-23-2/Z39-23-2.

Our homes were built under the Desert ridge specific plan. The plan promised us a clean, quiet and safe neighbourhood because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited. The land at deer valley and black mountain is designated residential under the plan, Vestar, the developer of the Desert ridge marketplace, now wants to rake in more money by changing the zoning and the plan, to put in a 20 acre shopping center right across from Pinnacle high school. They say it will contain a drive through fast food, drive through coffee, a gas station and grocery of unknown name and type.

Many of us were baffled by this rezone proposal and worried about the noise, crime, litter and pollution and traffic nightmares. As state route 51 route ends at the Black mountain blvd, there is already a lot of traffic and congestion in this intersection of Deer valley and black mountain, especially during peak hours. With the proposed rezone for a commercial property, this will make matters even worse.

Our house backs up to the black mountain blvd and we are really worried about the rezone proposal and the effect it will have on our beautiful community.

We request you to consider our opposition to this proposed rezone of the residential block and we don't want the black mountain village.

Regards
Praveen

| | |
|---|---|
| **From:** | Yasmin Rivera-Klein |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2 |
| **Date:** | Monday, September 11, 2023 8:46:51 PM |

Dear Anthony,

I am writing today regarding Vestar's proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's proposal for rezoning the Southwest Corner of Black Moutain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of the community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Moutain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is no need for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Given the detrimental impacts on our home values, marketability, safety, noise/light pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Yasmin Rivera

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| **From:** | Susan Ze |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Black Mountain village - Superblock 12 Oppostion |
| **Date:** | Monday, September 11, 2023 3:24:52 PM |

Mr. Grande and Councilman Waring. Greetings.

As residents of Copperview Neighborhood in Fireside - Desert Ridge, my husband and I are adamantly opposed to the proposed rezoning of the property known as a portion of Parcel 12.L within Superblock 12 of the Desert Ridge Specific Plan. We realize you have probably received many letters expressing such opposition, so I will briefly list our concerns. We moved from northern California about seven years ago to be closer to two of our daughters and their families and have found a pleasant home in Copperview but already see some negative activity and really fear how the proposed Black Mountain Village Project will escalate those negative incidents. Many of the younger families in the neighborhood may have already expressed their opinions, but I feel that we older folk should also have a voice.

We live on E Abraham Lane, just off of Mayo and very close to the Black Mountain/Mayo corner where large numbers of high school students congregate at the lights waiting to cross and cars wait in long lines to either turn left to access AZ 51 or drop off their children in the right lane. We also have long lines of cars on Abraham Lane itself as well as N 36th Street during drop off and pick up times and many cars exceeding the speed limit and/or making U turns. A commercial property on Black Mountain Blvd across from the high school will add more traffic problems to all parts of the Fireside neighborhood, not just Copperview. In addition, the safety of our students going to Pinnacle High School will be adversely affected.

We have watched over the past few years as vandalism and criminal incidents have increased at Desert Ridge Shopping Center. Putting a commercial center right next to a high school is only inviting more of such behavior.

The noise and light pollution will certainly increase and woe to those neighbors whose houses back up to Black Mountain Blvd directly across from the proposed commercial project. In addition, the amount of litter produced will surely spread over into the adjoining neighborhoods.

Of course, there is a master plan for Desert Ridge, and a commercial center next to the high school was not included, for very good reasons. We realize that the land is owned by the Arizona State Land Department and proceeds from the sale of such lands is to benefit the schools, but what better way to benefit Pinnacle High School (as well as the surrounding neighborhoods, including Fireside, Aviano, and Sky Crossing) than to provide additional student parking and/or a well designed drop off/ pick up area which would alleviate and not add to current traffic problems.

If you truly feel in your heart the need to vote for rezoning, despite the very logical and well researched objections, my husband and I hope that you will fight to incorporate absolute requirements, such as including community resources (a library and funding for it would be a fantastic addition!), covered parking with solar panels to reduce electricity needs, location requirements that reduce traffic problems and light pollution, prohibiting any gas station or any all night business, to mention just a few ideas.

I hope that you will truly take the concern of your fellow citizens to heart and not just rubber stamp the rezoning request in order to replenish the city or the school districts coffers. While we may be only a small neighborhood compared to the number of people living in Phoenix, we should be respected for our opinions and needs. Please realize the adding a commercial center right next to the school and directly across from a residential area does not meet OUR needs and certainly does not show any respect for us.

Sincerely,

Susan Ze

**From:** barbara bass
**To:** Anthony M Grande
**Subject:** Rezoning for commercial shopping center
**Date:** Tuesday, September 12, 2023 2:49:39 PM

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No NO I know Money Talks But so does the residents of out neighboring communities! We DONT WANT THIS ! (Protecting the safety of our children with a high school right next door! For the safety of all the homes, for the additional traffic, NO NO)We have a beautiful shopping center with All the amenities we need and Crimes have increased WE DONT NEED THIS IN OUR BACK YARDS! I'm not sure this can be stopped because it's all about $$$ But we can try!!!!

Sent from my iPhone

| | |
|---|---|
| **From:** | Eliza Bozzelli |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; Michael Bozzelli |
| **Subject:** | STRONGLY OPPOSED to Black Mountain Village |
| **Date:** | Tuesday, September 12, 2023 10:03:11 AM |

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To Whom it May Concern,

We are new residents are Fireside with 3 small children, two of which attend Fireside Elementary School. We bought our home under the pretenses that we were raising our family in a safe, quiet neighborhood and that the land around us had VERY MINIMAL commercial zoning.

This suggested rezoning is going to have such a great impact on our community, our safety, and our already overwhelmed streets. Especially Mayo, which we walk along every day to bring our kids to school. Mayo is a complete nightmare during school dropoff and pickup hours already.

Furthermore, the threat of a gas station, or drive through will bring fumes, loitering and crime to our community.

I am STRONGLY OPPOSED to this rezoning and I feel that I was sold a lie when I bought my house. Our children and our community deserve better than this.

Eliza Bozzelli

**From:** Jen
**To:** Anthony M Grande
**Subject:** Opposed to Re zoning
**Date:** Tuesday, September 12, 2023 7:11:39 PM

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I read that Bestar is looking to redone near Deer Valley and Blk Mtn Rd.

I want to state that I am opposed to this Re-zoning.

Let me know if I need to sign anything .

Thank you-

Jen Cakebread
Long Realty Unlimited

**From:** Jason Epstein
**To:** Anthony M Grande
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.
**Date:** Tuesday, September 12, 2023 11:58:46 AM

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Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | J |
| **To:** | Anthony M Grande |
| **Cc:** | PDD Desert View VPC |
| **Subject:** | Black Mountain Village / Superblock 12 Proposal |
| **Date:** | Tuesday, September 12, 2023 9:47:22 PM |

In reference to Cases:
GPA-DSTV-2-23-2
GPA-DSTV-3-23-2
Z-39-23

Hi Anthony,

I just ended a community meeting with the representatives from Vestar (Gammage & Burnham) and my local community where the conceptual plan for black mountain village was discussed. I have to say I am deeply disappointed with this proposal, that includes a request for amending the districting of the land from residential to commercial and the build out of a 20 acre shopping center. From the call itself, many other community members were equally disappointed and voiced their concerns.

I've read through the plan and the commentary as provided by the representatives of this build out, that includes notes such as that this is to the benefit of the community in limiting drive time and is intended to cater to the local area residents. I am a local resident and my current shopping drive time is 5 minutes to the desert ridge shopping center. I do not agree that bringing traffic, crime, pollution, litter, noise, and light are worth the benefit of saving me 5 minutes of drive time to do my regular shopping.

I originally purchased my home in the sky crossing community as a part of the desert ridge specific plan, with the understanding that commercial placements would stay near the commercial core of the desert ridge area. Should the concept be built, it is difficult to say that the city did not intend to lure high income residents such as myself into the community with intention to later change the zoning to benefit builders and local revenues over the safety and peace of mind of it's residents. The city planners believed that this location would best serve the community as residential zoning as per the Desert Ridge Specific Plan 6-44 under section 'Superblock 12'.

It is inarguable that commercial districts bring new types of crime to residential communities. It is inarguable that commercial districts bring more traffic to local communities. The benefit of building this shopping center, right next to current homes and a large high-school, must outweigh the traffic, safety concerns, pollution, and noise that such a district would bring. Since as written by representatives of the build that this shopping center would be to our benefit, I fail to see what benefit that is that outweighs the safety of our local students and peace of mind of residents of the local communities. When asked during tonight's phone call about prioritizing pedestrian bridges for students and locals, the answers were that the associated costs were prohibitive, likely indicating that the priority is not on benefit of residents, but on revenue. Perhaps you can share the value-add that outweighs the risks of commercial traffic near a school zone?

Should this build go through, my wife and I will likely leave the community. I've personally experienced commercial districts being built next to otherwise quiet, residential locales, and have heard the song and dance of attorneys who have promised minimal impacts and benefits

to the community. This was intended to be our forever home, and should we have to contend with the risk of a large shopping center such as this one and the risks that shopping centers bring, we will find ourselves residents of a new community and will encourage the multitude of other community members who are equally disappointed to leave as well.

I ask that commercial districting stay within the current confines of existing commercial districts, that we refrain from re-zoning residential districts to commercial districts found in the desert ridge specific plan, and that the land we use keeps as planned by the original authors of the desert ridge specific plan, unless and as agreed to, by residents of the community, not builders seeking profit.

Thank you for your time and your consideration,
Josh

**From:** Barb Melsek
**To:** Anthony M Grande
**Subject:** Rezoning on Black Mountain
**Date:** Tuesday, September 12, 2023 8:58:15 PM

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I am opposed to the rezoning from residential to commercial on Black Mountain Blvd and Deer Valley. This will not be safe for the 100's of children and staff that go to Pinnacle High School

Thanks,
Barb Melsek

Sent from my iPhone

**From:** Kenneth Miller
**To:** Anthony M Grande
**Subject:** Opposition to rezone
**Date:** Tuesday, September 12, 2023 2:56:45 PM

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Hi Anthony,
As a 17 year resident of Aviano and living near deer valley I vehemently oppose the rezoning of The parcel of land near pinnacle high school. I have had 3 kids go thru that school. The traffic is horrendous, the lure of a gas station to buy tobacco and alcohol and generally hang out will be a detrimental to the kids and our nice quite pocket away from all shopping and industry will be depleted. I feel, as a real estate agent that this will lower property values and become a beacon for crime near our homes. Please reconsider. We will all be there at the October meeting. Thank you
Debbie Miller
22008 north 36th way

Sent from my iPhone

| | |
|---|---|
| **From:** | C. Taylor Morgan |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Black Mountain Village |
| **Date:** | Tuesday, September 12, 2023 9:27:15 AM |

Hello Mr. Grande,

My name is Christine Taylor Morgan and I am a resident of Scarlet Ridge in the Fireside subdivision in Desert Ridge.

Over recent months I have become aware of the recent efforts by Vestar to rezone land nearby my home to create a large shopping complex. I just want to add my deep concern and opposition to such a development. I bought my house in 2011 and was comforted by the lack of commercial development nearby. Desert Ridge shopping center is close enough (only a few blocks away!) for all my shopping needs and Costco gas station is not far either and much cheaper alternative to Jacksons. I worry about the increased traffic off the 51 and on Mayo (interfering with my exiting my neighborhood), the danger to schoolchildren walking back and forth from school, the crime and loitering that will inevitably follow, the negative impact this will have on the health and safety of Pinnacle High School students, the increased light pollution and car exhaust pollution, and yes, sadly, the increase in homeless near my home. My house backs up to a wash near Black Mountain Blvd and I can foresee a future where homeless could possibly make an encampment behind my house. It makes me feel like I may need to move for my own peace of mind and safety. Honestly, I was hoping that a portion of the empty land in front of Pinnacle High School would have been turned into a parking lot for the students or parents for pick-up and drop-off. It is absolutely chaotic around the area for drop-offs and pick-ups. But of course, there is no profit in that.

I feel this development is completely unnecessary and would like to add my name to those who are vehemently opposed to it. Thank you for your consideration and involvement in this matter.

Regards,

C. Taylor Morgan

**From:** julie richards
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Tuesday, September 12, 2023 11:54:23 AM

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My family has lived in Aviano for the past 17 years. We have loved our quiet community and do not need or want a shopping center close by. We strongly oppose Black Mountain Village.

Case number: GPA-DSTV 2-23-2 GPA-DSTV-3-23-2/z-39-23-2

Sent from my iPhone

**From:** Jodie Abrams
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 13, 2023 9:27:02 AM

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Re: cases GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

To whom It May Concern:
I want to register my strong opposition to the proposed Black Mountain Village at Deer Valley and Black Mountain. As residents we chose to live in Fireside at Desert Ridge for a clean, quiet and safe neighborhood which was built under the Desert Ridge Specific Plan. To rezone for Vestar's commercial purposes is a complete betrayal to this community. Furthermore, this would drastically increase the traffic around the high school area and potentially put the kids at risk for traffic accidents and crime. Please DO NOT allow the zoning to be changed.

Jodie Abrams
3872 E. Melinda Dr.
Phoenix, AZ 85050

**From:** JAYNE BAHOURA
**To:** Anthony M Grande
**Subject:** No to vestar on deer valley and black mountain blvd.
**Date:** Wednesday, September 13, 2023 7:24:07 AM

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Hello
You may not live in the area, but this is a super bad idea. The location is in the middle of neighborhoods. Nobody wants the traffic or the noise this would create. We have desert ridge around the corner and cave creek rd. Both of have plenty of gas stations and food options. Please do not consider this ludicrous idea. Its not an added value location, it would be a community disrupter.
Thank you
Jayne Bahoura

Sent from Jayne

**From:** Cindy Bennette
**To:** Anthony M Grande
**Subject:** Vestar Rezoning
**Date:** Wednesday, September 13, 2023 1:20:27 PM

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I am writing to inform you that I am extremely opposed to the Vestar plan to change the zoning from residential to commercial at Deer Valley and Black Mountain Boulevard. There is already a major traffic issue on that corner, children walk through that area and I am concerned that this will become an extreme hazard for them. Additionally, it does not fit within the desert ridge master plan, and will create chaos for homeowners across the street. We specifically moved to this area to avoid heavy commercial areas.

Thank you for your consideration, Cynthia Bennette

Sent from my iPhone

**From:** lburdett
**To:** Anthony M Grande; lburdett@q.com
**Subject:** Apposed to Rezoning Black Mountain Pkwy
**Date:** Wednesday, September 13, 2023 5:58:46 PM

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Hi Anthony

I am writing to you to let you know I absolutely oppose the rezoning of Black Mountain Parkway Blvd and Deer Valley Rd where they want to put in commercial zoning. Please don't do this. Phoenix is developing every inch of land Arizona has!

Thank you
Laura Burdett

Sent from my Verizon, Samsung Galaxy smartphone

**From:** Diane Cash
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Wednesday, September 13, 2023 10:34:10 PM

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Anthony
I received the email talking about the rezoning of the area off of Deer Valley/Black Mountain putting in grocery store, gas station, coffee shop etc.
I am opposed to this . Traffic in that area is always congested and busy with the high school.
We have plenty of stores and gas station at Desert Ridge
Is there a petition that I need to fill out?
Thank you
Diane

Sent from my iPhone

**From:** Bryant De Piazza
**To:** Anthony M Grande
**Subject:** I oppose Black Mountain Blvd reasoning proposal for Vestar
**Date:** Wednesday, September 13, 2023 2:31:23 PM
**Attachments:** image001.png

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Please do not approve the Vestar requested rezoning for Deer Valley and Black Mountain rd. We already have too many cars and population clogging Tatum and Cave Creek roads and now they want to do that next to the high school. This will also cause more danger for our young youth around the high school and clog up that area. Please oppose.

Thank you




Bryant De Piazza | CEO
E: bryant.depiazza@dpgemelli.com
www.gemellihome.com [gemellihome.com]

**From:** Shelley Flecky
**To:** PDD Long Range Planning
**Subject:** Fwd: Resident of Fireside - against rezone Black Mountain Village
**Date:** Thursday, September 14, 2023 6:53:13 AM

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Begin forwarded message:

> **From:** Shelley Flecky <shelleyflecky@gmail.com>
> **Date:** September 13, 2023 at 9:44:03 PM MST
> **To:** anthony.grande@phoenix.gov, council.district.2@phoenix.gov
> **Subject: Resident of Fireside - against rezone Black Mountain Village**
>
> Hello,
>
> I have been a resident of Fireside Desert Ridge since 2011. I now have a son at Pinnacle High School. I am strongly against re-zoning the area by his school to commercial. This was not the original plan and definitely after all the growth in this area should not be the new plan. Traffic on Black Mountain Blvd is horrendous and downright dangerous during school hours. I don't think it is a safe place to add more congestion. Please do not re-zone! The community does not want this.
>
> Thank you,
> Shelley Flecky
> Referencing case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

**From:** Dana Hurwitz
**To:** Anthony M Grande
**Subject:** Oppose Rezoning Black Mtn Blvd and Deer Valley/Mayo
**Date:** Wednesday, September 13, 2023 6:59:25 PM

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Hi Anthony

I am OPPOSED TO REZONING the residential area off Mayo and Black Mountain Blvd.

I have living in AZ my entire life. Up the street in Aviano community from Pinnacle High School now for about 12 years. We opposed the freeway outlet onto BLack Mountian Blvd when it is being proposed due to the high school and the ineffective bridge that was built over Black Mountain Boulevard. Every day I watch highschoolers cut across the lanes near the roundabout versus using the pedestrian bridge. That bridge was a huge waste of money as the kids who live across the street do not use it. Duh teenagers many will find path of learnt resistance/ effort. so this was a huge waste of our tax dollars and money and makes it very dangerous for the kids. So not good planning there. Another negative is the traffic at PHS during rush hour traffic. Great planning to clog up the very narrow street and bring 2k+ kids to school during rush hour and adjacent to the freeway entrance. An entrance could have been built near a less busy entrance or on the west side of the school or off 40th street where there is no school.

I guess what I am saying is there seems to be little thought on what happens after things are built out and how it actually impacts the folks who use it everyday. Safety in this first example was and IS huge concern.

The principal at PHS opposes the rezoning. Many residents in nearby neighborhood and families that attend PHS oppose the rezoning. The high school has very limited parking and should be expanded to allow for the increase volume of students that attend the school. The school grows more every year. I guess if this becomes commercial where do you think all the sophomores will be parking or the kids who cannot get permits to park on campus?

I feel like Arizona for so long been inept at planning what is proper for communities, families etc. I am good with not needing a grocery store two blocks from my home. There is a ton of WOS off 40th street for development and seems more appropriate. Rezoning to commercial will be an absolute headache for the school, parking, anyone trying to use business in the proposed area. If you have not please drive though the area on a busy school morning and tell me how you feel. Or maybe attend an event at the high school. The parents who attend the school for event have to park in the fields off Mayo as there is just not enough space. I think if any change is to come it should be parking.

I am opposed to the businesses to be clear. Fast food etc is the wrong thing to put in. This will make community unhealthy, have too many More kids crossing BMB and very busy Deer Valley from neighborhoods across the way. No control of pedestrian traffic, even if you try to they are kids and may not abide. The heavily populated (family friendly)neighborhoods do not need these businesses in their vicinity as there are plenty around and better if you have to seek it out to ruin your health. Any entrance for business would be dangerous off Mayo or BMB… Further down deer valley would be better, but not at or near the corner or DV and BMB or mayo and BMB. There is just so many kids out walking and I don't think adding any congestion or entrance for business make sense.

I think desert, some parking for that area make the most sense for the community. Please help our community this time to make the right decision and hold safety, what is logical for the community, growth of the highschool at the forefront vs profits.

Thank you for your time and attention. I am OPPOSED TO REZONING TO COMMERCIAL.

Dana Hurwitz

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:18:37 PM

**Name**

John N

**Email**

Jcsiiajdis@proton.me

**Support Comments**

I am writing to express my very strong opposition to the proposed development and rezoning of the land from residential to commercial at the Southwest Corner of Deer Valley and Black Mountain by Vestar Development Group. The conversion of this residential area into a commercial zone would have severe consequences, detrimental implications, and potentially devastating impacts on both the environment and the community. I implore you to reconsider this decision and prioritize the well-being of the city, its residents, and its natural surroundings.

The City of Phoenix has outlined a comprehensive sustainability plan for the year 2050, with clear guidelines for responsible development that considers the efficient usage of resources, including water. One crucial aspect of this plan is the expansion of parks, preserves, and open spaces, ensuring that all residents are within a five-minute walk of such spaces, but those spaces must be sustainable or else the whole point of having a commercial center within walking distance is null. Furthermore, the goal of reducing urban heat-island effects through green infrastructure and increasing tree and shade canopy coverage is paramount.

However, the proposed development contradicts these essential sustainability goals. Converting the area into a car-centric commercial zone would undoubtedly lead to increased traffic congestion, resulting in higher CO2 emissions. The associated light and noise pollution would disrupt the delicate balance of the ecosystem and erode the serene character of the Sonoran Desert environment, its flora and fauna, and its natural aesthetic.

I urge you to consider the broader impact of this development on the city's future. Will it be in line with the City of Phoenix's sustainability regulations, ensuring that the structures incorporate features such as vertical gardens and agricultural areas on their roofs? Will there be proper infrastructure in place, including ample bicycle racks, substantial green spaces covering over 80% of the area, and designs that prioritize pedestrian and micromobility traffic over internal combustion engine vehicles? Specifically, bicycle lanes which are physically protected by a barrier to protect cyclists from traffic?

The City of Phoenix has shown a commitment to reducing air pollution and safeguarding public health through various programs and initiatives. However, this development project poses a significant threat by potentially increasing the emission of Volatile Organic Compounds (VOCs), negatively impacting the environment, ecosystem, and the health of the community.

The City of Phoenix states, “The City of Phoenix is strongly committed to reducing air pollution and protecting public health. The city implements a wide range of air quality programs to reduce ozone and particulate pollution (dust and smoke). Transit, light rail, bikeways, and pedestrian-friendly development reduce vehicle emissions and promote land use planning and urban designs for a more sustainable environment”. How will this development protect public health when in fact, it will introduce vulnerabilities witthin the community? It will actively degrade and destroy the health of the surrounding community and communities.

Equally concerning is the potential destruction of native plants in the area due to this development. The loss of biodiversity and destruction of the Sonoran Desert's unique ecosystem cannot be taken lightly.

The Environmental Protection Agency asserts that that, “Volatile organic compounds (VOC) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions”. These harmful chemicals would be released into our atmosphere if the proposed development is approved. We must oppose and condemn this egregious use of building authority with passion for the future of the City of Phoenix, and on a more global scale,

the Earth itself.

In light of these concerns, I wholeheartedly disagree and very strongly oppose the Vestar Development Group's plans for the Southwest Corner of Deer Valley and Black Mountain. I urge you to immediately stop and immediately halt all current and future development plans and instead prioritize the city's sustainability goals, community well-being, and the preservation of the natural environment. By doing so, you can help shape a better future for the City of Phoenix and its residents.

Thank you for your attention to this matter.

**From:** ELONIA LASKU
**To:** Anthony M Grande
**Subject:** Oppose rezoning
**Date:** Wednesday, September 13, 2023 3:49:09 PM

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To whom it may concern!

My family absolutely opposes the rezoning on Black Mountain Blvd.

Thank you!
Elonia Lasku DDS
Aviano resident

Sent from my iPhone

**From:** Heather Magill
**To:** Anthony M Grande
**Subject:** rezoning on Black Mountain Blvd and Mayo Blvd
**Date:** Wednesday, September 13, 2023 2:36:11 PM

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Mr. Grande,

My daughter attended Fireside, currently attends Mountain Trail Middle School and will most likely go to Pinnacle HS next year. I am extremely opposed to rezoning the SW Corner of Black Mountain Blvd and Mayo Blvd into a commercial area.

This was intended to be a residential area not a commercial area.

People purchased their homes with the understanding they were in a residential neighborhood. Allowing a developer to come in a rezone for the developers financial benefit is a slap the neighbors face.

Neither Black Mountain Blvd nor Mayo were intended to be major commercial thorough fairs and there are plenty of businesses within 1 to 3 miles that provide these proposed services. Those areas are in commercially zoned areas and are major roads.

There are 5000+ students at this school. The area is congested enough during school drop off and pick up hours and adding more congestion to the area will create an even bigger risk of accidents especially with student pedestrians and new drivers. We currently have a jaywalking problem at that very intersection twice a day. Along with many cars parking along the road for student pickup.

Rezoning the area to commercial appears to be a ploy for businesses to target students who are still learning to manage impulse control and money management. In addition, it increases the opportunities for student truancy, loitering, littering, purchasing questionable products such as vapes/alcohol they can easily hide and take directly into school.

Because the businesses will be overwhelmed with students and students will try to park their to attend school rather than the school parking lot, I suspect many signs will be posted ... "customer parking only", no loitering, only "3 students the store at a time", "cars will be towed after two hours", "no student drop off/pickup". They might even have to higher a security service to prevent these activities creating a negative environment at the business center and the neighborhood.

Based on on those items I believe commercial area will not benefit the neighborhood but make it more stressful and unhappy to access.

Please ask yourself, would you want stores and a gas station to be built right next to your home or to your child's school? Its one thing to choose a place where that already exists, its quite another for someone to change the rules after you have already purchased your home and established your family.

Thank you for your attention in this matter.
Heather Magill

**From:** Heather McDonough
**To:** Anthony M Grande
**Subject:** Concerns for proposed land development
**Date:** Wednesday, September 13, 2023 2:39:23 PM

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Hi Anthony,
I'd like to voice my concerns about having such a large commercial development so close to the high school. I know that this area is underserved with things like grocery stores, but I have some safety concerns. I'm concerned for a few of these reasons:

1. It will bring a bus stop to the area right outside the high school. Possibly opening it up to panhandlers and homeless individuals that we have seen on the rise in Desert Ridge. Posing safety risks to those who walk to and from school.

2. The traffic is already very bad in that area, and will likely cause more congestion and traffic.

3. Loitering after school by the high school kids, causing safety concerns, also kids from the high school parking in the shopping parking lots.

4. Noise and light pollution for those homes surrounding this area that has been proposed.

Thank you for your time and consideration in this matter.
Heather McDonough

| | |
|---|---|
| **From:** | Eugene |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to Applications to Amend the General Plan and Zoning Ordinance for Desert Ridge |
| **Date:** | Wednesday, September 13, 2023 9:45:37 AM |

As you are aware, there are pending City of Phoenix Planning and Development Department applications (GPA-DSTV-3-23-2 and Z-39-23), to amend the Desert Ridge Master Plan and zoning ordinance to allow building a commercial shopping center in the middle of our residential community! This level of over-development needs to stop NOW, and I request your support to deny this change. Vestar is not interested in the quality of life in our community. This commercial center would transform the neighborhood to absorb increased traffic, noise, lighting, pollution, and even crime. What possible benefit can another neighborhood retail grocery store, gas station or restaurant add to the abundance of retail shopping and dining at the Desert Ridge Mall and surrounding areas?
Instead, I would ask that you consider developing this 20.5 acre site owned by the people of Arizona (through the Arizona State Land Department) by planting trees and green landscaping for the use and pleasure of your District 2 voters and their children rather than the profits for the Vestar investors!
Sincerely,
Eugene F. Montgomery, PE

Sent from Mail [go.microsoft.com] for Windows

**From:** Camille Nassif
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2
**Date:** Wednesday, September 13, 2023 1:33:44 PM

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Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2
Project located at the corner of Deer Valley Road and Black Mountain

Please do not move forward with this re-zoning. We want to keep this area commercial free as was originally planned and sold to us. There are commercial areas only a few blocks west on Tatum Blvd and a few blocks east on Cave Creek - we do not need additional commercially designated zones with ones already so close.
There is already too much congestion at that same corner during the mornings and afternoons due to the adjacent school and this will not only make it worse but also more dangerous for these students and for the neighboring residents.

Thank you for your time and attention, Camille Nassif

**From:** Peggy Polito
**To:** Anthony M Grande
**Subject:** Oppose!!!!
**Date:** Wednesday, September 13, 2023 9:02:48 AM

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Anthony Grande,

I'm letting you know, I  absolutely oppose the rezoning on Black Mountain Blvd. When is enough….enough!

Peggy Polito

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Stop the Rezoning change on Parcel 212-38-023B (Black Mountain Village) |
| **Date:** | Wednesday, September 13, 2023 2:16:00 PM |
| **Attachments:** | image001.png<br>image002.png |

Hello Mr. Grande and councilman Waring,

I wanted to bring this to your attention that people in the Desert Ridge area have paid ads popping up on their Facebook page requesting people to sign their petition in support of the Vestar's Black Mountain Village Devlopement. If this advertisement is sponsored by Gammage and Burnham, is this even legal? This advertisement is very misleading, in a matter that could sway the outcome of the legal representation that they're providing to Vestar.

A major concern residents that live around this development have is that there is no way of knowing what is being considered as part of this development. Once this is approved to be rezoned, Vestar can do whatever they want with this land. The survey at the bottom of this page asks people to take a survey of which grocery store people would like to see in this development. Below are the options that people can choose from:

- Trader Joe's = Between 10,000 and 15,000 square feet
- Sprouts = 28,500 square feet
- Whole Foods = Between 21,000 - 38,000 square feet
- Safeway = 46,000 square feet
- Fry's = Between 80,000-105,000 square feet

I would say there's a massive difference between the stores they are discussing in that online survey. We need to know if they are discussing something smaller like a Trader Joe's or something massive like a Fry's. There is a huge difference between these. There is no sense of connection or community if you're planning on adding a Fry's to this development. This is also not catering to just the Desert Ridge community. Take a couple minutes to jump on the Nextdoor website/app and you'll see an incredible amount of people who live south of the 101 excited to see this development. This would allow them to stay off the 101 and just exit directly off the 51, onto Black Mountain Boulevard. This is not at all what Vestar is trying to promote with this project! They're promoting a sense of community and providing convenience for grocery stores and gas stations to Desert Ridge residents.

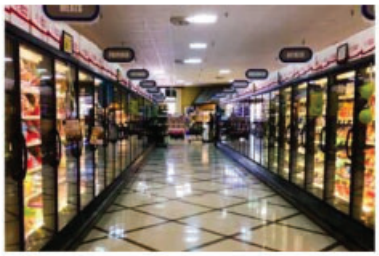
If you open up google and type in GAS STATION you will find that there are **11 gas stations within 3 miles of this intersection**. Additionally, within **3 miles of this intersection you have a Costco, Fry's, Albertsons, and Target**. I can't easily count the number of restaurants in that 3 mile range, but you have over a 20 alone near Desert Ridge and including High Street. There is absolutely no reason Vestar should be even considering a gas station at this location. The families that built either directly across the street, or very close to this development, are being punished for no reason. We were told that this is a residential superblock. The families that built in this area did so knowing that they would have a safe, quiet, area for their children to grow up around. This is not what I want directly across the street from my young family. Fireside residents, Sky Crossing resident, as well as the Estate at Ridgeview are uniting and we need to know we are being heard. This development can not just be a formality, because of the auction price is too lucrative.

I sincerely hope you take my concerns into consideration when deciding the fate of this rezoning vote. I look forward to speaking with both or you, in person, at the remaining council meetings.

Thanks,
Dan Richards
21618 N 36th Street

# BRING A NEW GROCER TO DESERT RIDGE

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would **provide us with convenient access to fresh and affordable food options**. As we continue to grow and evolve as a community, having a neighborhood shopping center will not only contribute to our convenience but also provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.


**IF YOU AGREE, PLEASE SIGN OUR PETITION »**

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center that will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

Additionally, a shopping center of this nature can serve as a hub for social interaction, creating a sense of place and fostering a stronger sense of community. It can become a gathering spot for neighbors to meet, interact, and support local businesses. **This sense of connection and interaction can contribute to a more vibrant and tightly knit neighborhood.**




A well-planned and community-oriented development of this kind can add significant value to our neighborhood without compromising its unique character.

**Please consider supporting the development of a neighborhood grocery-anchored shopping center.**

**PLEASE SIGN OUR PETITION HERE »**

---

If you have any questions, please email us at NewGrocer2023@gmail.com

For questions or to provide comments regarding this project that will be made part of the public record, please contact:

Michelle Santoro
Senior Land Use Planner
Gammage & Burnham, PLC
msantoro@gblaw.com
(602) 256-4486

The City of Phoenix project contact is Anthony Grande, Desert View Village Planner. Mr. Grande may be reached at anthony.grande@phoenix.gov.

**From:** Dorie Sanders
**To:** Anthony M Grande
**Subject:** Rezoning proposal
**Date:** Wednesday, September 13, 2023 7:09:51 PM

---

Please DO NOT permit changed zoning on Deer Valley Rd and Black Mountain. You are ruining our desert. We don't want it or need it for all the reasons you've already heard. The traffic density is already saturated and our community will suffer the consequences. We don't want or need additional commercial development.

Sent from my iPhone

**From:** Tonia Schwartz
**To:** Anthony M Grande
**Subject:** Rezoning at Deer Valley & Black Mountain
**Date:** Wednesday, September 13, 2023 8:44:22 PM

---

Please do not rezone commercial! Maintain the family neighborhood and protect the area from congestion and increased traffic.

Tonia Schwartz

Sent from Mail [go.microsoft.com] for Windows

**From:** Joanna Stockford
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Oppose rezoning on Black Mountain
**Date:** Wednesday, September 13, 2023 8:01:34 AM

---

To whom it may concern:
I strongly opposed the development of property at Deer Valley and Black Mountain. The traffic in this area is already unmanageable and adding commercial property is only going to exacerbate this issue. It already takes an extraordinary amount of time to get children to and from Pinnacle High School. And yes, we live in district for that school. It will also create a safety hazard for students walking to and from school from the surrounding neighborhoods. There is already a shortage of parking at the school- this parcel is used for special event parking when the lot is full (football, etc.). This could lead to overflow parking now occurring in the nearby neighborhoods.

Desert Ridge Marketplace is 3 miles from this location and has everything anyone could need so the development of this small parcel in the middle of a neighborhood right next to a school (also increasing the risk of crime) is completely unnecessary. It should remained zoned for residential.

Thank you,
Joanna Stockford

Sent from my iPhone

**From:** Carol Ticgelaor
**To:** Anthony M Grande
**Subject:** Zoning on Black Mountain Parkway/ Deer Valley Road
**Date:** Wednesday, September 13, 2023 4:33:16 PM

---

Dear Sir,

I am writing to express my opposition to the proposed re-zoning effort by Vestar. There are two schools very nearby, and I am concerned about the increased level of traffic in that area with a commercial project.

My daughter and her young family live in the subdivision directly across from this proposed area. I believe it is currently zoned for residential construction, which I believe to be the best use.

I appreciate your taking the time to consider my viewpoint.

Most respectfully,

Carol Fortune Ticgelaor

Sent from Mail [go.microsoft.com] for Windows

**From:** Marci Gluck-Stewart
**To:** Anthony M Grande
**Subject:** No rezoning!
**Date:** Thursday, September 14, 2023 7:54:00 AM

---

I oppose the rezoning on black mountain Blvd near pinnacle high school. Please don't allow this!!

Marci Gluck
Resident

Sent from my iPhone

**From:** Matt Gunty
**To:** Anthony M Grande
**Subject:** Oppose reZoning by Vestar
**Date:** Thursday, September 14, 2023 7:10:34 AM

---

As a long time resident of this area I oppose the reZoning petition by Vestar to move the Deer Valley/Black Canyon freeway at Pinnacle peak from residential to commercial- this area has been over saturated with expansion and the particular location will encroach in an area near a high school that already sees and influx of young drivers, pedestrian and vehicular traffic.
Please support the constituency and not big business. Put your efforts towards getting bonds approved to construct a much needed new high school in the Norterra area for an already over burdened system.
Sincerely,
Matthew Gunty
1005 w Remuda Dr
Phoenix AZ 85085

Sent from my iPhone

**From:** Dana Huether
**To:** Anthony M Grande
**Subject:** Rezoning
**Date:** Thursday, September 14, 2023 7:27:32 AM

---

I am very much opposed to rezoning of the corner of Deer Valley Road and Black Mt. Blvd.

My grandchildren are high school age (Pinnacle High).

Velstar Development's plan is not conducive to a family neighborhood It will bring excessive traffic, noise and late night business into an area intended for family life.

Dana Huether
Phoenix AZ

**From:** Sharon Lee-Peters
**To:** Anthony M Grande
**Subject:** OPPOSE VESTAR REZONING
**Date:** Thursday, September 14, 2023 5:35:41 AM

---

We absolutely oppose the rezoning on Black Mountain Blvd for a grocery store, a gas station, either/and/or a chic fil a, chipotle, dutch bros, etc. on that little corner of space next to Pinnacle High School.

PLEASE DON'T ALLOW THIS TO HAPPEN! A gas station would be a disaster!

Thank you,
Sharon

*Sharon Lee-Peters*
*Interior Designer*

*Anthony Peters*
*Contractor*
https://www.facebook.com/sharon.lee.peters/ [facebook.com]

*Style By Design LLC*
*21001 N Tatum Blvd*
*Suite 1630-160*
*Phoenix AZ 85050*
*602-788-1216*

*"I'm going to make everything around me beautiful—that will be my life." - Elsie De Wolfe*

**From:** Carefree Builders
**To:** Anthony M Grande
**Subject:** Stop the redone
**Date:** Thursday, September 14, 2023 11:18:33 PM

---

Hi Anthony ,

I live is SkyCrossing .
I would like to voice my opinion in this redone at black Mnt and deer Valley.

This does not seem like a good fit right next to a high school.
And it very close to the residential areas.
We all wish this would stay Residential land.
I do think this could devalue our home.
Thank you for your time .

# Best Regards,

Mike Paluscio,

602.499.5955
Carefree Builders LLC
100 Easy St. #5607
Carefree, AZ 85377
ROC: 342992

**From:** Dee Willis
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain Blvd
**Date:** Thursday, September 14, 2023 4:56:38 PM

---

I object to the rezoning of Black Mountain near Mayo.

Sent from my iPhone

**From:** Michael Bozzelli
**To:** PDD Long Range Planning
**Subject:** Fwd: Strong opposition to the proposed rezoning in Desert Ridge
**Date:** Friday, September 15, 2023 12:05:50 PM

---

---------- Forwarded message ---------
From: **Michael Bozzelli** <mikeboz175@gmail.com>
Date: Fri, Sep 15, 2023 at 12:04 PM
Subject: Strong opposition to the proposed rezoning in Desert Ridge
To: <council.district.2@phoenix.gov>, <Anthony.Grande@phoenix.gov>

Mr. Grande and Mr. Waring,

I am a resident of Desert Ridge and a father of three young children. Our family moved here this year for the distinct purpose of enjoying a quiet, safe neighborhood for our kids to grow up in. I am very upset to learn that the land on Black Mountain is being considered for rezoning as we already have so much traffic on our overwhelmed streets. Furthermore, we have two schools filled with children within a block of each other that is very burdensome to Black Mountain and Mayo.

Bringing in commercial development will further burden our streets, increase noise and pollution, lower property values, raise safety issues, and put more of our neighborhood at further risk of to commercial rezoning. I am strongly against this proposal, we moved here specifically to escape this type of living.

Respectfully,
Mike Bozzelli

In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

| | |
|---|---|
| **From:** | ME Dahl |
| **To:** | Anthony M Grande |
| **Subject:** | Proposed rezoning on Black Mountain Blvd & Deer Valley Road |
| **Date:** | Friday, September 15, 2023 2:27:19 PM |

Good afternoon Mr. Grande,

As a long time Phoenix resident and taxpayer, it has come to my attention that there is a proposal to rezone the area of southwest Black Mountain Blvd and Deer Valley Road on the plot of land that is shared with Pinnacle High School.

Even with the widening of Deer Valley Road, the traffic in this area has grown exponentially over the last four years with the addition of a thousand new homes. The traffic at Pinnacle High School any given time of day, but especially during the morning drop off and afternoon pick up, creates gridlock. The Friday night football games, with the shortage of parking spaces, creates a foot and vehicle traffic nightmare with attendees parking wherever there is a spot on and off campus, and having to walk in the dark to and from their cars presents a danger.

Considering a rezone on this corner to add a commercial element that serves food and/or gas, whose only purpose is to serve the developers, would not only be careless and irresponsible from a safety standpoint, but inherently negligent at any number of possible detriments to our neighbors.

Your taxpayers in this area are vehemently opposed to this idea. I hope that you and your fellow city planners as well as the city council make the right decision.

Thank you for your consideration.

M.E. Dahl

Sent from Mail [go.microsoft.com] for Windows

Virus-free.www.avg.com [avg.com]
[avg.com]

**From:** Jia Zeng
**To:** Anthony M Grande
**Subject:** Keep Our Kids Safe - Oppose Rezoning at Black Mountain Blvd/Deer Valley
**Date:** Saturday, September 16, 2023 2:58:53 PM

---

Dear Mr. Grande,

I am reaching out as a worried resident at Fireside Desert Ridge, deeply concerned about the safety of the students and the families of those who are attending Fireside Elementary and Pinnacle High School. The rezoning proposed in cases GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 will severely increase traffic in our quiet community.

Every day, we see numerous students walking and bicycling to school, a sight that warms our hearts and speaks of a safe, close-knit community. Introducing a commercial hub will put these innocent lives at risk, disrupting the safety and tranquility that currently envelopes our neighborhood.

I urge you to consider the peace of mind of countless parents and guardians, and reject this rezoning proposal. Let's keep our neighborhood safe and conducive for our children's growth.

Thank you for your consideration.

Regards,
Jia Zeng

**From:** Nikki Branstiter
**To:** Anthony M Grande
**Subject:** Oppose Commercial build near Pinnacle High School
**Date:** Sunday, September 17, 2023 7:45:06 PM

---

Hi Anthony,
I oppose building anything commercial near Pinnacle High School. It would bring so much more traffic to an already congested area and more crime. Not a good place to put it. Highly oppose the idea.

Nikki Branstiter

**From:** Maripat"s
**To:** Anthony M Grande
**Subject:** Fireside zoning
**Date:** Sunday, September 17, 2023 8:30:00 PM

---

Dear Mr Grande,
I am a resident of the Fireside Community and I am concerned about the potential action to change the zoning at Black Mountain and Deer Valley from residential to commercial. Most importantly is the proximity to Pinnacle High School. Looking at high schools in both Paradise Valley & Scottsdale school districts most of them, if not all, are set within the community, surrounded by homes, parks, churches and other schools. This provides easy, safer accessibility and safety for students and families within the community, and it is how the community was designed. Changing to a commercial development at that particular location is not a wise functional or safety decision for our community. I hope we can have your support to maintain the residential zoning as designed.
Respectfully,
Mary Burrell
Fireside resident Zachary Dr

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 9:07:20 PM

---

| **Name** |
| --- |
| Christine Cowley |
| **Email** |
| christine.cowley@abbvie.com |
| **Support Comments** |
| I ABSOlUTELY do NOT support this project! Do not put a commercial property across from pinnacle HS- what a traffic and safety NIGHTMARE! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:26 PM

---

| **Name** |
| --- |
| Patrick Gaylor |
| **Email** |
| patrick_gaylor@yahoo.com |
| **Support Comments** |
| I live in one of these neighborhoods. This area is littered with kids riding bikes and people walking their pets. The area does not have the roads/streets to support this growth. |

**From:** Nancy Jones
**To:** Anthony M Grande
**Subject:** Oppose Vestar Desert Ridge Request
**Date:** Sunday, September 17, 2023 9:52:40 PM

---

I am writing to register my opposition to the request to develop the parcel at Black Mountain Parkway and Deer Valley:

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23

This is an incompatible use and will create more congestion in an already high traffic area. We already have plenty of shopping in Desert Ridge Marketplace.

Thank you.
Nancy Jones
4029 E Via Montoya Dr
Phoenix AZ 85050

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:44:15 PM

---

**Name**

Dawn Martinez

**Email**

dawnalexm@yahoo.com

**Support Comments**

I do not, I repeat, I do not support this development. This will cause the traffic to be even worse than it is, especially by the high school.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:01:27 PM

---

| **Name** |
| --- |
| Jody Wilmes |
| **Email** |
| jody.wilmes@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing. |
| **Support Comments** |
| I DO NOT SUPPORT FOR MANY REASONS. |

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Vestar"s Proposal for Superblock 12 |
| **Date:** | Monday, September 18, 2023 12:27:22 PM |

To All Concerned With This Issue:

Unless you have personally been involved with transporting students to and from Pinnacle High School, as I have for the last three years, you cannot appreciate the traffic challenges that occur on a daily basis. Much like a horse race, vehicles jockey for the best position to beat the clock. We have vehicles traveling east and west on Mayo Blvd. We have vehicles traveling north and south on Black Mountain Blvd. We have vehicles traveling north and south on 34th Street. We even have vehicles from both directions turning onto Black Mountain Blvd from Deer Valley. All converge at the major intersection of Black Mountain Blvd and Mayo Blvd directly in front of the high school. Then, as each vehicle maneuvers into the correct lane for left turns, right turns, U-turns, and even the occasional illegal turn, the students gather en masse in the middle of the intersection, awaiting the signal to cross. The old adage that there is safety in numbers definitely applies here. But even under the best of conditions, some students can be seen darting across traffic, crossing against the light, and jaywalking. Add to that a plethora of parents anxious to get their students to school on time, inexperienced student drivers, and the crush of daily traffic --- and you have nothing less than a recipe for disaster.

With the high school located at the intersection of Black Mountain and Mayo Boulevards and with the never-ending vehicular traffic at that intersection, we will always have traffic congestion at this location. However, we can definitely avoid compounding these already existing traffic issues by prohibiting commercial developments in this area. Vestar's proposal promises round-the-clock businesses with round-the-clock traffic. If Vestar’s proposal were to be approved, the result would be nothing less than a first-class disaster.

Please DO NOT approve Vestar's proposal.

Carolyn Dunn
3752 E Covey Ln
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | Anthony M Grande |
| **Subject:** | Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Monday, September 18, 2023 9:35:30 PM |

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing,

most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003



**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Bob Giammarco |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Do not let Vestar re-zone in Desert Ridge |
| **Date:** | Monday, September 18, 2023 7:14:34 AM |
| **Importance:** | High |

Mr. Grande, Councilmen Warring,

Please note my strong objection to the rezoning of Superblock 12 in Desert Ridge, the property at the corner of Black Mountain Blvd. and Deer Valley Road.

This project is ill-conceived and unnecessary. The safety and traffic concerns are enormous next door to a high school and across the street from an elementary school. There's no need for another grocery store in the area, and there are a number of other commercially zoned parcels in the area if a developer wants to risk their capital. There's no reason to re-zone this parcel beyond Vestar's desire to make more money and Gamage and Burnham to generate more fees.

I urge you to reject this re-zoning and any future attempts to do so.

Sincerely,

Bob Giammarco (480) 540-0644
https://linktr.ee/bobgiammarco [linktr.ee]

**From:** Michael Coppola
**To:** PDD Long Range Planning
**Subject:** GPA-DSTV-2-23-2
**Date:** Tuesday, September 19, 2023 6:43:33 AM
**Attachments:** IMG-3094.PNG
IMG-3095.PNG
IMG-3098.PNG
IMG-3097.PNG
IMG-3096.PNG
IMG-3099.PNG
IMG-3100.PNG

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Residents are opposed to this development to rezone this parcel to commercial. The developer's lawyer was less than truthful when presenting to the Sky Crossing residents and failed to show what was available South of the 101 in his 5-mile radius from the site. Nobody wants increased traffic, light, noise and air pollution.

8:52 5G+

Instagram

Bring A New Grocer to Desert Rid...
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## Comments

**jeankantaros** 3h
Yes please
Reply

**11islouder** 13h
No No No No. takes 30 min already to drop off and pick up my kids from Pinnacle. A woman came to my door last night saying she represented the developer and asked my opinion. I said I do not support it. Use that land for more parking or more High School space.
2 likes Reply

**crazedmomx2** 23h

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Add a comment for bringane... GIF

8:52 5G+

Instagram

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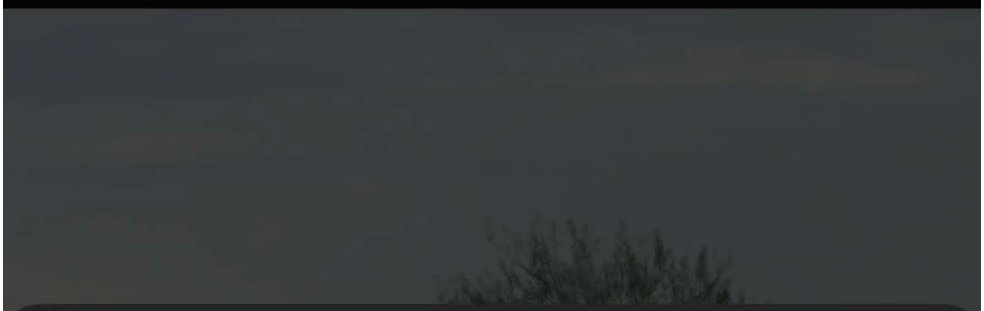
Sponsored



## Comments

2 likes Reply

**crazedmomx2** 23h
Nope. This is absolutely ridiculous. We don't need this.
3 likes Reply

**praveen.mahadevaiah** 1d
Stop this
2 likes Reply

**fitpapa66** 1d
There is a petition to stop this or you can email Anthony.grande@phoenix.gov this law firm has taken to social media for Vestar the developer makes me

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commercial get the word out to stop

Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

**cpcorso** 1d
Hard pass at this intersection.
2 likes Reply

**adampolson18** 1d
Yes please.
Reply

**adamtark** 1d
Pass....no thank you
2 likes Reply

**iroll.81** 1d
Ridiculous scam. We don't need more traffic, and we absolutely do

Learn More
Go to Website

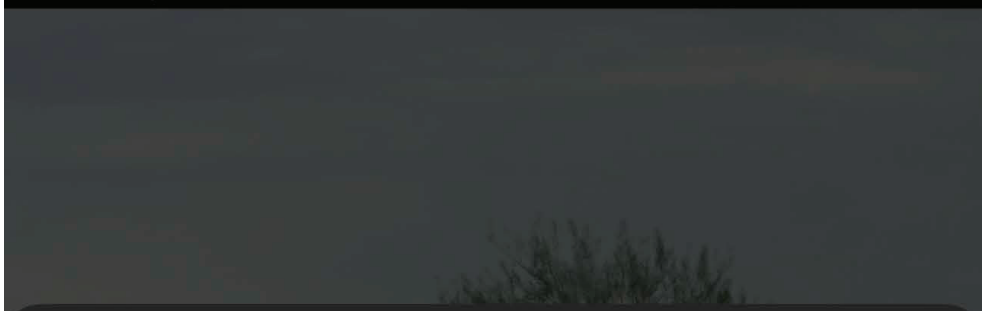
bet, is exactly what this about.

Add a comment for bringane... GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored



## Comments

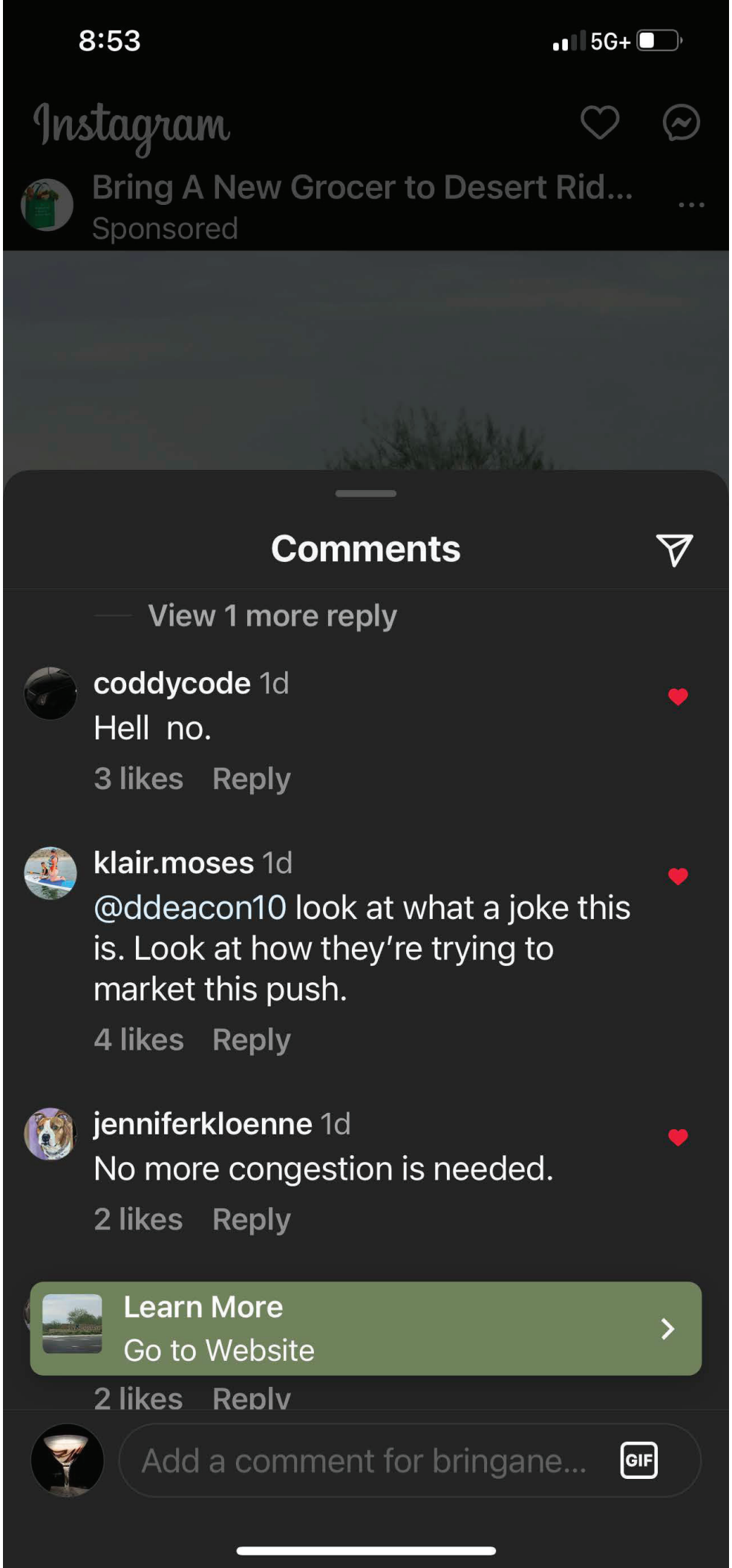
**iroll.81** 1d
Ridiculous scam. We don't need more traffic, and we absolutely do not need a grocery store at Deer Vally and Black Mountain. Which, I'd bet, is exactly what this about.
4 likes Reply

**shaycade1** 1d
NOT in this location!!!! It's already impossible and dangerous for students to get access to the school. PLEASE do not make it worse!!!
3 likes Reply

Learn More
Go to Website

**coddycode** 1d

Add a comment for bringane... GIF


8:53
5G+
Instagram
Bring A New Grocer to Desert Rid...
Sponsored
Comments
View 1 more reply
coddycode 1d
Hell no.
3 likes Reply
klair.moses 1d
@ddeacon10 look at what a joke this is. Look at how they're trying to market this push.
4 likes Reply
jenniferkloenne 1d
No more congestion is needed.
2 likes Reply
Learn More
Go to Website
2 likes Reply
Add a comment for bringane...
GIF

8:53 5G+

Instagram

Bring A New Grocer to Desert Rid...
Sponsored

## Comments

Plenty of options already exist. No need for more.
2 likes Reply

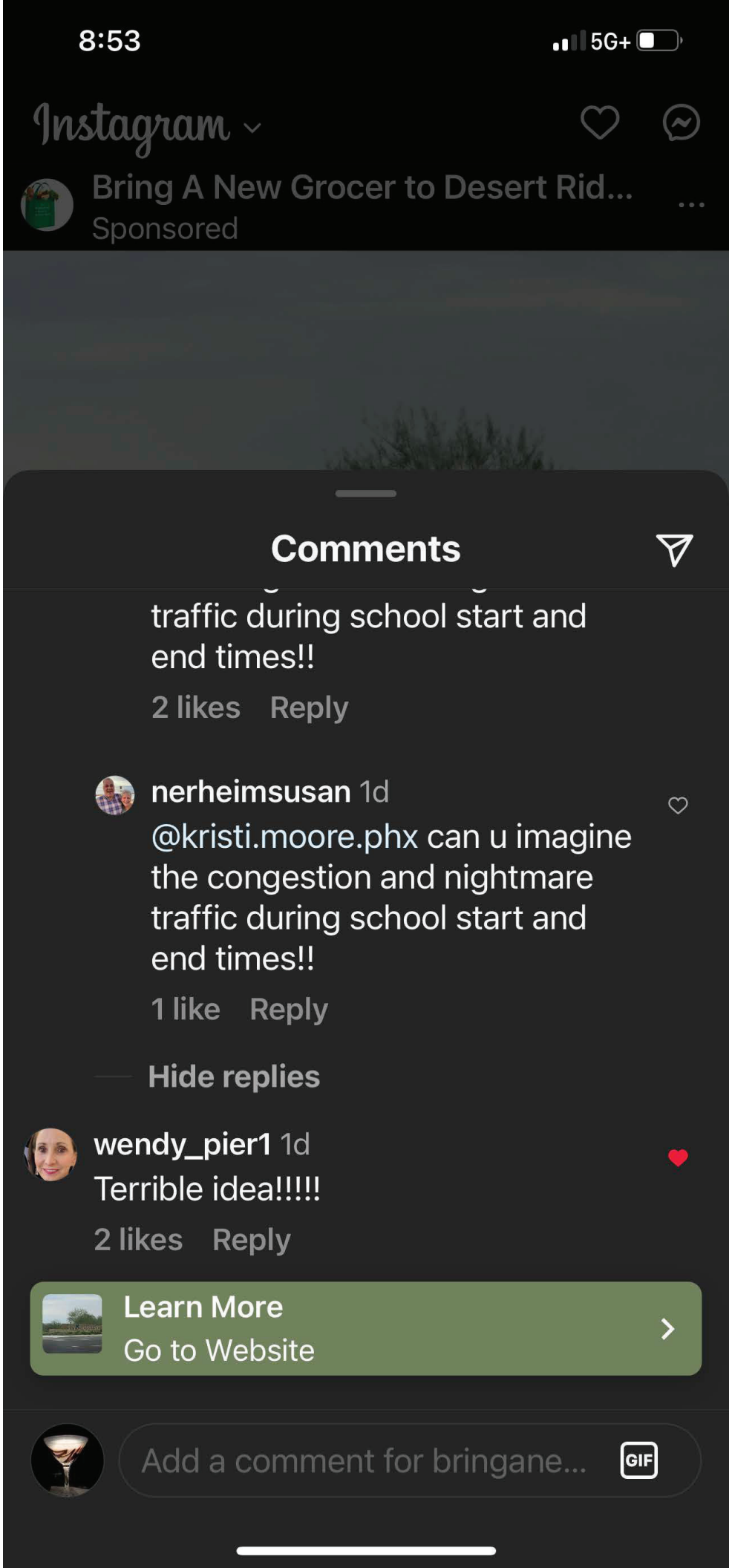
**murpheycliff** 1d
No thanks
2 likes Reply

**kristi.moore.phx** 1d
That is a terrible location for it.
5 likes Reply

**nerheimsusan** 1d
@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and

Learn More
Go to Website

Add a comment for bringane... GIF


8:53
5G+
Instagram
Bring A New Grocer to Desert Rid...
Sponsored
Comments
traffic during school start and end times!!
2 likes Reply
nerheimsusan 1d
@kristi.moore.phx can u imagine the congestion and nightmare traffic during school start and end times!!
1 like Reply
Hide replies
wendy_pier1 1d
Terrible idea!!!!!
2 likes Reply
Learn More
Go to Website
Add a comment for bringane...
GIF

| | |
|---|---|
| **From:** | Jason Epstein |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd. |
| **Date:** | Tuesday, September 19, 2023 8:40:07 AM |

Hello,
I received an out-of-office message from Anthony suggesting I contact this email address instead. I want to make sure my comments on this rezoning proposal are considered as part of the final decision.
I strongly oppose the proposal to rezone this parcel to be commercial. My reasons are in my two emails below.
Thank you for your consideration.

Jason

----- Forwarded Message -----
**From:** Jason Epstein <jepstein88@yahoo.com>
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, September 18, 2023 at 09:35:22 PM MST
**Subject:** Re: Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

Last Tuesday, I had the chance to attend a briefing from Gammage & Burnham, Attorneys at Law, representing Vestar in the proposal to commercially develop the southwest corner of Black Mountain Boulevard and Deer Vally Road. The speaker was able to partially address *some* of the concerns I raised previously, but many issues remain.

Some of the points he made are below:

- **There are too few grocery stores in the area.**
  Albertson's, Costco, and Fry's are all less than a 10-minute drive from the communities surrounding this parcel. More importantly, everyone in these communities has cars and deliberately chose to live here, happily accepting the distance from their homes to the local grocery stores.

- **Any gas station must be associated with the grocery store and will not include a convenience store.**
  While this is somewhat helpful, standalone gas stations can attract aggressive driving and crime. In addition, there is no guarantee that these rules will be in place in the future. Once the infrastructure is availabie, a change to the rules (just as this zoning change was proposed) is possible with the potential to allow a standalone gas station (including an attached convenience store) to be put in its place.

- **Some of the business will have limited hours.**
  It was not clear which businesses, if not all, this curfew would apply to and the specific time of this curfew. Similar to my concerns about the gas station, all-

night businesses can attract aggressive driving and crime, and add to light pollution. Also, similar to my concerns for the proposed gas station, curfews can be repealed. The only way to prevent this is to not build the infrastructure in the first place.

- **A traffic study was performed to mitigate traffic impact. Also, they expect only local community members to frequent these businesses.**
  There is nothing to prevent more cars, coming from outside the immediate area, from driving to these businesses and adding to traffic.

- **These business will increase the walkability score for the immediate neigborhood and add health benefits as they encourage more walking.**
  This seems to be an unlikely outcome since the city of Phoenix, especially the suburbs, is very much a vehicle-oriented culture. In addition, it is too hot for several months out of the year to walk. (In my own community of Sky Crossing, most people drive to the community center even when many of them live less than half a mile away.)

I hope you will consider these concerns that are shared by many of my neighbors around re-zoning this parcel to be commercial. I encourage you to oppose it.
Thank you!

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

On Tuesday, September 12, 2023 at 04:06:47 PM MST, Jason Epstein <jepstein88@yahoo.com> wrote:

Thanks a lot!

On Tuesday, September 12, 2023 at 03:49:19 PM MST, Anthony M Grande <anthony.grande@phoenix.gov> wrote:

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,

Anthony

**Anthony Grande, AICP**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003

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**From:** Jason Epstein <jepstein88@yahoo.com>
**Sent:** Tuesday, September 12, 2023 11:59 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Vestar Rezoning Proposal for SW Corner of Deer Valley and Black Mountain Blvd.

Hello Mr. Grande,

I have recently learned of the Vestar development proposal to rezone and commercially develop the land parcel on the SW corner of Deer Valley and Black Mountain Blvd. This is addressed in case no. GPA-DSTV-3-23-2 and Z-39-23.
As a resident of the Sky Crossing community, on the north side of Deer Valley, I oppose this rezoning proposal. It threatens our quality of life for the following reasons:
- The proposed commercial businesses will add additional automobile traffic, which will increase air and noise polution.
- The increased automobile traffic, just feet from Pinacle High School, will also threaten the safety of these students as motorists continuously drive in and out of this complex. As parents of a young child who will eventually attend this high school, we are very concerned about this impact.
- These businesses will add to light polution. The Sky Crossing HOA residential rules have deliberately restricted lighting on housing in order to preserve our views of the night sky. Our residents have enjoyed dark nights with full views of the stars. Bright lights from all-night businesses will impact the tranquility we have worked hard to

achieve.

We moved to the Sky Crossing neighborhood in order to enjoy the relative piece and quiet afforded by this sparse residential area in northern Phoenix. The parcel on the SW corner of Deer Valley and Black Mountain Blvd., as originally zoned, is consistent with this goal, intended as a residential community. I am asking that you reject the Vestar development proposal and keep this land parcel zoned as residential for the benefit of the surrounding community.

Thank you for your attention to this matter.

Jason Epstein
3317 E. Cashman Drive
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Michael O"Neil |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Black Mountain Village / Superblock 12 - Opposition |
| **Date:** | Tuesday, September 19, 2023 1:21:17 PM |

Good afternoon Anthony Grande and Jim Waring,

As a current resident of the Sky Crossing Community, I strongly ***oppose*** the rezoning of the parcel of land at the southwest corner of  Deer Valley Drive and Black Mountain Parkway.

Minor General Plan Amendment GPA-DSTV-2-23-2
Specific Plan Amendment GPA-DSTV-3-23-2
Rezone Z-39-23-2

Thank you,

--
Michael O'Neil
508.769.5886

**From:** allie swanson
**To:** Anthony M Grande
**Subject:** Zoning for area of Black Mountain Rd and Deer Valley Road
**Date:** Tuesday, September 19, 2023 3:19:35 PM

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Dear Mr. Grande,

We bought our home in Sky Crossing the Fall of 2019. We were told that the vacant land at Black Mountain Rd and Deer Valley Rd was zoned for residential only! Since we have been in our home, we constantly hear of violence, abductions, and drugs at Desert Ridge shopping area (just a couple miles East of our community). The last thing we want is to bring to our area are those type of issues along with more traffic. Also, this vacant land sits right in conjunction with Pinnacle HS. The traffic is already bad and we don't want drugs or violence around our kids.

Please help us ensure this are will remain zoned Residential!!

Sincerely,

Allyson Swanson
Sky Crossing Resident/32nd St

| | |
|---|---|
| **From:** | James Tuffin |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Subject:** | RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village |
| **Date:** | Tuesday, September 19, 2023 11:26:01 AM |
| **Attachments:** | opposition.pdf |

Dear Mr. Grande:

This email is to supplement my letter of August 23, 2023, a copy of which is attached for ease of reference. The proposed change is not justified and is highly inequitable. The justifications offered for the change are specious. The obvious goal is not to benefit nearby homeowners, but to draw traffic from SR 51 now that the terminal exit is connected to Black Mountain Boulevard.

On or about August 30, 2023, Vestar amended its request for a major amendment to the Desert Ridge Specific Plan ("DRSP"), amending Chapter 6 to state, in part, that:

> "Superblock 12 is located west of a possible future connection to the ~~Squaw~~ PIESTEWA Peak Parkway, which separates this superblock from the balance of the Desert Ridge community. BECAUSE OF THIS SEPARATION, THIS SUPERBLOCK CAN SUPPORT LIMITED COMMERCIAL USES WITHOUT INTERFERING WITH THE DEVELOPMENT OF THE DESERT RIDGE CORE (DEVELOPMENT PARCEL 5.A). RESIDENTIAL Development parcels may vary in size by 30 percent 25 percent for R1-6 and more dense zoning categories without a minor plan amendment)." [Exhibit A to GPA-DSTV-3-23-2, accessed 08/19/23 at Microsoft Word - GPA-DSTV-3-23-2 Exhibit A-Proposed Language Revised 2023-08-30.docx (gblaw.com) [gblaw.com]]

The proposed change, and the rationale offered for it, flatly contradict a fundamental principle of the DRSP. The DRSP does not accept distance from the commercial core as justification for building a 20-acre shopping center. To the contrary, it specifies that distance from the commercial core should correlate with less intensive land use:

> " . . . Desert Ridge is based on the urban village concept in that **all community and regional commercial uses are located in the Desert Ridge Village Center.** Very small neighborhood convenience commercial uses are appropriately placed internally within neighborhood units. The Desert Ridge Village Center is appropriately the "urban" core of Area C. **Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries.** "[DRSP 3.B. (Goal 1) @ p. 3-1, accessed 09/19/23 at Table of Contents (phoenix.gov) (emphasis supplied)] .

The DRSP acknowledges that residential neighborhoods should be protected from the adverse environmental impacts from commercial development:

> A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. **This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.** [DRSP 5. C.1, @p. 5-5] (emphasis supplied).

The clear intent of the DRSP was to concentrate all significant commercial development in the core. At a community meeting, Vestar's counsel argued that because only one of the allowed commercial conveniences was ever built, a sprawling 20-acre shopping center is now justified. This turns the logic of the DRSP on its' head. The criteria were meant to protect homeowners from the evils of urban sprawl shopping centers, not to promote commercial development outside the core.

Vestar was the original developer of the Desert Ridge Marketplace ("DRM"), and presumably it had a seat at the table in determining the contents of the DRSP before ground was broken. Vestar was no doubt happy to accept the centrality of the core for retail development in Desert Ridge for many years. According to news reports, Vestar extinguished its 99 year lease and took full ownership of DRM as the sole bidder in an auction staged in December of 2022. Its claim that the proposed

change will "not interfere with the development of the Desert Ridge Core" is nothing more than a statement that Vestar does not think it will hurt itself. This cruel irony does not address any of the numerous concerns raised by the community.

I am aware of a social media campaign attempting to induce people to endorse a petition in favor of a "New Grocer" at the location. While I continue to believe that the contents of these posts are misleading, a fundamental point is that the DRSP clearly notified homebuyers that they were not to expect another shopping center in Desert Ridge. There have been no reports of malnutrition or scurvy related to a lack of grocery stores in Desert Ridge. There are grocery stores and plenty of shopping centers of the type proposed by Vestar nearby on Bell Road and other locations. The abstract desire of some residents for a Trader Joe's or AJ's (even though Vestar says it cannot identify any prospective tenant) cannot justify the concrete harm that will be done to the reasonable expectations of nearby homeowners.

The lack of one of these smaller boutique specialty grocers within the existing commercial core must be in large part the result of business decisions made by Vestar. It is widely believed in the community that Albertson's was granted extensive guarantees against competition; if that is true Vestar was surely involved in that decision.

Vestar claims, among other things, that the shopping center will provide a safe place for high schoolers to eat lunch. I have been informed that Pinnacle High School is a closed campus and that only seniors are allowed to exit the school grounds during the school day.

The DRSP acknowledges commercial development imposes adverse consequences on nearby residences. Vestar reaped enormous benefits and was perfectly satisfied to build the marketplace under the plan. Residents were clearly told not to expect a shopping center at Black Mountain and Deer Valley. That Vestar sees opportunity for profit after completion of the SR 51 terminal exit is not reason to make a major amendment to the DRSP and subject innocent homeowners to the inevitable degradation of the neighborhood.

The requested amendments should be denied.

Thank you for your consideration.

James W. Tuffin

James.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

21214 N 36th Pl

Phoenix, AZ 85050

JAMES W. TUFFIN
21214 N. 36th Pl
Phoenix, Arizona 85050
(516) 359-6420
james.tuffin@tuffinlaw.com
(retired attorney not offering services to the public)

August 22, 2023

VIA EMAIL (anthony.grande@phoenix.gov)
Mr. Anthony Grande
Planner II – Village Planner
City of Phoenix
Planning & Development Department

Re: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2; Resident Statement in Opposition

Dear Mr. Grande:

I reside in Desert Ridge, and I am opposed to the above listed applications. My home is well west of the commercial core, overlooking Black Mountain Boulevard and Pinnacle High School ("PHS"), and with a view of the parcel in question. I have reviewed the application materials posted on the website of Applicant's ("Vestar") counsel, and I attended the informational meeting of the Desert View Village Planning Committee on August 1, 2023.

The requested change is beyond inequitable, it is unconscionable. It does extreme violence to the terms of the Desert Ridge Specific Plan ("DRSP")[1] and the reasonable expectations of Desert Ridge homeowners along Black Mountain Boulevard under the terms of the plan. It does nothing to further the well-being of nearby residents and poses myriad problems. The arguments offered by Vestar to justify the change do not pass muster, as will be readily demonstrated below.

## THE PROPOSED CHANGE IS AN EXTREME DEPARTURE FROM THE DRSP

DRSP contemplates that "commercial development is restricted to the Village Center . . ." except for "neighborhood commercial uses located within the residential superblocks".[2] DRSP goes on to explain the extremely limited size and scope of such commercial uses:

> The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and not intended to serve a population outside the superblock boundary. The **maximum total acreage for neighborhood retail uses**, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, **shall be three (3) net acres**, while the minimum acreage will be one (1) net acre. [3]

Furthermore, DRSP strictly limits the permitted uses within non-core superblocks, and the list does not include gas stations or drive-through coffee operations[4], both of which were touted by Vestar's counsel at the informational meeting. Indeed, DRSP specifically prohibits "Drive-through uses".[5]
Under the DRSP, no family purchasing a single-family home in a non-core superblock would reasonably anticipate having a drive-through Dutch Brothers or Starbucks, or a gas station, across the street from their home. Vestar now proposes a 20-acre commercial development in Superblock 12. [6] Vestar is essentially asking the City of Phoenix to throw out DRSP and stab nearby homeowners in the back.

## OBVIOUS INTENT TO DRAW ADDITIONAL TRAFFIC FROM SR 51

When Black Mountain Boulevard south of Mayo Boulevard was completed and made the terminal exit of SR 51, concerns of nearby residents were addressed by placing a traffic circle to slow down traffic and discourage heavy trucks, and by providing a pedestrian bridge for safe access to PHS.

The proposed change represents a complete reversal of what was until now a concerted effort to keep Black Mountain Boulevard more quiet and more safe. The placement of the proposed shopping center, at the first traffic light after the SR 51 terminal exit, is obviously intended to attract vehicles that would otherwise continue west on SR 101 and exit at Cave Creek Road or further west. It is a repudiation of DRSP's promise that homeowners could expect to live in clean, quiet neighborhoods while commercial activity was limited to the Village Commercial Core.

## MAGNET FOR UNSUPERVISED ADOLOSCENTS

Placement of the shopping center within spitting distance of PHS is problematic. This is not meant to disparage the PHS student body as a whole. Nevertheless, in any group of over 2500 teenagers[7], there will be those whose immaturity or lack of direction makes them prone to get in trouble. While the studious and industrious will disperse to more wholesome activities, there will undoubtedly be those who choose to hang out. The shopping center, just across a narrow street from PHS, will obviously become the hang out venue of choice.

There are numerous reports of problems with unsupervised teenagers in retail environments across the country[8], and unsupervised time leads to drug use and other issues.[9] Given the location, these problems will undoubtedly spill over into the surrounding residential areas, which already experience litter, graffiti, vandalism and doorbell pranking. Encouraging high concentrations of hundreds of unsupervised teenagers cannot be a benefit to the teenagers or anyone else. It is best for all concerned if the students disperse when not involved in supervised activities.

Vestar claims that the presence of the high school makes the parcel unsuitable for development as currently zoned.[10] The opposite is true. DRSP and the existing zoning contemplate Superblock 12 to contain only the high school and residential use. PHS opened in or about 2000. Nothing has changed about PHS that would justify depriving nearby homeowners of their reasonable expectations under DRSP.

## AIR, NOISE AND LIGHT POLLUTION

DRSP prohibits "Drive-through uses"[11] in non-core superblocks for very good reasons. These operations generate considerable pollution. Not only are PHS and numerous homes nearby, but Fireside Elementary is not far and generally downwind. Air pollution from idling engines is a serious problem[12], and some communities have gone so far as to try banning drive-through operations entirely[13]. The air quality in Phoenix, and Maricopa County generally, is notoriously poor with many "bad air" days. [14] Encouraging drivers to turn their motors off while waiting will never work when the temperature is over 90 degrees. DRSP's approach of limiting these operations to the Village Commercial Core is not arbitrary and should be maintained.

Although Deer Valley Drive and Black Mountain Boulevard have some traffic at rush hours, things tend to quiet down in the evening and there is a distinct residential tone to the neighborhood. This holds true when attendees disburse after PHS Friday night football. The proposed shopping center will keep the noise up and the lights on much later than nearby residents are used to, greatly diminishing the residential character of the community.

## TRAFFIC CONGESTION

I am aware that other residents have commented on traffic issues. I will not belabor the point here, except to note that in the chaos that occurs every morning when PHS is in session, I have at times been unable access westbound Mayo Boulevard from the N. 36th Way gate of my community. Vestar contemplates cars entering and exiting the shopping center on all four surrounding streets. This would include Mayo Boulevard directly across from PHS, and will surely exacerbate the existing problems.

## VESTAR'S SCHEME IS NOT JUSTIFIED

Vestar's purported justifications of its scheme do not withstand scrutiny.

**There are no traffic or parking impediments to residents obtaining daily needs at the Desert Ridge Marketplace ("DRM").**

DRM was designed to enable local folks to get to the pharmacy, gas station, grocery store, and various other businesses without getting involved with traffic headed to the big box stores, apparel outlets or entertainment district. The local needs providers are located in the northwest corner of the marketplace and are readily accessed from two curb cuts on Deer Valley Drive just east of Tatum Boulevard. The apparel and box stores, as well as the entertainment district, are closer to other, much larger, parking lots which are served by numerous additional entrances to DRM. I have lived in Desert Ridge for over 11 years and have never, even on Black Friday, had a problem finding parking at Albertson's. To illustrate this, I recorded a video at Grocery Run Sat 08-19-2023 - YouTube. [15]

**The proposed center is unlikely to provide alternative groceries.**

At the informational meeting, Vestar's counsel admitted that Vestar is unable to identify any specific grocer that would occupy the proposed grocery store. Although Vestar says it expects the grocery store to be smaller than the existing Albertson's, its counsel conceded that none of the proposed businesses are sure to occupy the shopping center. Assuming that a grocery store is established, there is no reason to believe that it will offer merchandise different that that offered at Albertsons.

**Creation of minimum wage retail jobs is not a community priority.**

The small number of jobs projected to be "created" on the new shopping center could easily be placed elsewhere. It should also be noted that substantial construction is taking place at nearby High Street and City North where much higher density residences, offices, and retail spaces are being built.

**Purported benefits to the community are illusory at best.**

*Keeping the Current Zoning will have the same effect on dust and storm runoff.*

The supposed dust control and storm runoff management benefits are speculative and unquantified. In 11 years, I have never seen significant flooding along Black Mountain Boulevard. Residential development at the site would have the same effect.

*The "safe alternative" for students is illusory.*

Encouraging teenagers to consume junk fast food benefits no one. The so called "safe alternative . . . before school, after school, and during the lunch hour" actually describes an unsupervised hangout for hundreds of teenagers with all the attendant problems described above. A concession by PHS's principal that the project "would potentially reduce the number of off-campus trips by car"[16] hardly demonstrates a full-throated endorsement of the scheme. Had there been a firm expression of general support for the project from anyone in authority at PHS or the school district, Vestar would surely have mentioned it in its explanatory letters.

*The residential remnant shows how the change is repugnant to DRSP.*

The fact that Vestar wants to gobble up 20 acres of the Superblock while leaving a mere remnant for residences demonstrates how the proposal is repugnant to both the letter and spirit of DRSP.

*The gas station and shopping center have no health benefits and will not be a community social center.*

There is nothing about the proposed project that will foster connection among the citizens. There are innumerable such shopping centers around Phoenix, and there is nothing unique about this proposal. There are no outdoor parks, exhibition or performance spaces illustrated on the Conceptual Site Plan. The purported health benefits are nothing but speculation. It is my observation after 11 years living here that very few people walk with groceries around Desert Ridge, regardless of the season. The health hazards of innumerable automobiles spewing particle pollution on the drive-through lines clearly outweigh these specious claims of health benefits.

*The proposed gas station will not provide a net benefit to the community.*

A gas station will generate excess light, noise, and fumes on a 24/7 basis. The convenience store that will inevitably accompany it will only encourage additional teenage loitering.

In my 11 years here, I have only fueled my car once or twice at the Shell station at DRM, even though it is the most conveniently located, and I am there several times a week while visiting the grocery store or the pharmacy. The problem is that Shell stations generally charge considerably more than Circle K, QT or Arco. The issue, if there is one, is the price, not the location.

The proposed gas station is obviously intended to draw traffic from SR 51 as discussed above. Located as the last gas before the freeway, competitive pricing is doubtful.

*The Desert Ridge Community Association (DRCA) has not taken a position on this project.*

Although there have been communications between DRCA and Vestar, the board of DRCA has never resolved to support this project. While I am not privy to communications that may have taken place between Vestar and DRCA's officers or board members, the Association has never formally endorsed the project. A copy of an email from DRCA confirming this is attached as Exhibit A.

## THE PROPOSED CHANGE IS AN UNCONSCIONABLE STAB IN THE BACK

Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."[17]

DRSP provides for a mix of densities and uses, from mixed commercial and multi dwelling to condominiums, to rental apartments to single family homes. Purchasers of single-family homes were encouraged by a central feature of the plan: all significant commercial activity is placed in the Village Commercial Core. Retail conveniences in the non-core residential superblocks are limited to a list of specified uses, limited to three acres, and drive-through operations are expressly prohibited. Thus, purchasers of single-family homes could look forward to living in

clean, quiet residential neighborhoods. Vestar now proposes to simply rip up that plan and asks the City to stab nearby homeowners in the back.

Rejecting this proposal is not unfair to any Desert Ridge Residents who may endorse, in the abstract, a gas station or additional retail operations. There was nothing about DRSP that gave them any reasonable expectation that these things would be built on Black Mountain Boulevard, and they were content to buy their homes under that plan. Vestar's plan to ruin the lives of residents along Black Mountain Boulevard is grossly unfair; indeed, it is unconscionable and must be rejected.

Respectfully submitted,

James W. Tuffin

Copies to:

Mr. Terrence Smith (terrance.smith@fsresidential.com
DRCA Board of Directors (desertridge.az@fsresidential.com)
Steven W. Anderson, Esq. (Sanderson@gblaw.com)
Hon. Jim Waring (council.district.2@phoenix.gov)
Hon. Kate Gallego (mayor.gallego@phoenix.gov)
Mr. Eric Molenaar (EMolenaar@AssociatedAsset.com)
Ms. Corina Vanek (cvanek@arizonarepublic.com)
Mr. Wouter Roodenburg (wroodenburg@cox.net)

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[1] All references to "DRSP" are to the Specific Plan as revised through November 2, 2022 (accessed on 8/19/23 at https://www.phoenix.gov/pddsite/Documents/PZ/pdd_pz_pdf_00086.pdf)
[2] DRSP at 5-3. (5.C.1)
[3] DRSP at 6-6 (6.C.3.A.)
[4] DRSP at 6-7 (6.C.3.B.2.c)
[5] DRSP at 6-8 (6.C.3.B.2.d)
[6] SPA-B2-Application, (accessed on 8/19/23 at http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B2-Application-Form.pdf)
[7] PHS reported enrollment of 2556 for 2021-2022 school year (PHS AZ School Report Card, accessed 8/20/23, at https://azreportcards.azed.gov/schools/detail/79268 .
[8] See, e.g., Bartlesville mall bans unsupervised teenagers due to crime increase (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307); Teen bans on the rise (https://www.koco.com/article/oklahoma-bartlesville-mall-bans-unsupervised-teenagers/43385307).
[9] See, e.g., Teen Drug Use: Does a Lack of Supervision mean More Drugs? (https://cascadeheightsrecovery.com/unsupervised-teens/ ); After School: The Prime Time for Juvenile Crime (https://www.policechiefmagazine.org/after-school-the-prime-time-for-juvenile-crime/ ); Unsupervised teens more likely to use tobacco, pot and alcohol (https://www.reuters.com/article/us-health-adolescents-unstructured-time-idUSKCN0RI1LL20150918 )

[10] RZ-C5-Letter of Explanation, at p. 7 (accessed 8/21/2023 at http://www.gblaw.com/wp-content/uploads/2023/07/RZ-C5-Letter-of-Explanation.pdf)
[11] N.5, supra.
[12] See, e.g., Mendoza, et al, Pollution hot spots and the impact of drive-through Covid 19 testing sites on urban air quality, Environ. Res. : Health (https://iopscience.iop.org/article/10.1088/2752-5309/ace5cb/pdf )); Idling Reduction for Personal Vehicles (https://afdc.energy.gov/files/u/publication/idling_personal_vehicles.pdf ))
[13] See, e.g., Cities ban new drive-throughs to fight climate change (https://www.cbsnews.com/news/cities-put-brakes-on-drive-thrus-to-curb-carbon-emissions/).
[14] See, e.g., American Lung Association, State of the Aire Arizona: Maricopa (https://www.lung.org/research/sota/city-rankings/states/arizona/maricopa) ; State of the Air report ranks Phoenix among worst 25 cities for pollution, (https://cronkitenews.azpbs.org/2022/04/21/air-pollution-phoenix-among-25-worst-cities-us/ ) ;
[15] https://www.youtube.com/watch?v=j2X_OOB2qew
[16] SPA-B5-Letter of Explanation (accessed 08/20/2023 at (http://www.gblaw.com/wp-content/uploads/2023/07/SPA-B5-Letter-of-Explanation.pdf).
[17] Phoenix Zoning Ordinance § 102.

# EXHIBIT A

**James Tuffin**

**From:** Terrance Smith <Terrance.Smith@fsresidential.com>
**Sent:** Friday, August 4, 2023 4:26 PM
**To:** James Tuffin; Desert Ridge - az
**Cc:** Stephen W. Anderson
**Subject:** RE: TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Good afternoon Jim,

I hope all is well with you.

On behalf of the DRCA Board Members, please see below the corresponding response to the questions in your email:

1. No.
2. Yes, the DRCA received emails from Vestar's attorney to attend the monthly board meeting(s) to present and provide community updates regarding Vestar's Parcel 12 application process and proceedings relative to their conceptual development plans.

Respectfully,

Desert Ridge Community Association

**TERRANCE SMITH, CMCA, AMS, LSM, PCAM**
Executive Director

**Desert Ridge** 5415 E. High Street, Suite 133 | Phoenix, AZ 85054
Direct 480.551.4550 | Cell phone 480.254.5948
Property Fax: 480.551.6000
terrance.smith@fsresidential.com
**desertridgelifestyles.com**

**24/7 Customer Care Center: 855.333.5149**
Facebook | LinkedIn | YouTube

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**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, August 4, 2023 11:33 AM
**To:** Desert Ridge - az <desertridge.az@fsresidential.com>; Terrance Smith <Terrance.Smith@fsresidential.com>
**Cc:** Stephen W. Anderson <SAnderson@gblaw.com>
**Subject:** TO ALL BOARD MEMBERS AND TERRENCE SMITH Re: Plan and Zoning Change Case Black Mtn and Deer Valley

Hi Folks,

It was great reconnecting with Reggie and Doug at the recent Desert Village Planning Committee meeting, and remembering the fellowship we enjoyed when I served as DRCA treasurer. Having stepped back from community affairs, I was taken by surprise by the rezoning notice and some of the things I heard at the meeting. Now I need to catch up and I hope you can help me.

At the meeting, and in an explanatory letter submitted to the City, Vestar's counsel suggested that the DRCA supports the proposed changes. I respectfully request answers to the following questions:

1. Did the DRCA ever pass a resolution supporting the proposed changes or the project in general? If so, please provide a copy of the text of the resolution(s) and the agenda(s) and minutes of the meeting(s) at which such resolution(s) was (were) adopted.

2. Is DRCA, its representatives or agents, in possession of any writings, correspondence, emails or texts showing communications between or among the DRCA, Vestar, Vestar's counsel or representatives, the City of Phoenix or the Arizona State Land Department related to the proposed project or the applications for plan and zoning changes? If so, how can association members get access to those materials?

I'm guessing you'll be seeing a bit more of me in the coming months and as always, whether we agree or disagree, as friends. As you might imagine, I need a response to each question as soon as you can do it. Please do not delay responding to question 1 if you need more time to answer question 2. I should mention, although I'm sure you know it already, that your response may be incorporated into submissions I may make to the City. As a professional courtesy, I am providing Vestar's counsel with a copy of this request.

Thank you very much.

Warm regards,

Jim (James W. Tuffin)
21214 N 36th Pl, Phoenix AZ 85050
516.359.6420
James.tuffin@tuffinlaw.com (retired attorney not offering services to the general public)

**From:** wkelly2000@outlook.com
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Rezoning of land black mtn and deer valley
**Date:** Tuesday, September 19, 2023 11:03:01 AM

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I am not generally opposed to development but putting a shopping center at that location does not make sense.

The issue is every single exit from that planned shopping center will funnel all traffic to the deer valley and black mountain light. Unless the city puts in new lights all those exiting on the north side must turn right and anyone exiting on the east side wanting to go north or west will do a u turn at Mayo or go to the roundabout by the ramp to 51 and u turn there. All traffic heading to the one intersection ( deer valley and black mtn).

This location will drive traffic into the fireside desert ridge and into SkyCrossing Communities to avoid the black mtn and deer valley intersection.

So this is why I am opposed to rezoning this property.

I live in SkyCrossing.

Sent from my iPhone

**From:** Ben W
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, September 20, 2023 6:30:19 PM

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Hi,

I am a resident in Fireside at Desert Ridge, and I do not want any gas stations or grocery stores built on the lot(s) in question (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2).

Please acknowledge receipt of this email at your earliest convenience.

Thank you,

Ben

| | |
|---|---|
| **From:** | Bottesch, Karen |
| **To:** | PDD Long Range Planning |
| **Cc:** | Anthony M Grande |
| **Subject:** | Desert Ridge \| Case Numbers GPA - DSTV - 2 - 23 - 2 \| GPA - DSTV - 3 - 23 - 2 \| Z - 39 - 23 - 2 |
| **Date:** | Wednesday, September 20, 2023 6:58:12 AM |
| **Attachments:** | image001.png |

Forwarding due to out of office message.

**From:** Bottesch, Karen
**Sent:** Wednesday, September 20, 2023 6:55 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Desert Ridge | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

Dear Anthony –

RE: Black Mountain Village | Case Numbers GPA - DSTV - 2 - 23 - 2 | GPA - DSTV - 3 - 23 - 2 | Z - 39 - 23 - 2

I am writing about the proposed project called Black Mountain Village at Deer Valley Rd and Black Mountain Rd.

I am 100% AGAINST this project.

I have lived in Fireside at Desert Ridge since 2009 and served on our board for several years.

- I have witnessed the increase in traffic during the school year at Pinnacle, this project only serves to make that a BIGGER mess
- A gas station, conv store, fast food, and whatever else is NOT the project for this site next to a high school, junking up OUR neighborhood, AND making traffic a bigger mess
- We live here for the openness of the area – so far all is in good taste
- The Desert Ridge Specific Plan's intent was to keep commercial activity aligned to a commercial core; commercial activity in the residential superblocks is strictly limited to minor conveniences of no more than 3 acres and drive through operations are prohibited
- We live in an attractive community, not only will a gas station and the other suggested businesses junk it up but the traffic will worsen, there are plenty of other gas stations VERY close by, we do not NEED this project
- The land at Deer Valley and Black Mountain is designated RESIDENTIAL under the plan – I vote NO to change that designation
- We do NOT want or need a 20 acre shopping center next to residential and next to a High School
- Crime, litter, noise, pollution and traffic nightmare is what this project equals

Please listen to the community, we LIVE here. Developers build and move on in continuing to live in 'their' protected neighborhoods. Please stop this corporate action and change, it is NOT wanted.

Thank you,
Karen

Karen M. Bottesch
Senior Vice President | Senior Relationship Manager
Business Banking
Bank of America
AZ3-566-02-50 | 14636 N Scottsdale Rd Ste 250 | Scottsdale AZ 85254
Phone 480.624.0569 Fax 804.264.2040 Cell 602.315.4204
Karen.bottesch@bofa.com

View my professional web page here. [rm.bofaml.com]




*Support Associate:*
**Patty Ruiz**
Phone: 480.624.0648  Fax 804.266.8154
14636 N Scottsdale Rd. Ste 250 | Scottsdale AZ 85254 | AZ3-566-02-50

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This message, and any attachments, is for the intended recipient(s) only, may contain information that is privileged, confidential and/or proprietary and subject to important terms and conditions available at http://www.bankofamerica.com/emaildisclaimer [bankofamerica.com]. If you are not the intended recipient, please delete this message. For more information about how Bank of America protects your privacy, including specific rights that may apply, please visit https://bankofamerica.com/privacynotice [bankofamerica.com].

This email may contain a promotion of products or services. If you would like to unsubscribe from receiving emails like this, please update your Email Preferences here: https://preferences.em.bankofamerica.com/Prefs/emailoptout [preferences.em.bankofamerica.com]. Unsubscribing will not affect delivery of important service messages that we may need to send you or preferences you may have previously set for other email services. Bank of America, 100 North Tryon St., Charlotte, NC 28255.

**From:** Eileen K
**To:** Anthony M Grande
**Cc:** Bill Kelly; Jill Gargano
**Subject:** Desert Ridge Zoning Ammendments
**Date:** Wednesday, September 20, 2023 6:52:16 PM

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Regarding

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

Mr Grande

I oppose the zoning change proposed by Vestar Development and I encourage the board to decline the amendments. I am a homeowner and have lived in Fireside at Desert Ridge since 2013. While many of us who live in Desert Ridge would like to see more grocery options in our neighborhood, the location proposed by Vestar is not appropriate for such a commercial development.

The location is surrounded on 3 sides by single family homes, next to a high school and just blocks from an elementary school. Most of us who bought into this community were very attracted by the Desert Ridge Plan, which limited the location of commercial development. This is a neighborhood with 3 very active HOAs, excellent schools, walkers and runners of every age and kids playing safely in front of their homes while neighbors chat.

A commercial shopping center at the corner of Black Mountain Road and Deer Valley Drive will fundamentally change traffic, lighting, noise, air quality, safety, crime, physical aesthetic and economic value of our beautiful neighborhood.

The corner is not appropriate for a large grocery store, gas station, drive-through, restaurants, and other high traffic commercial activity. Vestar does a fine job managing Desert Ridge mall and should look for a location better suited to the type of development they propose.

Mary Eileen Kelly
3861 E Melinda Drive
Phoenix, AZ 85050

**From:** Mike Kip
**To:** Anthony M Grande
**Subject:** case# GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 20, 2023 5:54:13 PM

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My name is Michael KIperman. I'm a resident of Fireside at Desert Ridge community. I strongly oppose Black Mountain Village project. Due to the fact that such projects attract unwelcomed characters into immediate residential area. Can't help but stress the fact that there are 2 schools in the neighborhood, especially elementary school. We want our kids to be as safe as possible. We don't need additional traffic. It is a nightmare twice a day as it is.

Thank you for understanding. Hopefully this project can be moved elsewhere.

**From:** Stanislava Kuka
**To:** PDD Long Range Planning
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley
**Date:** Wednesday, September 20, 2023 9:56:03 PM

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Good morning,

As a Phoenix resident and tax payer I want to express my disapproval of the proposal of rezoning the area southwest Black Mountain Blvd and Deer Valley Road next to Pinnacle High School.

SAFETY
Being next to the high school and walkable distance to 2 elementary school we risk bringing strangers to our community where so many children walk alone to school.

Possible bus station- more strangers coming to our community. Phoenix, as I believe you are well aware has a growing homeless population. Did you drive by Desert Ridge recently? At every stop light you can see panhandlers. Homeless people sleeping on bus stations. Did you know about the psychiatric, and drug abuse problems among the homeless population? I bet you did.

Possible gas station- alcohol, criminal. Enough said. Just driving to Desert Ridge there is one, and even 2 down the road on Cave Creek.

Possible drive through restaurant- if not living in the area you are probably not aware of the ongoing evening trouble In'n'Out has, for example. Not mentioning providing even more unhealthy options to our growing students.

Traffic- I could say well congested area. Traffic has grown over the last few years. I can not get out of my neighborhood due to overwhelming school traffic. But I agreed to that, and wanted to be the closest possible to schools. Adding more traffic to our community is not something we were looking for.

I hope you and your fellow city planners have in mind the wellbeing of our community residents not only the investors that only care about their profit.

Thank you,
Stanislava Kuka
3636 E Covey Ln, Phoenix AZ 85050

Sent from my iPad

Sent from my iPad

> On Sep 20, 2023, at 5:23 PM, PDD Long Range Planning <pdd.longrange@phoenix.gov> wrote:

Hi Stanislava,

Can you please forward your comment? I don't see a message from you, just Anthony's out of office.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov

<image001.jpg>

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**From:** Stanislava Kuka <stanislava.kuka@gmail.com>
**Sent:** Sunday, September 17, 2023 9:22 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>; PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** Re: Automatic reply: Opposing rezoning Black Mountain Blvd/Deer Valley

Sent from my iPhone

> On Sep 17, 2023, at 3:15 PM, Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> Hello. I am currently out of office and will be returning Monday, September 25, 2023. If you need immediate assistance, please contact pdd.longrange@phoenix.gov.

| | |
|---|---|
| **From:** | Natalie Leitner |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Rezoning Superblock 12 |
| **Date:** | Wednesday, September 20, 2023 8:25:28 PM |

Good Evening,

I would like to express my opposition of the rezoning of Black Mountain Village/Superblock 12 from residential to commercial/retail space. There are several reasons, first and foremost there is an ongoing homelessness issue throughout the perimeter of Desert Ridge. Leaving Mountianside Fitness yesterday at 6:30PM , there was a man laying across the sidewalk sleeping with his shopping cart and garbage laid around him on the corner of Rose Garden and Tatum. I went to pick up my daughter from soccer practice at 8:45PM and he was still there. Not to mention when I go to the gym at 5:00AM and the bus stops are a campground for the homeless. I absolutely do not want this type of activity closer to our neighborhoods and schools and that is exactly what would happen if something like this was to go in this area. You would encourage the homeless to set up encampments around high school to have easy access. Go check out the south/east corner of Tatum along the freeway, there are encampments. Once they're cleared, they just move to another area. Not to mention the trash that is left on the corners from panhandlers. It's ridiculous that it has gotten this bad, but that is another email and I refuse to let this happen closer to my home.

Secondly, if approved, you basically would be providing a parking lot for high schoolers that don't have a parking spot (every junior class
man with a car and license, there is only enough spots for seniors) ask the businesses around Chaparral High School how they feel about that? The traffic is already horrendous on school mornings at all the schools, but with this, you would be adding more traffic and delivery trucks along Deer Valley at all hours of the day and when kids are crossing to go to school.

We have been residents of Fireside for over 10 years and we have raised our 4 kids here. We moved over here for the great schools and great neighborhoods. We have 2 kids at Pinnacle, 1 at Explorer and 1 at Fireside Elementary. We bought in this neighborhood knowing that would be zoned for residential and it should stay the way!

Please take into consideration my opposition for this rezoning plan. We love our neighborhood and schools and want to keep the safe for everyone that lives here!

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Natalie Leitner
21515 N 39th Terrace
562.706.4702

| | |
|---|---|
| **From:** | Andrea Remke |
| **To:** | msantoro@gblaw.com; Anthony M Grande |
| **Subject:** | Zoning issue near Pinnacle HS |
| **Date:** | Wednesday, September 20, 2023 7:02:59 PM |

My previous emailed letter (on 8/27/23) to you did not have these case numbers attached, please note my below correspondence in regards to this zoning decision. It is permissible to read aloud or note in any public record as anyone sees fit. Updated case numbers attached.

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,
I'd like to please ask you and the city representatives to consider the opposition many residents here in Fireside Desert Ridge have to the proposed zoning changes of the property at Black Mountain Blvd and Mayo Blvd /Deer Valley Drive right next to Pinnacle High School.

It's currently zoned for residential and for the developer to change it to retail shopping opens this area up to increased traffic congestion and student/resident safety issues here in the area.

I invite any of you to please come observe the traffic at these intersections around the school during the peak times of dropoff 7:20-7:30 am and at 2:15-2:20 pm pickup when it's the worst. These intersections are a nightmare then. Droves of kids are walking to school and crossing/ jaywalking across these intersections some are on bikes even—and they are NOT heeding any kind of traffic signals or signs because they are kids of course. Many cars are racing through yellow lights and people sitting in intersections at red lights because they tried to fit through. We have seen lots of accidents, a lot of honking and near misses. My son's Pinnacle soccer coach was just in an accident this past Friday during pickup when a man in a car not paying attention to stopped traffic on Mayo slammed into the back of him causing his car to hit the car in front of him, which was driven by a student. It happens all the time because of the sheer volume of cars and kids and mayhem happening during these times. It is only a matter of time before a kid is seriously maimed or killed at this intersection/area.

I live across the street in Fireside, a stone's throw from this land where they are going to build. My son attends the high school and my twin girls will attend next fall and then my youngest will attend in two years. We are stuck for a long time with whatever the powers that be decide should go here. I worry about the influx of traffic and congestion, the problems it brings to us as nearby residents, by way of safety especially—but also being a single mom I bought this home two years ago for its close proximity to school for my kids to walk to local schools and the safe neighborhood feel. But I'm worried at the potential drop in property values if they start putting in crappy shops or gas stations or smoke vape shops, causing our nice residential area to look, smell and sound like a truck stop dump attracting transients and homelessness, no doubt.

I know money will likely win out in the end, and something will be built here. It's a shame the school district couldn't have bought a piece of this property for added parking for the students at school because as it is currently, only seniors can park in the school lot, which is asinine. The principal at Pinnacle has even told parents last week they have addressed safety and traffic issues to Vestar but ultimately can't have a definitive say in this land development.

City officials have a duty to protect the interests of the residents here who live and work and pay taxes.

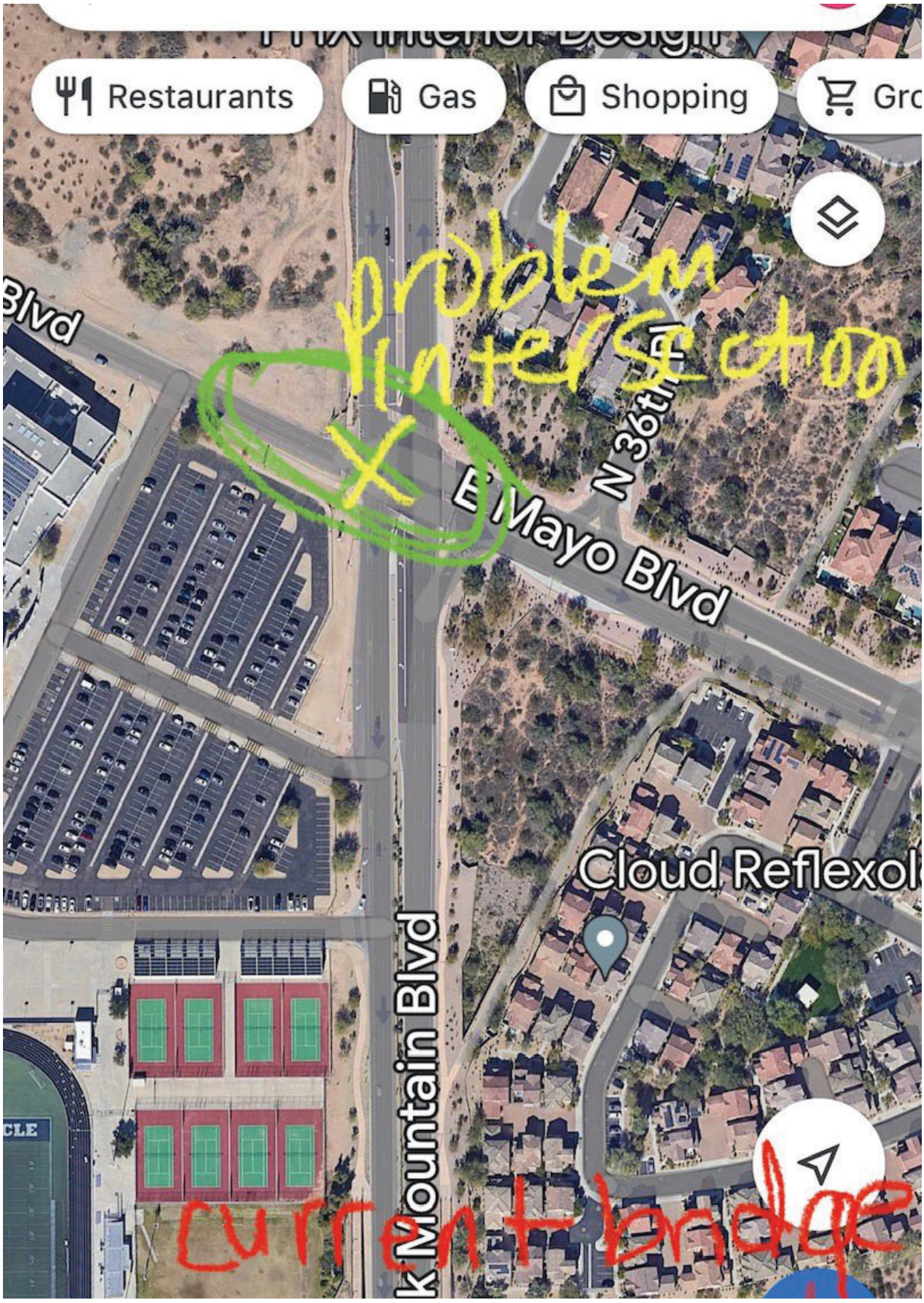
These developers have the monetary means to at least put an-over-the street walkway /sidewalk bridge from the Mayo/Black Mtn crosswalk over to the school so our kids aren't playing Frogger in traffic through red and green lights as they currently do every single school day. The existing walking bridge (see attached picture) that some idiot designed and installed years ago is out of the way for kids to walk, located south at the 51 interchange, at the dog park entrance, so they would have to walk down there then back around to go back up to the school—it's an extra 10-15 min of walking —not a single soul is doing that and that pedestrian bridge remains not utilized.

**My question: Could the city mandate the developer to at least relocate the pedestrian bridge to the problem/ busy intersection at the school instead of that bridge uselessly sitting down the street out of the way? (I included a pic of bridge area)**

If something is built here eventually, I hope the people in charge will think first of the safety of students and residents over the quick buck they'll make in revenue at the site.

Thank you for hearing me,

Andrea Remke,
Phoenix resident of Fireside at Desert Ridge




Google
200 ft
50 m

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | PDD Long Range Planning; Anthony M Grande; Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village |
| **Date:** | Wednesday, September 20, 2023 9:35:48 AM |
| **Attachments:** | image001.png<br>Grocery Store options.docx |

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

STRAND ASSOCIATES®
[strand.com]

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

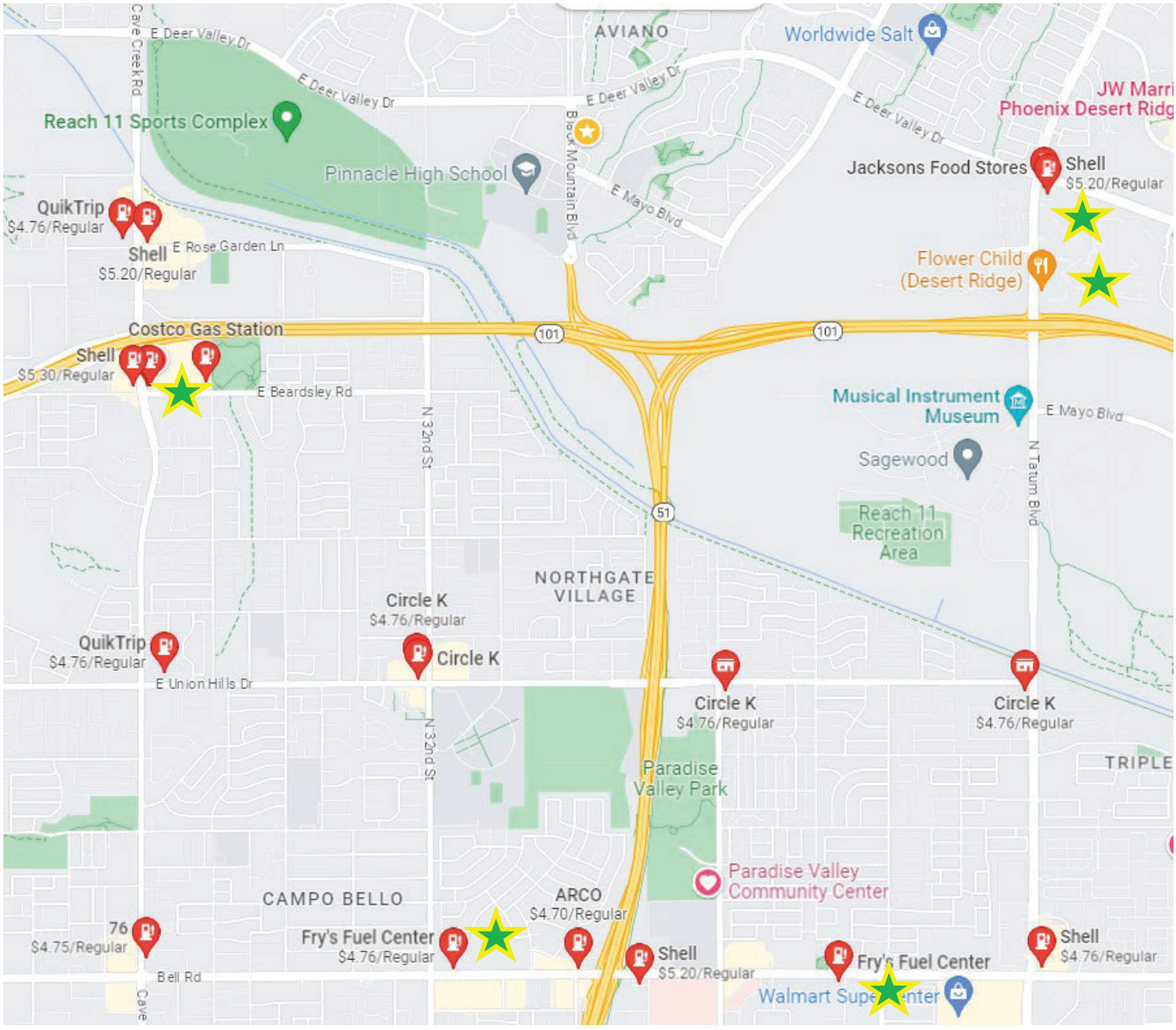
*Excellence in Engineering*SM

Desert Ridge is not lacking grocery and gas station options

**12 gas station within a 3-mile radius** of Deer Valley and Black Mountain Blvd Intersection
**18 gas stations shown within a 4-mile radius** of Deer Valley and Black Mountain Blvd Intersection

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City



**From:** eva rohr
**To:** Anthony M Grande
**Subject:** STOP REZONIBG BLACK MOUNTAIN - PERIOD!!
**Date:** Wednesday, September 20, 2023 9:36:26 PM

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eva rohr
4726 e casey ln
cave creek az 85331

480 363 7967

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:28:45 PM

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| **Name** |
| --- |
| Jessica Sconyers |
| **Email** |
| jessicasconyers@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| I work at pinnacle high school. Traffic there is a nightmare and will only get worse with the addition of a shopping center. |

**From:** Ralph Valenzi
**To:** Anthony M Grande
**Subject:** Super Block D Ridge
**Date:** Wednesday, September 20, 2023 10:33:37 PM

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I am very much opposed to rezoning this property to commercial
I am a resident of Fireside and with the school traffic, adding a commercial development would make that worse
In addition, we don't need more development in our area. We already have the Marketplace and that is sufficient for our community

Ralph Valenzi
3629 E Zachary Drive
Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; Council District 2 PCC; ppd.longrange@phoenix.gov |
| **Subject:** | Vestar"s Development Amendment and Zoning Requests for Superblock 12 |
| **Date:** | Thursday, September 21, 2023 10:13:35 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

| | |
|---|---|
| **From:** | Greg Nelson |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 |
| **Date:** | Thursday, September 21, 2023 2:41:45 PM |

RE:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Mr Grande,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

| | |
|---|---|
| **From:** | Deanna Guttilla |
| **To:** | Anthony M Grande |
| **Subject:** | Regarding rezoning the block at Deer Valley Rd and Black Mountain next to Pinnacle High School. |
| **Date:** | Thursday, September 21, 2023 5:59:51 PM |

Hello Mr Grande,
My name is Deanna Guttilla. I have been a homeowner and resident in Fireside and have happily raised three children here since 2011.
I'm writing in regard to case number GPA-DSTV-23-2/GPA-DSTV-3-23-2/Z-39-23-2.
The block of land at Deer Valley Rd and Black Mountain Rd is up for possible rezoning to commercial land use.

As much as I feel we could use a small grocery such as Trader Joe's, and would love a little upscale outdoor mall area, I'm opposed to rezoning to commercial land. It could have several negative and dangerous consequences for the kids and the traffic flow.

Since the freeway exit was built, the community has seen more accidents on Black Mountain in front of the high school and a daily back up of traffic. People drive very fast. It is already dangerous for the kids crossing the road, at the intersection, to get to school every morning and afternoon.

The proposed plan for rezoning would bring even more traffic to the road in front of the high school. Especially if a grocery with a gas station is built.

In addition, a building complex with a fast food drive thru and gas station could likely bring an increase in crime, such as drug sales, right into an area where there are over a thousand kids every day.

Because of the increased danger to the kids in the neighborhood, and at the high school, I am opposed to rezoning the land to commercial use. It needs to stay residential.

Thank you for your time,
Deanna Guttilla
Resident of Fireside

Sent from my iPhone

**From:** Tracy Kaczmarek
**To:** Anthony M Grande
**Subject:** Re zoning
**Date:** Thursday, September 21, 2023 8:31:40 PM

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Hello,

I would just like to make my opposition to proposed re-zoning of land at Deer Valley/Black Mountain and planned development.

I live in Fireside, and my backyard faces Black Mountain. When building our house, we were told this land was NOT zoned for commercial development. As it stands now, traffic is a huge issue. The area is already extremely busy, with Pinnacle HS traffic and regular flow. Essentially, there is no "flow". I encourage you to observe what the traffic pattern is daily. It is near impossible to get out of my neighborhood some mornings, due to chaotic traffic.

My backyard and even my bedroom face Black Mtn Blvd. We are directly behind the view fence. I cannot imagine the noise, lights, and traffic this would bring to an already congested area!! I am also greatly concerned with safety, as we have both a high school and elementary school nearby. I could go on, listing all the reasons this is a horrible idea….but I am sure you have been informed by other residents. Please— this was NOT the premise and agreement of said parcel, prior to building my house. This is a RESIDENTIAL area!! I will be attending the October 3rd meeting.

Thank you for your time.

Tracy Kaczmarek
Sent from my iPhone

**From:** Amy Kenney
**To:** PDD Long Range Planning; Anthony M Grande
**Subject:** Proposed Desert Ridge Rezoning - OPPOSED
**Date:** Thursday, September 21, 2023 8:31:53 AM

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Anthony,

I am writing to send in my “vote" as I am VEHEMENTLY OPPOSED to the rezoning for a variety of reasons. Please refer to the following:

Case No. SPA-DS1 V-2-23-2

Case No. CPA-DSTV-3-23-2

Case No. 1-39-23

We do NOT need commercial development in our quiet and already “convenient” homes and neighborhood.

There is ample access 1 mile away (or less!) to gas stations, conveniences galore, grocery stores, etc and RETAIL galore.

Traffic, crime, noise, all would increase…..this is not something that is welcome….

Thank you for your consideration.

Amy Kenney
Ringtail Way
Fireside, Desert Ridge
Phoenix, AZ 85050
602-696-2639

**From:** Dessert
**To:** Anthony M Grande; Council District 2 PCC; pad.longrange@phoenix.gov
**Subject:** Black Mountain Village
**Date:** Thursday, September 21, 2023 5:55:52 PM

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Re: GPA-DSTV-
2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

NO! NO! NO!
TO BLACK MOUNTAIN VILLAGE!!!

I bought my house in Scarlet Ridge 13 years ago knowing I would be living in a safe residential area. Trying to put a business right next to my house is wrong in so many ways. And to do a bait and switch with me and all the homeowners is appalling!

We have enough traffic and unfortunately have had accidents with children being injured on the street at at the high school as it is. And there's already been issues with homeless people sleeping under the bridge. Bringing in retail would only add to this on all accounts. And we certainly don't need more of either to ruin our neighborhood and injure our children!

I am hoping you have enough respect your homeowners to put this terrible idea to rest and find another location more suitable for this type of retail. We want to continue to keep our neighborhood safe! Thank you.

Sincerely,
Blythe Lipman

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:52:51 PM

| **Name** |
| --- |
| Suzanne Moon |
| **Email** |
| suzannemoonbear@gmail.com |
| **Address / Neighborhood (Optional)** |
| Paradise Peak West on Pinnacle Peak Rd. 85050 |
| **Support Comments** |
| No! Not necessary. The neighborhood is Residential and we'd like it to stay that way. |

**From:** Andrea Nelson
**To:** PDD Long Range Planning
**Subject:** Proposed Desert Ridge Rezoning
**Date:** Thursday, September 21, 2023 7:12:22 AM

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Dear long range planning committee-

I am writing as a homeowner and resident of the Fireside Community in Desert Ridge. I am opposed and concerned that the proposed Vestar development North of Pinnacle High School would impact the safety of the neighborhood, both in the businesses which are proposed, and in the traffic patterns. Additionally, proposing a gas station so close to several residential neighborhood community homes has its own additional safety and health concerns.

These proposed safety hazards could destroy property values for the homes, and seems redundant based on the other options so close by in Desert Ridge Marketplace- which I understand is already owned by Vestar.

The safety of our families and the neighborhood children is at risk. Please help our community to vote against this project.

Thank you.

Andrea Nelson, SPHR
480-495-5411

| | |
|---|---|
| **From:** | Lisa Newman |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning Opposition to Superblock 12 |
| **Date:** | Thursday, September 21, 2023 8:30:07 AM |

Hi Anthony,

I am a resident of Fireside and am emailing about the proposition to rezone a section of Superblock 12 from residential to commercial property. I would like to voice my opposition to the following amendment requests case numbers:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

I vote to keep this residential.

Thank you,

Lisa Newman

**From:** Rebecca Oakes
**To:** Anthony M Grande
**Subject:** RE: Case No. SPA-DS1 V-2-23-2; Case No. CPA-DSTV-3-23-2; Case No. 1-39-23
**Date:** Thursday, September 21, 2023 6:10:06 PM

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Case No. SPA-DS1 V-2-23-2
Case No. CPA-DSTV-3-23-2
Case No. 1-39-23

I am writing to you to register my strong disapproval of proposed amendments (case numbers listed above) to modify existing zoning from residential to commercial.

Our homes in Fireside at Desert Ridge were built under the Desert Ridge Specific Plan. The plan promised clean, quiet, and safe neighborhoods because commercial activity was placed in the "commercial core". Commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to change this for their own financial gain; if the Desert View Planning Committee and city of Phoenix vote for the change of zoning, and approve the plan to put in a 20-acre shopping center (reported to contain drive-through fast food, drive-through coffee, a gas station, a grocery of an unknown name and type, and who knows what else), this will cause great harm to my family and neighbors.

You see, my family lives in the closest section of Fireside to Pinnacle HS, and the proposed shopping center. We already suffer through the pedestrian and vehicle traffic that invades the streets of our neighborhood when school is in session and for other events held at the HS. Students and parents drive at unsafe speeds down 36th Street and Abraham Dr. Additionally, at drop off and pick up times, cars are lined up and/or idling as drivers wait to drop off or pick up their students, blocking our way in and out, causing us to "play chicken" to maneuver down the narrowed streets. Some of these students walk through our desert wash as a short cut to those cars dropping off/waiting to pick up.

This is a neighborhood where many children walk to Fireside Elementary School, located a short distance away. So not only is driving in, through and out of our neighborhood difficult and would most likely become dangerous as traffic increases in an area not planned for such commercial development, it is not safe for small children to safely walk to school.

In addition to the dangerous situations we face within our neighborhood, it can be all but impossible to safely leave our neighborhood at these times - the southern exit, on to Mayo Blvd. is right turn only and is very close to the Mayo/Black Mountain Blvd intersection. The northern exit on to Deer Valley Rd. is hard to turn left onto during high traffic times.

To put it more clearly - leaving our neighborhood becomes even more difficult and dangerous with increased vehicle traffic that comes with commercial development - especially trying to go south onto Black Mountain Blvd AND west onto Deer Valley. We only have two VERY flawed entrances/exits that in the best of times is tricky and not very convenient OR safe. We esentially have to chose to limit leaving our neighborhood or taking the increased risk of attempting to go south or west in less than safe traffic conditions. How does this benefit our residential community?!? I predict that vehicle (and pedestrian) accidents will dramatically

increase if this shopping center is approved.

There is nothing that can be commercially built and nothing beneficial from a retail standpoint that makes this development worth if for my family and residential neighborhood. There are plenty of retail options at Desert Ridge and other close shopping centers.

Relatedly, are the members of the Desert View Planning Committee and Phoenix City Council members aware that the parking lot of the proposed shopping center would in fact become an overflow parking lot for Pinnacle HS students who do not have a parking pass to park at the school? I would imagine prospective tenants would not be pleased to have the parking spaces used by people not spending money at their establishments and making it harder for those who want to spend money to find somewhere to park. Also, just ask security and management about the issues surrounding teens hanging around Desert Ridge Marketplace - it will be much easier for some students to hang out in the same manner at this proposed shopping center.

**Has the city of Phoenix specifically done a traffic study of this area, taking this commercial development into account? How would the council plan to ameliorate the above stated traffic issues? What about environmental studies looking at the increase noise, light and exhaust pollution that will directly impact the surrounding residential neighborhoods?**

We are appalled by this bait-and-switch, and worried about the crime, noise, litter, pollution, and traffic nightmares that will come with this monstrosity.

Sincerely,

Rebecca J. Oakes
3608 E Salter Dr
Phoenix, 85050

Get Outlook for Android [aka.ms]

**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition
**Date:** Thursday, September 21, 2023 4:53:23 PM
**Attachments:** Fireside Petitions.pdf

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Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of the residents of Fireside Community opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of the residents of Fireside Community, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** The families that built in this area did so knowing that they would have a safe, quiet area for their children to grow up around. In proposing the zoning amendment, the developers would like to change the use from residential (2-5 du per acre) to commercial. We believe this proposed change would result in unacceptable levels of risk to health and safety.

This commercial development proposal suggests parking for 580 cars and contains 3 access/egress points just off Mayo immediately across from Pinnacle High School with no provision for safe crossing or pedestrian/bike safety. Further the traffic in this area is already an issue. In speaking with the Phoenix Police Traffic Bureau, it is clear they have received numerous complaints about existing safety issues experienced at the intersection of Black Mountain and Deer Valley Roads. The proposed rezoning would only exacerbate these issues.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are unproven and unsupported by the conceptual design. While this is being promoted as a much-needed commercial alternative for the residents in Desert Ridge, this will increase the volume of traffic coming from south of the 101, off the 51 exit. This development would **increase transportation burdens and emissions in this area**. Residents who likely would have driven to Desert Ridge are now going to be driving to our neighborhood.

There is no traffic impact or air quality study mentioned. Furthermore, it will increase both light and sound pollution in the area. As such, the Fireside neighbors that have signed the attached petition stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,
Dan Richards

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

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We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| April Justman | | 3713 E. Hackett Lane, Phx | (480) 904-1540 |
| JEFF MIKITA | | 21010 N. 37th Way Phx | 847 710-3060 |
| Steve Deacon | | 3630 E Cat Balue Dr | 689-248-1398 |
| Danielle Deacon | | 3625 E Cat Balue Dr | 215-266-7662 |
| Greg Nelson | | 3454 E Cat Balue Dr. | 484-390-1401 |
| Tracy Kaczmarek | | 21724 N. 36 ST. | 480-554-0971 |
| Tara Werken | | 21720 N. 36th St. | 602-710-3281 |
| Erick Lovett | | 21716 N 36th St | 602 826-2929 |
| Dan Richards | | 3618 E Half Hitch Pl | 619 865 4303 |
| Leslie Andrew Mesecke | | 21618 N 36th ST | 608 712-1879 |
| | | 3609 E Cat Balue | 402-372-4203 |

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| Name | Signature | address | Phone |
|---|---|---|---|
| Kristin Evans | [illegible] | 21209 N 36th St | 602 312 5179 |
| [illegible] Gartman | [illegible] | 3617 E Cat Balue | 602 689 4343 |
| Sreeraj Chinmayanilayam | [illegible] | 3626 E Cat Balue Dr. | 201 406 3310 |
| Rob Schmitz | [illegible] | 3601 E. Half Hitch Pl | 623-418-0949 |
| Jenna Stoneberg | [illegible] | 3601 E. Half Hitch Pl | 480-290-9130 |
| Lou Haavala | [illegible] | 3606 E. Cat Balue Dr | 504. 875. 9668 |
| John Haavala | [illegible] | 3606 E. Cat Balue Dr | 225 937 9134 |
| Dee Willis | [illegible] | 3926 E. Potter Dr. | 502-727-5340 |
| Terri Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Joey Gregan | [illegible] | 21918 N 38th PL | 480-250-4989 |
| Scott Elletson | Scott Elletson | 3909 E. Melinda Dr | 480-209.2164 |
| Evan Fogarty | [illegible] | 3645 E Zachary Dr. | 480 226 602 |
| Molly Fine | [illegible] | 21117 N 37th Rum | 505-238-7958 |
| Jason Fine | [illegible] | 21117 N 37th Run | 505 264 4034 |
| Mukul Dave | [illegible] | 5164 W. Quail Track Dr. | 339-237-0363 |
| Karen Bottesch | Karen Bottesch | 3902 E Cat Balue Dr | 602.315.0774 |
| Wouter Roodenburg | [illegible] | 21507 N 39th Ter | 480.567.2716. |
| Angela Song | Angela Song | 3775 Long Cactus | 602-300-6547 |
| Kelly Davis | [illegible] | 21653 N 38th Pl. | 808-341-6827 |
| Ashley Voris | Ashley Voris | 21156 N. 36th Pl. Phx. | 602-312-6645 |
| Gail Nelson | Gail Nelson | 21724 N 36th St | 602.451.3032 |
| Lee Campbell | [illegible] | 3920 E Half Hitch R | 480 312 2343 |
| Eric Mulvaney | [illegible] | 3924 E. Cat Balue Dr. | 602.549.2255 |
| Radhika Rawal | [illegible] | 3944 E. Melinda Dr. | (847) 660-4050 |
| Mansi Dave | [illegible] | 3994 E Melinda Dr | 630 433 7110 |
| Nina Sarshlid | [illegible] | 3658 E Covey Ln | 307 287 4923 |
| Yuh-Shang Yu | [illegible] | 3649 E Zachary Dr | 512 645 7155 |
| Hsin-ya Huang | [illegible] | 3649 E Zachary Dr | 480 930 1578. |
| Steven Abrams | [illegible] | 3872 E Melinda | 570-429-2118 |
| Paul Devoe | [illegible] | 21705 N 37th Terrace | 623-853-3604 |
| MARK SNYDERS | [illegible] | 3822 E. CAT BALUE DR | 602-920-7947 |
| John Grimsley | [illegible] | 21622 N. 38th WAY | 602-616-5155 |
| Andrew [illegible] | [illegible] | 3812 E Emberglow Vy | 480-450-1594 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Stefani Kuehl | [illegible] | 3812 E Ember Glow way | 480-220-2659 |
| Erin Maes | [illegible] | 3682 E Cavey Ln | 602-321-1890 |
| Luis Alonso | [illegible] | 3682 E Cavey Ln | 602-214-3053 |
| Coreen Gartner | Coreen Gartner | 3819 E. Ember Glow Way | 602-326-1804 |
| Larry Gartner | [illegible] | 3819 E. Ember Glow way | 480-628-5969 |
| mara michaels | [illegible] | 3730 E Matthew DR | 480 621 1029 |
| Kristy McCool | Kristy McCool | 21210 N 36 Pl | 847-732-7017 |
| Yiu Man Kung | [illegible] | 3638 E Cat Balue Dr | 480-822-8045 |
| Megham Jones | Megham Jones | 3790 E Zachary DR | 602 820 2261 |
| Ben Wright | [illegible] | 3671 E Zachary Dr | 602-299-6588 |
| Melissa Christian | [illegible] | 3615 E. Salter Dr. | 480-338-9272 |
| Bryan Shisler | [illegible] | 3710 E. Zachary Dr | 602 515 3776 |
| Nanyun Tang | [illegible] | 3935 E Waller Ln | 480 399 3793 |
| Michel Barrocas | [illegible] | 3730 E Matthew Dr | 480 349 5129 |
| Fatou Dio | [illegible] | 3777 E Ringhall | 602 394 5139 |
| Nancy Lunyel | [illegible] | 27012 N 14th Ln | 323-229-0734 |
| Rita Barakat | Rita | 21606 N 36th st. | 480 673 5966 |
| SAI SAMUDRALA | [illegible] | 3611 E ABRAHAM LN. | 602-451-1139 |
| Nicole Burnes | Nicole Burnes | 21717 N. 36th St. | 480-861-0552 |
| Breese Pritchard | [illegible] | 3726 E Cat Balue Dr | 760 579 3848 |
| ROBERT PRITCHARD | [illegible] | 3726 E CAT BALUE DR | 480.662.5770 |
| Bryan Neihart | Bryan NN | 3826 E Half Hitch Pl. | 816-719-8619 |
| JAMES TUFFIN | [illegible] | 21214 N 36th Pl | 516-359-6420 |
| Susan Sheroff | Susan Sheroff | 21214 N 36th Pl | 516-398-1394 |
| Pablo de Jesus Jr | [illegible] | 3714 E Huett Ln PHX 85050 | 321-626-2352 |
| Brenda Ernst | [illegible] | 3714 E Huett Ln 85050 | 321-626-2352 |
| Eliza Bozzelli | Eliza Bozzelli | 3715 E. Huett Ln 85050 | 973-723-9196 |
| Michael Bozzelli | [illegible] | 3715 E. Huett Ln 85050 | 973-487-6644 |
| Rob Justman | [illegible] | 3713 E. Huett Lane | 602-350-8180 |
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| | | | |

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Amy Kenney | Amy Kenney | 3765 E. Ringtail Way | 602-696-2639 |
| Mike Marrone/Anna Locastio | [illegible] | 3716 E. Zachary DR | 440-364-8811 |
| Christian Klein | [illegible] | 3963 E. Mclinda Dr. | 509-296-7005 |
| AMAR SHARM | [illegible] | 3921 E Quail Ave | 480 238-0672 |
| ROHIT AGGARWAL | [illegible] | 3815 E. QUAIL AVE | 480-745-4347 |
| Mario Contreras | [illegible] | 3621 E. ZACHARY DR | 602-320-9672 |
| Praveen Mahadevan | [illegible] | 21602 N 36th ST | 719-964-1975 |
| EMMANUEL ASHIHUNDU | [illegible] | 21611 N 36TH ST | 602-386-8372 |
| Silvio Teixeira | Silvio Teixeira | 3750 E. Ringtail way | 832-361-0114 |
| Meghan Keough | [illegible] | 3612 E Abraham Ln | 480-773-1725 |
| MICHAEL POPNOR | [illegible] | 6145 E 21ST ST 85711 | 503 3190335 |

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| JUSTIN POPPE | | 3622 E Cat Balue Dr 85050 | 480 798 0004 |
| Neeraj Chandele | | 3617 E Cat Balue Dr 85050 | 623-203-9583 |
| John Mills | | 3605 E Cat Balue Dr, 85050 | 650-269-2812 |
| GORDON SMITH | | 3608 E Salter Dr. 85050 | 480-231-5578 |
| REBECCA OAKES | | 3608 E SALTER DR 85050 | 623.229.2665 |
| Douglas Godfrey | 3604 E. Abraham LN | DG #608 | 480-737-3970 |
| [illegible] | | 3607 E [illegible] 85050 | 412-401-6743 |
| Pam Puthuff | | 3612 E Salter Dr 85050 | 602-796-5830 |
| Natalie Walker | | 3633 E Cat Balue Dr | (650) 759 4882 |
| Pei Shan Hsieh | | 3613 E Cat Balue Dr | 5203330455 |
| Cindy Huether | | 21712 N. 36th St. Phx 85050. | 602 617 4836 |
| Todd Huether | | 21712 N. 36th St. Phx 85050 | 602 318 8417 |
| [illegible] Bauschke | | 3621 E [illegible] Phx 85050 | (305) 265-4909 |
| Leela Samudrala | | 3611 E. Abraham Ln, Phx 85050 | (602)692-7103 |
| [illegible] Meseicher | | 3609 E. Cat Balue Dr. | 602-448-3036 |

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**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Anju Baluja | | 21818 N. 37th Terrace, Phx 85050 | 773-213-7055 |
| Leela Samudrala | | 3611 E. Abraham Ln Phx - 85050 | 602-692-7103 |
| Yuri Bhakta | | 3619 E Salter Dr Phx | 775-813-1207 |
| Rita Marranca | | 3920 E Quail Ave Phx 85050 | 480-334-1775 |
| LAURA NIETO | | 21005 N. 38th Pl. Phx. 85050 | 602-695-5482 |
| William DePiazza | | 21609 N 39th Ter Phx, Az 85050 | 818-741-8758 |
| Mariusz Kotlow | | 21713 N 37th Ter Phx, AZ 85050 | 520-780-1470 |
| Michael Ewing | | 21713 N. 37th Terrace | 480-225-1032 |

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

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| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Susan Ze | Susan E Ze | 3616 E Abraham Ln Phoenix 85050 | 4806656596 |
| Heather McCrea | HA | 3908 E. Melinda Dr Phoenix, 85050 | 6024630198 |
| Linda Rehak | Linda Rehak | 21216 N 38th Pl Phoenix, AZ 85050 | 360-433-5277 |
| Lisa Giunta | Lisa Giunta | 21514 N. 38th Way Phx, 85050 | 602-326-1582 |
| Barbara Bass | | 3934 E Cat Balue Dr Phoenix 85050 | 732-996-8488 |
| Judy A Wensley | Judy A Wensley | 21821 N 39th St Phx. 85050 | 480-686-0410 |
| Sandra J. Jones | Sandra J. Jones | 3753 E Ember Glow Way | 480-688-5243 |
| C. Taylor Morgan | C Morgan | 3621 E Zachary Drive | 602-320-9673 |

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Fireside neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, a great potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Fireside Elementary School and Pinnacle High School on Mayo Boulevard, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, including the littlest of our children at Fireside Elementary School, who deserve the ability to walk to and from their school safely each day. Although older and presumably more ept, our Pinnacle students deserve the same consideration, as many of them are student drivers.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address | Telephone Number |
|---|---|---|---|
| Madi | [signature] | 3941 east rat balve | 630 200 4505 |
| Rousselle | [signature] | 3963 E Cat Balue Dr | 480 738 9871 |
| Matt | [signature] | 21010 N 38th pl | 425-829-6288 |
| Dorie | [signature] | 21507 N 39th Ter | 602-363-6757 |
| Ellen | [signature] | 21010 N 38th Pl. | 253-569-2775 |
| Aaron | [signature] | 3336 E Gulf Hotel Pl | (913) 667-0916 |
| Chun Pi Chang | [signature] | 3912 E Quail Ave Phoenix, AZ | 480 322 6215 |
| Emma L. | [signature] | 21655 N 37th | 480-277-6895 |
| Cheng Chun Chang | [signature] | 3912 E Quail Ave | 480-322-8144 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Diana Dichter | [signature] | 3792 E Covey Ln Phoenix, AZ 85050 | 310-912-2790 |
| Renée Oppenheim | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 717-6792 |
| DAVID OPPENHEIM | [signature] | 21719 N. 38TH PL PHOENIX, AZ | 224 381-4646 |
| Megan Janas | [signature] | 21615 N. 39th Way Phoenix, AZ | 602-326-6369 |
| [signature] | [signature] | 21001 N. Tatum Blvd Phx AZ 85050 | 623-266-9129 |
| Dipanwita Dalal | [signature] | 21615 N 36TH ST Phoenix AZ 85050 | 602-481-5968 |
| Daron Hall | [signature] | 3624 E. Zachary Dr. | 480 634-4155 |
| Tara Welker | [signature] | 21716 N 36th St Phx, AZ 85050 | 602 826 2929 |
| Asavari Ganged | [signature] | 3908 E Half Hitch Pl Phx, AZ 85050 | 480-415-5172 |
| Tara Penna | [signature] | 3756 E Matthew Dr. Phoenix AZ 85050 | 602 561-5512 |
| Andrea Remke | [signature] | 3766 E. Ringtail Way | 859-308-8738 |
| RYAN CROTIN | [signature] | 3790 E Matthew Dr. | 716-998-9551 |
| Tom Conley | [signature] | 3879 E Cat Balue Phx 85050 | 480-326-9181 |
| Erin Carroll | [signature] | 3975 E. Melinda Dr. Phx 85050 | 602 568-2793 |
| CAROLYN DUNN | Carolyn Dunn | 3752 E. COVEY PHX 85050 | 928-925-4893 |
| PAUL DUNN | [signature] | " " " " | 928-778-1988 |
| Rudy BAZZANO | [signature] | 21622 39 Ter. | 480-451-6147 |
| Cathy Bazzano | [signature] | 21622 N. 39th Ter | 480-451-6147 |
| LISA RODI | [signature] | 3681 E Zachary | 480.825.6833 |
| Susan Forkos | [signature] | 3973 E. Melinda Dr | 480-650-9352 |
| Steven BAUER | [signature] | 3917 E Melinda Dr | 203 314 4920 |
| Jennifer Burrett | [signature] | 3761 E. Ringtail Way | 602 999 3843 |
| Lou Haarala | [signature] | 3400 E Cat Balue Dr. | 5048759668 |

| Printed Name | Signature | Address | Telephone # |
|---|---|---|---|
| Nadafalah | [illegible] | — | 646-258-1017 |
| Steve Bazzano | [illegible] | 21622 N 39th | 480-313-0867 |
| Jeongim Jin | [illegible] | Same above | 480-828-0602 |
| [illegible] Jindel | [illegible] | 3768 E Covey | 6·260675xx. |
| M Bordenstein | M Bordenstein | | 928·699 8597 |
| Federico Lemmen M | [illegible] | 21655 N 3th ter Phoenix AZ 85050 | 210 863 9985 |
| Gary Cloud | [illegible] | 21218 N 36th pl Phx. Az. 85050 | 480-221-3705 |
| Andrea Shirikian | [illegible] | 21246 N 36th PL | 480-522-7822 |
| Kimberly Otis | [illegible] | 21630 N 38th way | 480-560-3399 |
| Danielle Pekuts | [illegible] | 3687 E Zachary Dr | 224-381-0599 |
| Dr. John Gilderbloom | [illegible] | 21824 N. 39th | 85050 |
| | | | 502-608-7567 |
| Carle Snyder | [illegible] | 21824 N. 39th | 602 400 0502 |
| Samantha Crotin | [illegible] | 3790 E Matthew Dr. | 480 482 8777 |
| Ryan Crotin | [illegible] | 3790 E Matthew Dr. | 716-998-9551 |
| Danielle Deacon | [illegible] | 3625 E Cat Balcon Dr. | 484-390-1401 |
| ANDREA NELSON | A Nelson | 3660 E ZACHARY | 480-495-5411 |
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**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village Opposition
**Date:** Thursday, September 21, 2023 5:01:51 PM
**Attachments:** Pinnacle Petitions.pdf

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Dear Mr. Grande and Councilman Waring,

Please find attached a petition on behalf of concerned parents of Pinnacle High School students opposing the rezoning of the SW corner of Deer Valley and Black Mountain Boulevard. Please add this and the Fireside Community petition to the case file that will be submitted to the Desert View Village Committee. There are a ton of additional parents that would have signed this petition, but we found that this was more difficult one to get in front of the parents. We were not legally allowed to solicit our petition on the school property so we are still trying to figure out the best way to get through to all the parents.

Thanks,

Dan Richards

September 21, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of concerned parents of Pinnacle High School students, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution. We believe this proposed change would result in unacceptable levels of risk to health and safety.

There is an existing issue with high-traffic volume that does not respect the posted speed limits near Pinnacle High School, as commuters travel to Interstate 51. This zoning change will only heighten this problem and create a more dangerous situation for our children, who deserve the ability to walk to and from their school safely each day. The proposed rezoning would only exacerbate these issues, increasing traffic volumes both northbound and southbound. There is no traffic impact or air quality study included in this proposal.

The explanation letter for this project suggested "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour." And "School Principal Chad Smith indicated that the proposed development would potentially reduce the number of off-campus trips by car." Pinnacle is a closed campus for all students except Seniors, so this will not benefit students during the lunch hour. I would highly recommend that you independently meet with the Principal of Pinnacle High School who will paint you an entirely different picture of his views for this project. He is strongly opposed to this development and we feel Vestar has misrepresented his concerns to help benefit their proposal.

Please take into consideration the Parents of Pinnacle students who have signed the attached petition. Our children do not need these distractions directly next door from their classrooms. We stand against the proposed rezoning and ask that the City reject the developer's application for rezoning.

Sincerely,

Dan Richards

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The parents of Pinnacle High School students are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, adding potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

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If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Email Address |
|---|---|---|
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| Marisa O'Connor | [signature] | mtrubitz1@yahoo.com |
| Kris Lupino | [signature] | klupino@gmail.com |
| Amy MERRILL | [signature] | amycorbinmerrill@gmail.com |
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| Najwa Ghattas | [signature] | najwa1020@hotmail.com |
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| Audra Ryan | [signature] | audraryan7@gmail.com |
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| Danielle Petrutis | [signature] | pllotodiva8@gmail.com |
| Samantha Crotin | [signature] | sambam4414@gmail.com |
| Ryan Crotin | [signature] | RICROTIN@gmail.com |
| JULIA Levene | [signature] | jlevene@associationplannerpartners.com |
| | | |

## STOP THE ZONING CHANGE ON PARCEL 212-38-023B

The parents of Pinnacle High School students are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise, and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, adding potential for increased crime rates, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

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If you wish to reach out directly to express your concerns, you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Email Address |
|---|---|---|
| Shauna Winburn | Shauna Winburn | swinburn805@gmail.com |
| Reanna Reich | | rredhed28@aol.com |
| Sara Millett | Sara Millett | strubitz@hotmail.com |
| MICHAEL MILLETT | | mike@millt.com |
| Brooke McNett | Brooke McNett | bbmcnett@gmail.com |
| Chris McNett | | chrismcnett@gmail.com |

| | |
|---|---|
| **From:** | Jennifer Larson Popnoe |
| **To:** | PDD Long Range Planning |
| **Subject:** | Fw: Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 6:29:05 PM |

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**From:** Jennifer Larson Popnoe <rxlarson@hotmail.com>
**Sent:** Thursday, September 21, 2023 5:36 PM
**To:** anthony.grande@phoenix.gov <anthony.grande@phoenix.gov>
**Subject:** Case#GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Dear Mr. Anthony Grande,

Ten years ago, I welcomed a beautiful baby boy. At the time we were living in an older community in North Scottsdale. We knew it was time to move and find that perfect place to raise a family. A place he could walk to school, ride his bike, trick or treat in a safe family-oriented neighborhood. Luckily, we found the perfect place, Fireside at Desert Ridge. It has been the perfect fit for our family. We have made many friends that are like family. My son feels safe to walk to school, ride his bike to the park and play outside. He was crushed when we told him of the situation that is happening in our neighborhood. He knew he would no longer be able to due to the increase in traffic, construction, panhandlers etc. this will bring to our community.

The community we loved and were told that the space was zoned for residential construction for the possibility of new friends instead of commercial that will only attract who knows what off the freeway into our backyard. This once quiet safe community is going to be thrust into the middle of a shopping center that will only risk our kids safety, decrease our property values, increase criminal activity and ruin our close-knit happy community. **I ask you to imagine yourself in this situation. Wouldn't you do anything you could to protect your children and the future of your community?**

Please don't let another big corporation ruin what little is left of our small town community. We are fortunate to have Desert Ridge Marketplace, Costco, and many other options just down the street that offer everything we need and more. I ask you to please consider the needs of your fellow community members; we chose this beautiful neighborhood to avoid the dense, congested, commercial areas and enjoy our small piece of Phoenix. Please support us in continuing to raise our families in this beautiful please we call home. No Black Mountain Village!

Sincerely,
Jennifer Larson Popnoe
3622 E Half Hitch Pl

Phoenix, AZ 85050

**From:** J Popnoe
**To:** PDD Long Range Planning
**Subject:** Re: Opposition to commercial rezoning request in Desert Ridge
**Date:** Thursday, September 21, 2023 5:18:49 PM
**Importance:** High

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Received an out of office message from Mr. Grande, but want to be certain my communication is included on the record in this matter. Thank you.

Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

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**From:** J Popnoe
**Sent:** Thursday, September 21, 2023 5:17 PM
**To:** Anthony.Grande@phoenix.gov <Anthony.Grande@phoenix.gov>
**Subject:** Opposition to commercial rezoning request in Desert Ridge

Mr. Grande ---

I write you in hopes of garnering your support for residents (and our children) in Desert Ridge.

I was frustrated to learn of Vestar's rezoning request (GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2) geared towards generating massive profits despite the risks and negative impacts created for residents. I live a short distance from the parcel, and am already a firsthand witness to the daily debacle of traffic & pedestrian issues near the high school & in my neighborhood (Copper View). Radically changing the existing plan (that we as homeowners considered a promise to properly manage our community) to introduce a massive grocer, gas station, fast food, etc. will only create more risks, especially for our neighborhood children.

I'm incensed with the thought that there would be support despite the many issues (noise, pollution, crime) that this commercial entity will drop into the heart of our community. My son is currently a fifth grader at Fireside Elementary, which is also a short distance from the parcel. The most extreme risks are created for high schoolers --- easy access to alcohol/nicotine, no oversight, traffic --- but nearby, our most vulnerable will now also pay the price if Vestar's greed is satisfied by lining up behind the ask to mangle our closeknit community.

**I plead with you to support homeowners and residents by opposing this rezoning request**. This parcel should stay zoned for residential use to allow more families to join our thriving community. Vestar can achieve their profit targets using one of the multiple, available parcels in the area already zoned for commercial use. Please help protect our community and families.

Respectfully,
Justin J. Popnoe
3622 E Half Hitch Place
Phoenix, AZ 85050
m: 480.798.0004

| | |
|---|---|
| **From:** | Laura Richards |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Subject:** | Subject: Black Mountain Village (GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2) |
| **Date:** | Thursday, September 21, 2023 7:33:56 PM |

Dear Mr. Grande and Councilman Waring,

I built my home in Fireside over 10 years ago, with my backyard facing Black Mountain Boulevard. I have a view fence, paid a premium for my lot and was promised the land behind my home across Black Mountain Blvd was zoned as single-family residential. My husband and I have 3 sons who were toddlers at the time. Now, they are teenagers attending Explorer Middle School and Pinnacle High. We did much research to find the perfect neighborhood/lot to build our house and raise our family. I am opposed to the Black Mountain Village Commercial Development. My reasons for opposing the project include:

- Horrific traffic when one considers the daily chaos that exists at the adjoining high school and nearby elementary school.
- Threats to the safety of students at the high school and nearby elementary school.
- Introduction of twenty-four-hour noise, light, and air pollution into a residential environment, specifically concerning since our bedroom windows will look out over this development.
- Establishing a 24-hour hang-out for unsupervised adolescents from the adjoining high school.
- Litter, crime, vandalism and transient individuals.
- Pollution from cars lined up at drive-through operations.
- Lack of any reasonable justification for a major amendment to the Desert Ridge Specific Plan to the detriment of innocent homebuyers who relied on the plan.
- Decrease in property values for residents of Fireside and Sky Crossing.
- Diversion of traffic from SR 51 that would otherwise head west on SR 101.

We love our Fireside and Desert Ridge Community. Please take these points into consideration and help us to preserve the sanctity of this beautiful area of Phoenix, that we feel good to call our home. Thank you for your attention to this matter.

Sincerely,

Laura Richards

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC |
| **Subject:** | Letter of Explanation by Resident regarding zoning GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 21, 2023 4:12:13 PM |
| **Attachments:** | Letter of Explanation Resident Final.docx |

Dear Council members,
A rezoning request was submitted by the attorneys of Gammage & Burnham on behalf of Vestar to convert a Residentially zoned 20 acres into a Commercial zone (C2).
It seems like this council asked 10 very pertinent questions to further explain how this proposal would impact the neighborhood and they submitted their answers in a Letter of Explanation (dated July 16st)
I assume the explanation was accepted and the case was subsequently filed. GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Although the Letter of Explanation by this law firm indicated that support for this proposal was abundant. I'm writing to you to let you know that nothing is further from the truth. This proposal should be denied.
In fact, this proposal has triggered a lot of opposition from the residents in Desert Ridge, because it is proposed adjacent to our High School and Elementary School and contrary to what the attorneys stated, **WILL** damage our community. There are many more reasons for opposing this case which are explained in my version of the attached "Letter of Explanation Resident"

I hope that the detail and the amount of work I put into writing this gives you a good summary of what is at stake and that the current version of our Master Community specific plan is what residents are expecting.
This does not entail allowing 20 acres of big box commercial businesses, who will be creating a lot of issues for all residents and schools to deal with in the coming year.
**I urge you to deny this proposal in all its forms.**

Rather than outlining the issues we anticipate, I have included alternatives for you to consider and suggested items that are within our plan and would benefit our community and make it an even better place to live.
If the developer's goal is to add a new brand of grocery store to the area, please note that there are plenty of commercial zones available to build on immediately, which is also highlighted in the appendices.

In my previous contact with the City, I have raised awareness regarding the traffic situation around our schools and I also rallied our community to participate in the survey for Vision Zero.
I was pleased to see that within the budget approved by this council, you have allocated money for schools to improve a "Safe Route To School".
This proposal would endanger our kids walking to school with the increase of local traffic and non-resident traffic and ruin our community with big box retailers, alcohol and cigarette sales near schools, fast food restaurants and gas stations.

Please deny this proposal completely.
Thank you for your consideration.

Regards
Wouter Roodenburg.

Wouter Roodenburg

Resident Fireside Desert Ridge

21507 N 39th Terrace

Phoenix, AZ 85050

City of Phoenix

Planning and Development Department & City Council

200 W. Washington Street, 2nd floor

Phoenix, AZ 85003

RE: SWC of Deer Valley Drive and Black Mountain Parkway; Minor General Plan and Major Specific Plan amendment request.

To whom it may concern:

I'm writing to you as a concerned resident impacted by the rezoning requests GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Upon reading the Letter of Explanation provide to you by the attorneys of Gammage & Burnham (GBlaw), dated July 16th, 2023 (rev July 10th, 2023), I feel that you should also have the other perspective to the great questions you submitted regarding this proposal.

First and foremost, GBlaw informs you at the end of their letter that "*Vestar has received positive feedback from the **Desert Ridge Community Association**. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated. "*

This statement was completely misleading and unfounded. When we confronted the Desert Ridge Community Association about this statement during their monthly meeting, they claimed that they are "just concerned with applying the CC&R's of the community and cannot be supporting either side of this proposal". Who did GBlaw quote here and in what capacity? It cannot be further from the truth.

Why did the DRCA not run this by the communities it represents? Was this the basis for your committee to decided to move forward? Did the committee assumed that the support was already there based on that statement?

A lot of people do NOT agree with this proposal, it was started under wrong pretenses and now the community has to spend our time fighting this proposal. This should have been stopped at the start

based on the guidelines – which I will highlight later on – of the specific plan and the conflict the site has near 2 schools, affecting the safety of kids going to school. It is NOT in line with the Phoenix General plan to create more residents walking somewhere, NOR do any of the fast food restaurants add to residents getting together, other than queuing up behind each other at all the drive throughs. It will ruin our community and if this passes then developers will continue to expand and try the same thing on other locations. Please stop this now, stick to the plan.

Please bear in mind that there has been zero efforts from any organization to ask our communities what we would like or need. Before this proposal, every resident was under the impression that we have a very detailed specific plan for Desert Ridge which currently perfectly describes what the community will look like once it's finished. That is what people bought into and paid a premium to live in this area.

What you will notice in subsequent events is the fact that GBlaw has started campaigning for support **AFTER** the first public meeting. Our community was getting ads (appendix 2) that created an impression of an innocent small neighborhood grocery store for people to quickly click on, not being informed of the consequences or full plans. Why did GBlaw give you the impression during the letter of explanation that community support already existed?

Giving the push back that you have seen, how much value can be placed on any other answer provided in that letter, other then GBlaw hiding the real intentions of this developer. This developer wants to make it 20 acres and put on a 50,000-100,000 sqft grocery store, fast food restaurants, gas stations, more traffic in our area. It shows complete disregard for our great community and it also conflicts with a lot of the design principles of our specific plan on many levels. Equally deceptive was the highlighting of existing traffic issues at the Desert Ridge Marketplace. Their solution: move all the traffic issues closer to 2 schools full of kids walking to school? Unacceptable.

**What are the alternatives?**

There are no compromises to the current proposal. We (those who voted NO on our petition) do not want 20 acres of commercial on that land. As a planning committee and city council, you should stick to the existing great and specific plan for Desert Ridge. This plan shows these superblock being Low Density Residential.

Perhaps you consider new stipulations in the plan for the next residential builder to take on the unintended traffic issues that have been created over time and possibly create a new drop off route for the highschool using 32nd street and increase the schools parking lots.(Appendix 8).

Or using the Vision Zero plan, approved by the council to use "Safe Route to School" grants to make our drop off areas safer.

Another consideration, which is already mentioned In our community plan, would be building a Library and/or Park and Ride parking lots. That would be a huge benefit to this community, especially considering the fact that is right next to 2 schools. These things make sense.

Ultimately, if people want more choice in grocery stores, then there are pre-approved zones available very closeby. City North also has room for an additional grocery store and currently hosts (a real!) neighborhood Sprouts convenience store. There is is land available on 56th and the freeway also. Plenty of alternatives and good enough to host their proposal, without ruining our neighborhood.

**Further details in response to original the Letter of Explanation.**

I want to continue with my response to address the way these attorneys chose to answer your questions, downplaying the impact it would have and leaving out important details that you should consider and be aware of. They are experts to provide you only with details that they've learned helps getting approvals from you and put the wheels in motion.

They described it as "low impact" commercial development. How do they determine this? They claim there is no final plan. Once approved they can do what they want. AND they're proposing this to be next to an elementary and high school and in the middle of a quit community, which is unacceptable because of the dangers they're introducing to the school and kids. Half-truths are being told.

I would like to select a few of your questions and provide another perspective and have included appendices to clarify my comments.

**Questions Selected:**

*Q3; How many potential housing units would be created or lost by approving and implementing the proposed amendment?*

GBlaw response states : "The benefit of bringing much needed commercial to this area far outweighs the minimal loss of housing from the proposed amendments"

**My Response**: They fail to mention that there are pre-approved commercial zones are only 1 block north of the proposed site along Pinnacle Peak and leave out the fact that City North still has 50% land available, which is adjacent to Desert Ridge marketplace. Why would they need to amend our residential master plan for 20 acres to insert a commercial development when bigger lots are available?
(See Appendix 1)

*Q4: Is there a need for the proposed use(s) or density(ies) in the requested location?*

GBlaw response states: "unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestions and parking issues."

**My Response**: There was never any research done or input requested from residents regarding the impact of the marketplace, nor were we asked what our needs are. This proposal is purely economical and not driven by an identified need. My response would have been that I can confirm traffic congestion caused by drive through restaurants and those will remain and new ones will be created by their proposal.

Their responses continue to emphasis the current traffic issues but their proposal will bring exponential more traffic to our neighborhood due to new (non resident) people now choosing to come off the 51 at Black Mountain blvd to get their groceries that previously went to the marketplace. Children are walking home from Elementary School and the High School are being put at unnecessary risk.

If I was asked for what this community needs, it would be more recreational parks, a promised library, preserve the land for High School expansion requirements to accommodate more students, parking and

a safer route to school and drop off areas around the school. That is what we need, not light, air, noise pollution and gas station or any other shop next to a high school and elementary school. People are also very concerned about the crimes that go along with such a commercial center.

*Q5: What impact would the proposal amendment have on adjacent or nearby land?*

GBLaw states: "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour. The Applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposal development would potentially reduce the number of off-campus trips by car"

**My Response**: The impact will be bad. More traffic, More pollution, More smells, More homeless people on corners, More cars idling, More noises and light pollution into the night.

PLUS Every parent knows that putting temptation in front of teenagers, they will jump on the occasion to skip school, find a way to buy alcohol and cigarettes and create a hangout for these teenagers that will lead to all sorts of trouble, fights and crimes. The school is a closed campus school, so only seniors that are already driving themselves might be interested, but it also highlights their commercial interests in this area and trying to capture this captive audience and provide bad fast food and other bad choices. Nothing safe about their proposal that will benefit High school students.

Secondly, I would highly recommend that you independently meet with the Principal of Pinnacle High School and Fireside Elementary School and they will paint you an entirely different picture and **strongly oppose this development.** Don't take my word for it. Please have someone verify this statement as this was another technique to give you the impression that they reached out with concerned parties and only shared what they wanted to hear. Not their full version and misrepresentation of their opinion. Parents have brought this up with the Principal during various meetings at the start of the school year.

*Q6: How will the proposed amendment affect traffic generation and the transportation system?*

GBlaw states; "Black mountain blvd and Deer Valley drive are both major arterials adjacent to the property. As such, Black mountain village is proposed at an appropriate location"

**My Response**: Notice how short this answer is compared to all the other answers. They are not even directly addressing the core of your question. Great avoiding technique of the hot potato.

See Appendix 1 – the traffic is terrible at the moment, during drop off and pickup times, during rush hour, as drivers trying to avoid the 101 and 51 take Deer Valley and they use all of our community road to take short cuts and therefor causing people speeding on mayo blvd and 40th street to get to where they need to go. With the attraction of gas stations, fast food and grocery stores, more (non resident) people will start taking this route.

*Q8: Community Benefits; How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment? See pages 18-26 in the Phoenix General Plan*

GBlaw States: One of the visions discussed in the PlanPhx 2015 General Plan, is to make Phoenix a "Connected Oasis." Put another way, residents have expressed a desire for the City to have more places at which citizens can connect with one another. This new shopping center in the Desert Ridge area will provide such a place. Moreover, the addition of a retail shopping center that can more conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike and reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment. A reduction is transportation burdens, increased opportunities for exercise and a cleaner environment lead to an overall increase in health and prosperity.

**My Response**: This is pure nonsense as there has ***NOT*** been any survey done about what we want and need or desire. And if they claim this, it can only been hearsay from a few residents close to this project or overheard in an HOA board meeting. Not even our HOA's have done such a survey to gather input from their residents**. GBLaw only started to gather signatures around September, whilst the letter is dated July 1st.**

However, if you know anything about Aviano, Sky Crossing and my community Fireside, then you know **this community is already very connected to their neighbors**, we have long time residents that have seen their kids grow up and go through each of the 3 schools in the area as well as many community events that are organized by paid community directors every month where we all connect with each other. Firework displays paid for by HOA's. Our Halloween celebrations are known throughout Phoenix and we have to block off our streets to accommodate everyone safely.

The proposal is not promoting any of the things they advertise, nor will any of their proposed commercial properties promote any new healthy activities due to the nature of the Gas station, Fast food restaurants and none of the 100,000 sqft grocery stores. They are expecting increased traffic for their tenants to be successful.

Other examples to promote these great goals outlined in your General Plan, are libraries and park areas for our families that will allow coaches to run their practices and young families to have play areas.

*Q9: How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?*

GBlaw states: "The proposed amendments will advance the land use principles in the Desert View Village Character Plan and the Desert Ridge Specific Plan. The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. The first is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires

impact-mitigating features when new nonresidential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors."

**My Response**: These design principles should simply state –

1) **DO NOT BUILD COMMERCIAL PROPERTIES NEAR HIGH AND ELEMENTARY SCHOOLS DUE TO KNOW RISK AND SAFETY ISSUES THESE TYPES OF PROJECTS BRING**, especially if there are pre-approved commercial zones already available in the same vicinity. The buffering that is mentioned is a small walk for anybody, so claiming the design being "away" from the public school is just putting lipstick on a pig.
2) **DO NOT BUILD COMMERCIAL PROPERTIES IN THE MIDDLE OF 3 RESPECTABLE COMMUNITIES DUE TO THE TRAFFIC AND CRIMES THESE TYPES OF PROJECTS BRING.** The grocery will be giving access to alcohol and tabacco near the schools. The gas stations will bring homeless people
3) **THERE NO IMPACT MITIGATING FEATURES INCLUDED FOR NON RESIDENTIAL USES.** In fact, the viability of this commercial proposal is counting on non residents to start visiting this area.

It will also affect the image of Pinnacle High School, which is putting a lot of effort into increasing their image and provide superior education and is seeing increased enrollment numbers. This include the fact that schools are graded on their students attendance and Tardiness. Having this development next door will most certainly impact their school standings today.

*Q10. Additional comments as appropriate*

GBlaw states: Vestar has received positive feedback from the Desert Ridge Community Association. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated.

**My Response:** These additional comments are possibly based on the opinion of 1 person within the Desert ridge HOA board. There will be no evidence to support these statements. In fact, every HOA meeting GBlaw has attended after the initial public hearing, has been met with more opposition. There is ZERO EAGERNESS by this community, demonstrated by all the emails you have been receiving on this proposal and further strengthened by the votes on our petition and people that have or will be speaking at the public meetings. (Appendix 5)

But first and foremost, the opposition to this proposal underlines that this proposal might be a classic bait-and-switch and they assumed this would slide under radar of this community. They were wrong.

**PETITIONS / Social Media / Advertising:**

In response to various ads and website activity by Vestar and GBlaw, our community has setup our own website ( https://defenddesertridge.godaddysites.com/ ) and our Petition on Change.org and Hand written signature petitions to make sure that we are not undercut by this corporations tactics to show support. Residents cannot match their corporate budget and social media skills, but we hope that you see that efforts were made on our side and that it should be weighed more.

ALL of their activity to back up their statements, are DATED AFTER their "Explanation Letter", thus the statements and references made to our community's eagerness for this, has been vastly overstated.

We have since also seen various ads show up on our Facebook and other social media platforms ( Appendix 2) that paint a “dream” appealing to a random public that this is a neighborhood grocer, when the fact is that it could be 50,000-100,000 sqft grocer. This is never mentioned anywhere. A gas station is never mentioned anywhere. The audience they target could be outside of Desert Ridge.

Other ads lead to a petition on Change.org, which in turn has a link back to the GBlaw website in order to submit support emails. (Appendix 3 & 4)

- There is NO Validation where these emails are coming from.
- There is NO Validation whether any of the submissions are coming from automated software
- There is NO Validation – if they were real people – where they live and even part of desert ridge
- They’re sharing very little information about the full scope of the project.

**IN CONCLUSION**

I’m completely blown away by the amount of effort that these attorneys and developers put behind their proposals in order to ruin neighborhoods, endanger school areas, and negatively impact sought after communities for their profits.

There is no eagerness in this community and online petitions and handwritten signatures underline that this proposal was based on misinformation and not substantiated by any research of community needs.

I sincerely hope that the City Planner, City Planning Committee and City Council will see this development for what it is and oppose the zoning change, **without compromise**. There is nothing that will be accepted by this community, other than the current zoning.

Please decline the entire proposal in all its forms and keep the residential zoning as it is, or pro-actively work with our community directly to find a more valuable use for this land around Pinnacle high school and near our 3 communities and stop any incoming future proposals immediately.

Sincerely,

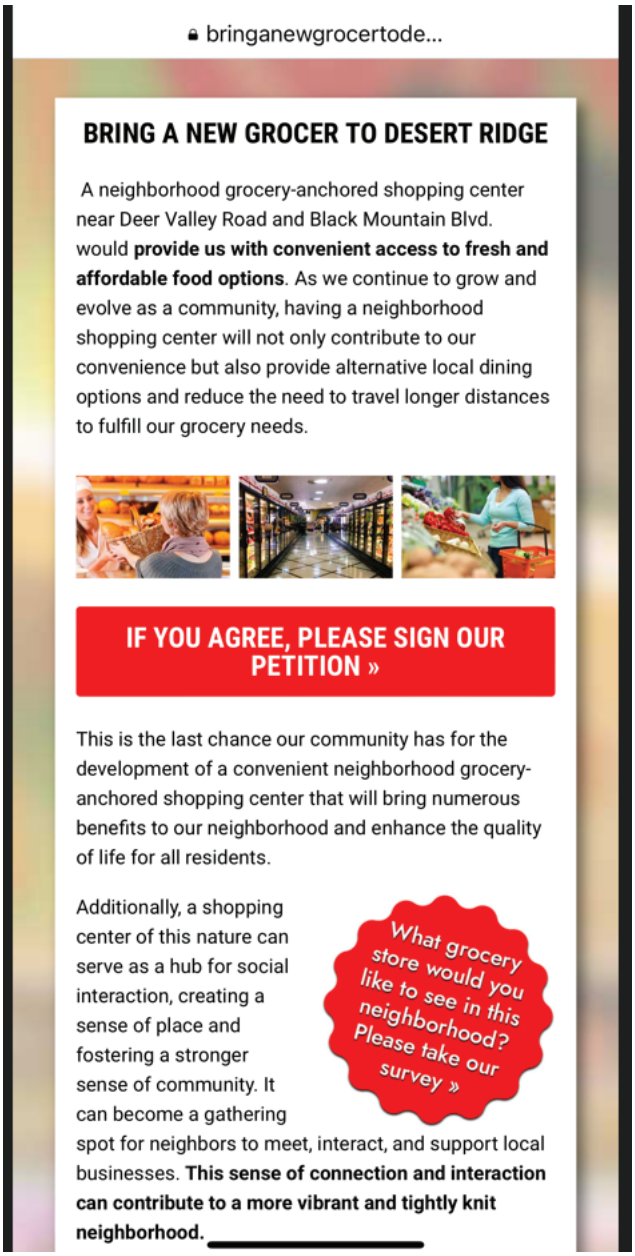
Wouter Roodenburg

APPENDIX 1: TRAFFIC CONGESTION and COMMERCIAL ZONING



APPENDIX 2 – FACEBOOK ADS

They are misrepresenting the full plan of this proposal in order to get people to vote for this.



APPENDIX 3 GBlaw submission form and petition Link

## Why this petition matters

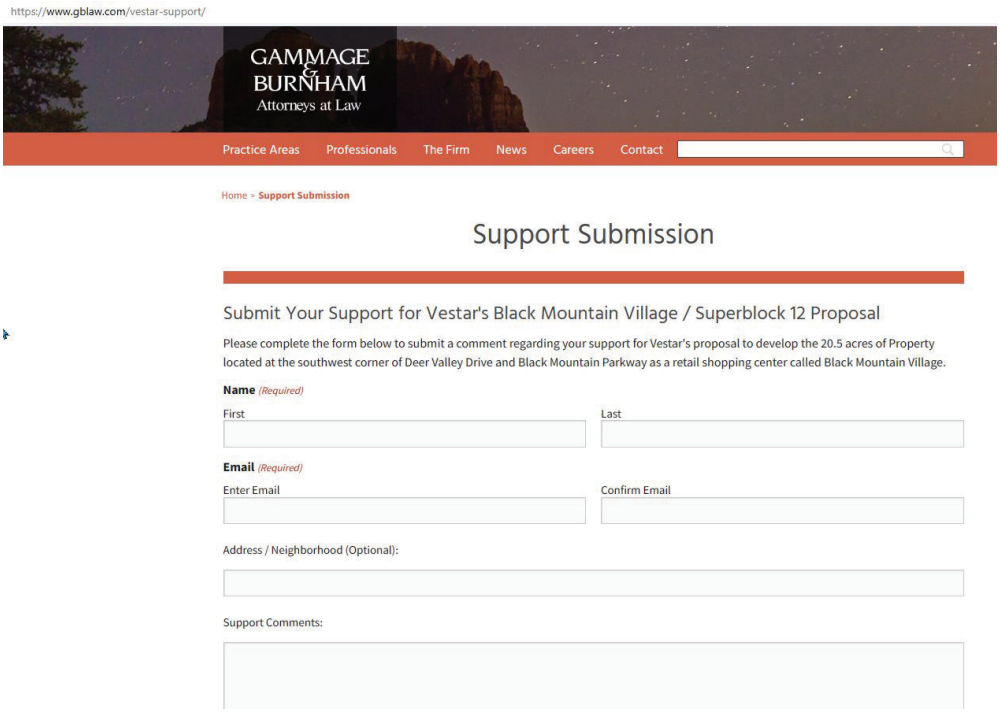
Started by **New Grocer**

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center. We believe that such a development will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

A well-planned and community-oriented development of this kind will also add significant value to our neighborhood without compromising its unique character.

Please **follow this link** to let city leaders know you support more grocery options.



APPENDIX 4 – Gblaw petition: BRING NEW GROCER petition (per 9/19/23)

https://www.change.org/p/help-bring-a-new-grocer-to-desert-ridge-please-sign-our-petition

This was started in September, a full 2 months after the letter of explanation was send.

# Help Bring A New Grocer To Desert Ridge. Please Sign Our Petition.




Started September 1, 2023

## Why this petition matters

Started by New Grocer

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

220 Signatures

500 Next Goal

Support now

## Sign this petition

Defend Desert Ridge United States

I'm signing because... (optional)

Display my name and comment on this petition

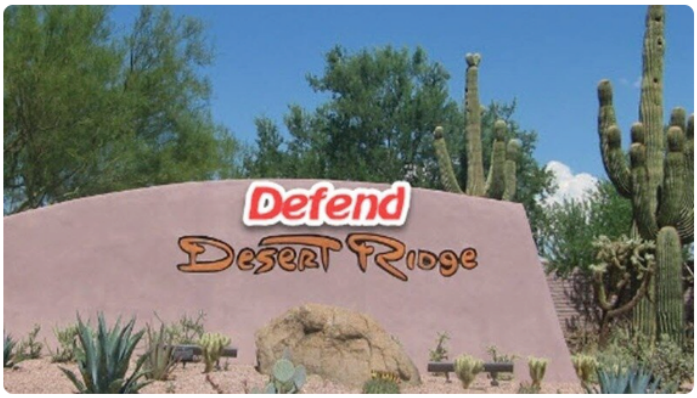
Sign this petition

APPENDIX 5 – RESIDENTS PETITION : Oppose Commercial rezoning in Desert Ridge

https://www.change.org/p/oppose-commercial-rezoning-in-desert-ridge

So far we have TWICE the support to oppose the proposal, excluding written signatures.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

## Why this petition matters

Started by **Defend Desert Ridge**

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

408 Signatures

500 Next Goal

**402 people** signed this week


Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

APPENDIX 6 Desert Ridge Specific Plan – Current Plan around 3 acre neighborhood centers

NOTE: I thought it would be helpful to include these chapters around the original intent of neighborhood convenience commercial.

1) Convenience commercial NOT more then 3 acres max
2) Neighborhood convenience store can be 5000 sqft max (see site design) NOT 100,000
3) Away from Arterial streets
4) No Drive Through
5) Only Beer/Wine allowed

*Neighborhood Unit Concept as the Basis for Community Design*

One of the principal problems of our sprawling western cities is the lack of connection residents feel to each other, and any sense of identification with the population at large. Desert Ridge is structured to build in a strong sense of identification and orientation.

Each neighborhood superblock generally consists of one square mile of residential uses. At the heart of most superblocks is a neighborhood park, an elementary school and no more than 10,000 square feet, excluding child care facilities, of neighborhood convenience commercial uses on a minimum of one acre and maximum of three acres. The convenience commercial uses are intended to be very limited in size, yet provide a range of necessary goods and services. They will be located internal to superblocks, at least 600 feet from arterial streets, so as to be accessible only from the internal collector road system and from a pedestrian path system. This location will present an opportunity to reduce the number of potential automobile trips taken for convenience shopping purposes. Potential neighborhood convenience centers are illustrated on Figures 7 and Figure 8. ***1**

The relationship between the convenience commercial, elementary school and neighborhood park uses will require special attention to inherent conflicts between and among these uses (e.g. school children and park users with vehicular traffic). As a rule, the convenience center will be located a minimum of 300 feet from any school uses. There should be no commercial development located adjacent to elementary schools. Possible relationships between these uses are illustrated on Figures 9 and Figure 10. ***1**

A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development. ***1**

Depending on each residential development, a neighborhood could include a small community center, a swimming pool, tennis courts and other recreational facilities. These recreational facilities may be located in all superblocks. These facilities may be developed in conjunction with local subdivision associations. Child care facilities, however, will be located in all but three of the smallest superblocks. Each neighborhood is designed to be developed independently, encouraging individual character and identify; a range of housing densities is included in each neighborhood, allowing for a healthy economic mix. Provisions should be made for housing for the elderly and retired persons, as well as persons living in assisted care facilities. ***1**

The neighborhoods are bounded and served by major arterial boulevards, with collector streets accessed from the boulevards occurring at no less than one quarter mile intervals. The local streets will loop through residential areas creating a neighborhood character. No shortcuts between arterials through the neighborhoods will be found, discouraging any traffic other than local.

The majority of residences will be within a five to ten minute walk of the local park, elementary school and neighborhood convenience commercial uses in most superblocks. A system of pedestrian/bicycle paths along the wash corridors will meander through most neighborhoods, providing direct linkage to the neighborhood center, encouraging walking and reducing dependence on the automobile for local trips. Children will, in most cases, be able to walk to their elementary school on paths within wash corridors without ever having to cross an arterial street. Each neighborhood will feel pedestrian oriented, encouraging a sense of community among residents. ***1**

## C.3 Convenience Commercial Uses

### C.3.A General

Most residential superblocks have neighborhood convenience commercial centers. These centers are planned to be located in proximity to the elementary school, and neighborhood park within each superblock as presented in Chapter 5. These centers are located internal to superblocks at least 600 feet from an arterial street, so as to be accessible only from the internal collector residential loop road system and from the pedestrian trail system within the wash corridors. This presents an opportunity to create a self-sustaining community within a superblock thereby reducing the number of potential automobile trips taken for convenience shopping purposes.

The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and are not intended to serve a population outside the superblock boundary. The maximum total acreage for neighborhood retail uses, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, shall be three (3) net acres, while the minimum acreage will be one (1) net acre.

**C.3.B.2 Modified City of Phoenix Regulations Imposed by this Specific Plan.**

a. Minimum Lots Size/Maximum Lot Size

The minimum lot size shall be one (1) acre exclusive of street rights-of-way. The maximum lot size shall be three (3) acres exclusive of street rights-of-way.

b. Maximum Building Area

Maximum of 10,000 square feet of gross leasable floor area per superblock, exclusive of floor area required for one child care facility per superblock (in other words, the child care facility may be in addition to the 10,000 square feet of gross leasable area); no more than 7,500 square feet of gross leasable floor area per superblock devoted to convenience market retail uses. The convenience parcel must be landscaped similar to the surrounding area until development of the parcel occurs. ***2**

c. Permitted Uses:

Only the following uses are permitted in this district.

- Child Care Center
- Dry Cleaner/Laundry outlet, not plants **+2**
- Convenience Market (selling and display space for beer and wine shall be limited to a maximum of 15% of total selling space) **+2**
- Delicatessen or other sales of prepared food limited to maximum of 1,000 square feet exclusive of outdoor dining areas ***2**
- Bakery, retail sales **+2**
- Beer and wine sales only; no hard liquor sales
- Beauty/Barber Salon
- Video tape rentals as part of convenience market.
- Florist
- Pharmacy
- Shoe Repair
- Booksellers and Rentals, except adult bookstores **+2**
- Candy Shops/Confectioneries, retail sales **+2**
- Gift Shops/Novelties/Stationers, retail sales **+2**
- Hobby Goods Stores **+2**

- Ice Cream Shops **+2**
- Picture Framing, custom **+2**
- Residential Office **+9**
- Travel Bureau **+2**
- The Boys and Girls Club **+10**

d. Prohibited Uses:

Other than the uses listed above as permitted uses, all uses are expressly prohibited including the following:

- Mechanical or electronic video games or arcade - type devices for amusement purposes.
- Drive-through uses
- Sales of package liquor other than beer or wine.

e. Maximum Building Height: 1 story not to exceed 20 feet

f. Minimum Building, Parking Lot, and Setbacks: 25 feet away from any property line and/or right-of-way line. **-2**

g. Parking requirements: One stall per 300 square feet gross building floor area, or per City Ordinance. **+2**

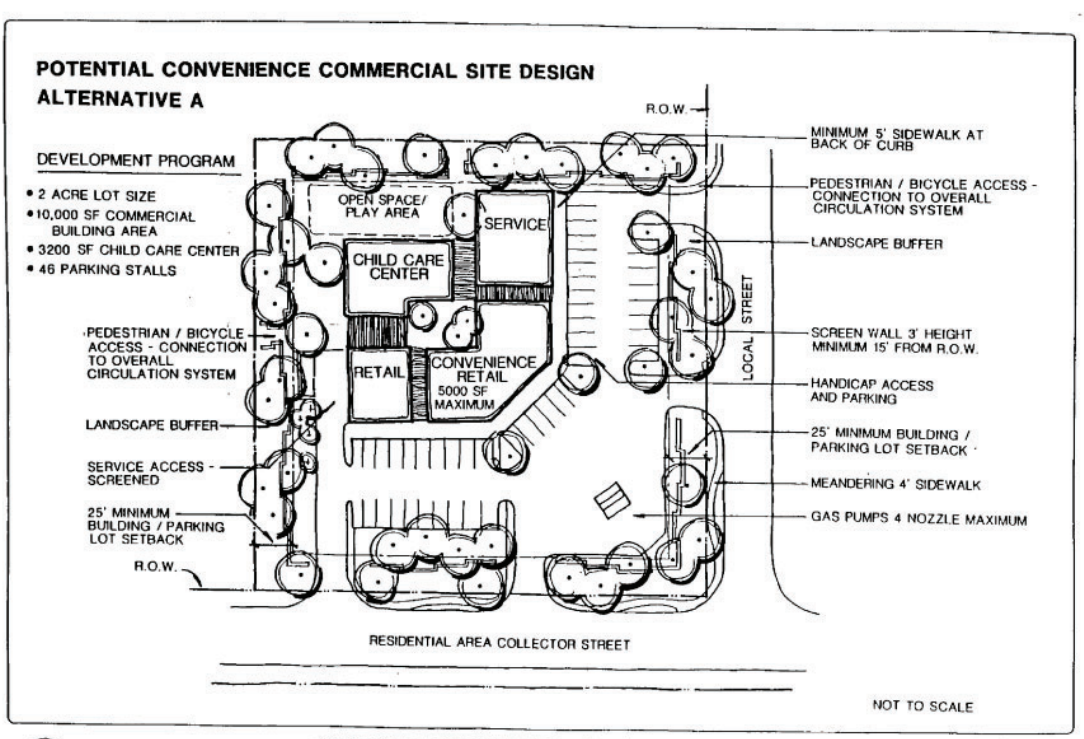
h. Signage

1. Temporary signage

   Signage will be developed during a subsequent planning stage. See Appendices.

2. Permanent Signage

   Signage will be developed during a subsequent planning stage. See Appendices.




DESERT RIDGE NORTHEAST PHOENIX PARTNERS

7 BRW

Appendix 7 – Desert Ridge Specific Plan – Public Facility Plan

This chapter describes the provisions for public facilities like Ride-and-Go and Libraries

These are currently in the planning and would increase our sense of community.
What if a Planning Commission would decide to put library next to 2 schools for kids to go to.
What a great concept and it fits right into the goal of bringing a neighborhood together.

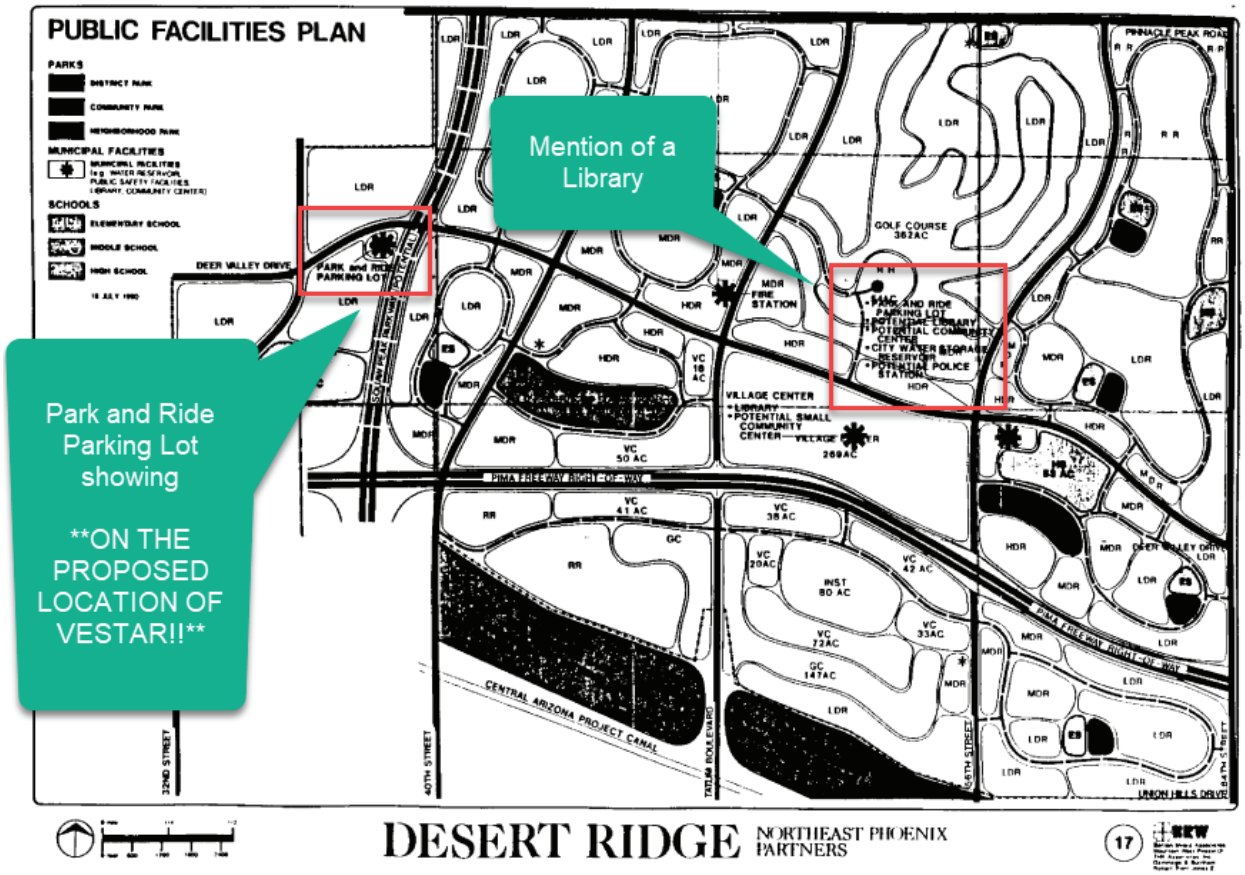
Also – please note that in this version of the plan, a Park and Ride parking lot is showing on the proposed site. Why wouldn't we want to do that and execute the plan.

## F. PUBLIC FACILITIES PLAN

At buildout, Desert Ridge is a planned community for over 59,000 residents and 20,000 employees. Public facilities are an essential element for the planning and development of a large master planned community such as Desert Ridge. The following public facilities have been located within Desert Ridge using the approved planning criteria of each responsible government agency, department and school district.

- Parks
- Library
- Fire Station
- Community Center
- Public Schools

The locations of these facilities are illustrated on Figure 17, *Public Facilities Plan*.



Appendix 8 – New Drop off Route



| | |
|---|---|
| **From:** | js |
| **To:** | Anthony M Grande; Council District 2 PCC; PDD Long Range Planning |
| **Cc:** | Katie Shashaguay |
| **Subject:** | Vestar Rezoning near Sky Crossing- Not your normal opposition email |
| **Date:** | Thursday, September 21, 2023 9:06:42 AM |
| **Attachments:** | image.png |

Hello Anthony,
As a homeowner in the Sky Crossings community I am writing to you today to voice my concerns about the rezoning proposed by Vestar development for the plot of land on the corner of Black Mountain and Deer Valley.

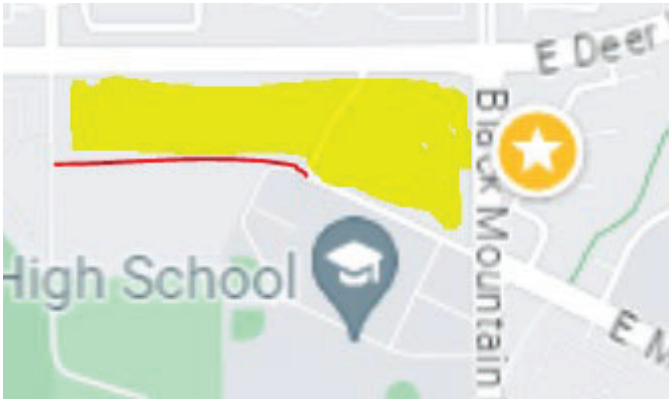
**My intention with this email may be a bit different than some others that are opposing the rezoning as I am only opposed to the change based on the current guidelines. The concerns I have are with the lack of limitations placed on the development proposed and the traffic patterns suggested for nearby residents. Let me explain.**

As I understand it the Max sq footage of the proposed grocery store would be 100,000 sq ft. In my opinion this is far too large for the community. **I would be in favor if the max sq ft was closer to 50,000 as this would attract a smaller more neighborhood friendly store and allow more retail space for local businesses which serve to bring the community together better than a big grocery.**
This would even lend itself to a development plan that could **recreate more of a "main street" feel with business lining a small street**. It would be nice to incorporate a small park for people to gather or even a space for organized neighborhood gatherings and events. It could be a destination, within walking distance, for the community to gather, shop, eat and for kids to play. There is nothing like that nearby currently that brings all of the nearby neighborhoods together.

**My other major concern is the traffic pattern proposed.**
There would be no way for someone leaving that development to get to Sky Crossing without taking a U-turn or cutting across traffic to get to a turn lane. **This could be remedied by extending the proposed Mayo Blvd improvements all the way to 32nd street as then there would be a light allowing people to safely exit the area in either direction.**

In summations, I would love to see that entire space (see pic below) turned into a retail / public use space that would include a small grocery, shopping, a park, a small amphitheater for neighborhood concerts and events. **I'd like to see something that welcomes neighbors in and encourages us to spend time (and $$) as a community, building friendships and memories together as our kids grow up.**

***This is an opportunity to do something different and set a precedent for neighborhood planning and development to come.***




I understand that the highlighted area is larger than what's proposed but wouldn't it be a great place to bring people together?

Thanks for your time .

Jovan Shashaguay
Sky Crossing resident
312-450-5450- feel free to call anytime

**From:** Susan Diamant
**To:** Anthony M Grande
**Subject:** No
**Date:** Thursday, September 21, 2023 9:43:14 PM

---

Dear Sir,
I have been a Desert Ridge resident since 2001. During this time i've gotten married, had a child and she has enjoyed the relaxed
family environment that these neighborhoods currently provide and well as safety and bike riding.
Please consider the values that this neighborhood has offered and desired prior to this refining issue. Some thing are best left alone and this neighborhood is one of those places here in the valley.

Sincerely,
Susan

Sent from my iPhone

| | |
|---|---|
| **From:** | Robin Bowie |
| **To:** | Council District 2 PCC |
| **Cc:** | Anthony M Grande |
| **Subject:** | Rezoning of 20.52 acres |
| **Date:** | Friday, September 22, 2023 10:36:26 AM |

Dear Councilman Waring and Mr. Grande:

My name is Robin Bowie and I have been a resident of Desert Ridge since 2004. My husband, Charlie Bowie, was the former President of Toll Brothers Arizona Division and worked closely with the City of Phoenix and the Planning Commission to build one of the best master planned communities in Arizona, Aviano.

I wanted to voice my concerns about the rezoning of approximately 20.52 acres located at the southwest corner of Black Mountain Boulevard and Deer Valley Drive (GPA-DSTV-2-23-2 (Companion Cases GPA-DSTV-3-23-2 and Z-39-23-2).

By rezoning this parcel from Residential 2 to 5 dwelling units per acre to Commercial directly affects the following:

1. The already problematic traffic in the morning and afternoons with the school start and stop times. The newer drivers from Pinnacle High School navigating that area on a daily basis will be at even more at risk with the additional traffic from the shopping center, especially if a coffee shop (as was eluded to by Vestar's attorney at the August 1st Planning Committee meeting) will be put there.

2. The possibility of a gas station being added to the Plan really is the worst of the worst. Now you are talking light pollution, large noisy trucks delivering the fuel and supplies, as well as possible contamination of the soil with any gas or oil leaks. And then there is the vagrancy issue. The homeless and panhandling has already been an issue sprouting up in Desert Ridge and now with the new shopping center they will start migrating there.

3. Crime - inevitable things that happen when there is a shopping center. And add to that the proximity of the on/off ramp of SR51. That exit will then be used by more vehicles who will want to use that shopping center, especially if there is a gas station there. I would also think that having a shopping center right next to the high school would draw those same kids into becoming a nuisance as well. Just ask anyone about the teen problem at the Marketplace and how Target had to hire a Police Officer to guard their store with all of the teens hanging out there. And the same holds true for adding a fast food chain. Look at what happened a few months ago at In and Out Burger with the teens getting into fights and the young man who lost all of his front teeth. Teens are going to be teens but again, why do we want to bring that right into the middle of our neighborhood.

5. By adding a "boutique" or any other grocery store you have the issue of loading docks and large semi-trucks coming in the middle of the night with their loud engines and beeping noises unloading merchandise so close to the houses in that general vicinity.

The project summary on the Gammage & Burnham website claims: "growing demand and need for additional commercial and retail options in the Desert Ridge area." Desert Ridge Marketplace already encompasses a large parcel of land, High Street with its restaurants, shops and a small grocery store and add to that City North which is currently in the developing

stages. "City North will be an "urban core" that upon completion will bring over 3,400 additional apartment units, over 2 million square feet of Class A office development along the Loop 101 freeway, ±1,000 hotel rooms and several new restaurants to the heart of the Desert Ridge, Arizona's largest master planned community." (This paragraph copied from https://www.citynorthdesertridge.com/ [citynorthdesertridge.com]). Desert Ridge has plenty of "additional and retail options" especially given the fact that it is already becoming more and more dense with traffic from the existing Marketplace, the new housing all along 56th Street, as well as Deer Valley Road, City North, and the new apartments slated for the Northeast corner of Tatum/Deer Valley.

I personally have spoken to several homeowners and they are all in agreement that this is not wanted or needed. I have signed the Petition that is currently circling the area. I understand that the Developer is going from door to door looking to convince the neighbors that this is a good idea.

It is my hope that the Planning Committee will take my comments and the comments of the other neighbors who are signing the petition and writing letters into consideration when making their decision on whether or not to rezone this parcel. When I moved to Desert Ridge back in 2004 everything surrounding Aviano was zoned residential. I have watched all of the new developments come to life around me. I'm fine with that and am not a NIMBY. My husband was a builder. The people most directly affected by this, the ones whose properties will look at or back to this new shopping center, do not deserve this. Residents purchased their homes in this community assuming that, according to the Public Report given to every homeowner purchasing a home, that this parcel was zoned residential, not commercial. Pinnacle High School has been and continues to be bursting at the seams. The parking situation is such that there is not enough parking for all of the students, the pickup and drop-off to the school is a nightmare and if there are any school events there is not enough parking for all of the attendees. If any zoning modifications are going to be made to this piece it should be that the State Trust Land Department should either donate a a piece of this land to the school or possibly have the school district buy it.

I had suggested, as did others at the Public Meeting held on August 1, 2023 that Vestar should look into the parcel that is at the southwest corner of Pinnacle Peak Road and Cave Creek Road. There are plenty of houses surrounding that area to support a shopping center there. Vestar is not looking to make the lives of the residents in this neighborhood better by having things more convenient for them, they are looking at how much more money this will make for them. Commercial development belongs on the outside of a neighborhood, not smack dab in the middle. Convenience comes at a price and I for one do not want to pay that price. I'm happy to get in my car and drive 3-5 minutes to get gas, groceries, coffee and fast food.

Thank you for your time and consideration.

Robin Bowie
Hague Partners
602.329.9005 MOBILE

**From:** Jost, Kevin
**To:** Anthony M Grande; Council District 2 PCC; PDD Long Range Planning
**Subject:** Deer Valley/Black Mountain Development Plans?
**Date:** Friday, September 22, 2023 3:56:56 PM
**Importance:** High

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Hello Mr. Grande and City Councilman Waring,

I wanted to write and let you know that hundreds of people are having discussions around the land that is just north of Deer Valley Road and west of Black Mountain Blvd in North Phoenix (Zip 85050).

There is so much discussion and misleading information that is getting shared across social media platforms and even legal firms are sending out notes to try and persuade residents in our communities to be in favor of new land development.

I moved to Arizona 12 years ago and built a home in the Fireside Community, I also have lived in the Aviano community and now live in the Sky Crossing community. **I'm very much opposed to building out a large grocery store & gas station/fast food mall/commercial development on this patch of land.**

If you need any further information from me, please let me know.

Thanks for listening and I look forward to meeting you on October 3rd.

Kevin

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**From:** Melissa Resslar Mitschke
**To:** Anthony M Grande
**Subject:** Proposed Redevelopment at Black Mountain and Deer Valley
**Date:** Friday, September 22, 2023 12:03:27 PM

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Hello Mr. Grande- I am a resident in the Sky Crossing subdivision, which is to the north of the proposed redevelopment of the land that is at the southwest corner of Deer Valley and Black Mountain. I am writing to express my concerns regarding the proposed redevelopment.

1. Traffic Concerns :Traffic during the school year between the hours of 7:10-7:30 am and 2:00-3:00 pm is already very high in the immediate area. It is considerably worse during that afternoon block, as there are a large number of parents in the area to pick their high schoolers up from school. This makes it very difficult to get through the intersection. In addition, high school students are haphazardly crossing major streets during this time. Two students were hit by vehicles last year while trying to cross the street. While I understand that this is somewhat of an issue for PV schools to figure out, it seems as if the developer has not addressed this other than to acknowledge that there will be increased traffic in the area. I would encourage members of the planning committee to drive by that area during those times to get a sense of the congestion. My hope is that if the redevelopment is approved, the developer agrees to fund and construct a walkway over Deer Valley (similar to the one over Black Mountain) so that the high school students walking from Sky Crossing can safely make it to school. Unfortunately, there is no bus service for these students due to the close proximity of the school and the increased traffic is only going to make it more dangerous for them.
2. Liquor Sales: It is my understanding that the developer is asking for a variance from the liquor law rules in order to be able to develop the space to include a gas station, grocery store and restaurants that serve alcohol. I would encourage the committee to consider the fact that there is a high school within the immediate vicinity and a large potential for children to attempt to illegally purchase alcohol.
3. Aesthetic Concerns: Understanding the high likelihood that this land will be re-zoned, my hope is that it can be developed in a thoughtful way that takes into account the aesthetics of the area and the high property values of the nearby homes. This could include a small/higher end grocery store (like an AJs or Whole Foods) with higher end restaurants and shops rather than the developer seeking to maximize their profit on the space by including a gas station, fast-food restaurants, large grocery store (Frys/Safeway), etc. The noise, light and traffic coming from the area will definitely change the aesthetic of the area, so anything that can be done to minimize that would be appreciated.

Thank you for your time,
Melissa Mitschke
22614 N. Cave Butte Street, Phoenix 85050

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Defend Desert Ridge - Oppose Commercial rezoning in Desert Ridge : Petition Results |
| **Date:** | Friday, September 22, 2023 12:17:45 AM |
| **Attachments:** | petition_DefendDesertRidge.pdf<br>petition_signatures_DefendDesertRidge.pdf |

Please find attached the petition results with regards to Black Mountain Village case : GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

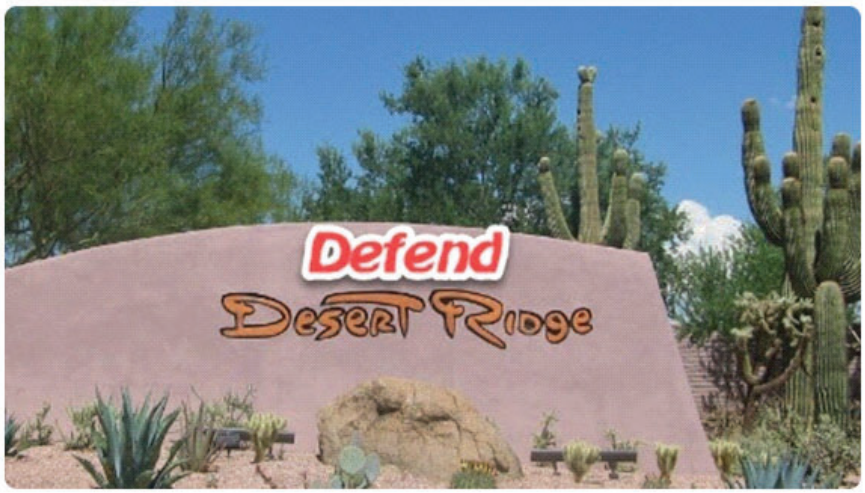
These 473 votes opposing the proposal are not the final results but our residents wanted to make sure it makes it into the case file for the October 3rd meeting.

Petition · Oppose Commercial rezoning in Desert Ridge · Change.org [change.org]

Kind regards,

Wouter.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

## Why this petition matters

Started by Defend Desert Ridge

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

473 Signatures

500 Next Goal

334 people signed this week

Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

We oppose because it will significantly increase traffic in your neighborhood and impact safety around the schools, it will increase light, air and noise pollution to our quiet neighborhood. It will attract all of the problems and crimes you see already at Desert Ridge Marketplace, Fast Food Restaurants and around Gas Stations today. Furthermore it will negatively impact the behaviors of high school students and endanger kids attending the elementary school. In short, nothing good will come of this.

If you want a new grocer, encourage them in the pre-approved commercial zones around the corner on Cave Creek and Pinnacle Peak that should be used instead of encroaching on our beloved neighborhood.

By signing this petition, you would like to let the Planning Committee and City Council know that you oppose this rezoning request and the land should stay residential.

Goto : **defenddesertridge.godaddysites.com** for more information.

- **Sign BEFORE September 19 for your voice to be heard.**
- **Please ATTEND the review meeting at PV Community center on October 3rd @ 6:30pm to show your support.**

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| Defend Desert Ridge | | | | US | 9/14/2023 |
| Eliza Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Candy Hamer-Huether | Phoenix | AZ | 85004 | US | 9/14/2023 |
| Taylor Morgan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Brielle Cam | Kailua | | 96734 | US | 9/14/2023 |
| Emily Sheets | Columbus | | 43231 | US | 9/14/2023 |
| Wais Zadran | El Dorado Hills | | 95762 | US | 9/14/2023 |
| Robin Harding | Milford | | 1757 | US | 9/14/2023 |
| gwyneth rolins | Kailua Kona | | 96740 | US | 9/14/2023 |
| george vong | Norcross | | 30093 | US | 9/14/2023 |
| Petro Volokh | Silver Spring | | 20904 | US | 9/14/2023 |
| Karen Smith | Indianapolis | | 46201 | US | 9/14/2023 |
| Coreen Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Susan Ze | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Larry Gartner | Phoenix | AZ | 85015 | US | 9/14/2023 |
| Robert Schmitz | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gabby Zamora | Whittier | | 90603 | US | 9/14/2023 |
| Rosie Lopez | Las Vegas | | 89142 | US | 9/14/2023 |
| sophilia ashley | Shonto | | 86054 | US | 9/14/2023 |
| Kayla Shuch | Phoenix | | 85029 | US | 9/14/2023 |
| Martina Gorman | Ganado | | 86505 | US | 9/14/2023 |
| Heather McDonough | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Dan Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jovan Shashaguay | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Michael Coppola | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Austin Ward | Corvallis | OR | 97330 | US | 9/14/2023 |
| Praveen Mahadevaiah | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Rajesh Gadde | Phoenix | AZ | 85006 | US | 9/14/2023 |
| Rajendra Danda | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kavita Chandak | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Arvind Sharma | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mahitha Valluri | Desert ridge | AZ | 85050 | US | 9/14/2023 |
| Rohit Aggarwal | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Dattatraya Kale | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Mrinalini Kale | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vinesh Soni | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Krishan Kumar | Phoenix | AZ | 85001 | US | 9/14/2023 |
| A Sha | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kristen Combes | Fishers | IN | 46038 | US | 9/14/2023 |
| Rashmi Vaidya | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Gomathi Selvam | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Nandita Khera | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Vin Kode | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Kalyani Moola | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Pradeep Chandra | Sky Crossing | AZ | 85050 | US | 9/14/2023 |
| Silpa Alapati | Phoenix | AZ | 85050 | US | 9/14/2023 |

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| Prakash Kannan | Phoenix | AZ | 85009 | US | 9/14/2023 |
| Dolly Yalamanchi | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Pooja verma Rajput | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Eric Damko | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Hatim Kapadia | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Manika Patel | Phoenix | AZ | 85036 | US | 9/14/2023 |
| Sam M | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Neeraj Chandak | Phienix | AZ | 85050 | US | 9/14/2023 |
| Varun Jindal | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Sra Vana | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Matthew Chitwood | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Raju Omkaram | Highland Park | IL | 60035 | US | 9/14/2023 |
| Amy Mitchell | Gilbert | AZ | 85295 | US | 9/14/2023 |
| Archana Nagarajan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Mabry Biggs | Spring Hill | | 37174 | US | 9/14/2023 |
| Alec Wiley | Albany | | 12208 | US | 9/14/2023 |
| Maria karla Gomez | Hollywood | | 33020 | US | 9/14/2023 |
| Anna Laidler | East Stroudsburg | | 18301 | US | 9/14/2023 |
| Poja Singhvj | Phoenix | AZ | 85001 | US | 9/14/2023 |
| David Tucker | Boone | | 50036 | US | 9/14/2023 |
| Ollie Kettle | Barrington | | 60010 | US | 9/14/2023 |
| Karen Martin | Roanoke | | 24015 | US | 9/14/2023 |
| Connor Macaluso | Marion | | 43302 | US | 9/14/2023 |
| Pee shti | Alhambra | | 91801 | US | 9/14/2023 |
| my nam jef | West Plains | | 65775 | US | 9/14/2023 |
| Alvie Williams | Columbus | | 31907 | US | 9/14/2023 |
| Elizabeth Werkstell | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Alex Bowles | Urbana | | 43078 | US | 9/14/2023 |
| Adam Friedlander | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Shelley Flecky | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Justin Popnoe | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jeffrey Leitner | Phoenix | AZ | 85017 | US | 9/14/2023 |
| Mike Bozzelli | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Michael Bauschka | Phoenix | AZ | 85003 | US | 9/14/2023 |
| Susan Smith | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Amie Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Jeff Miksta | Phoenix | AZ | 85001 | US | 9/14/2023 |
| John Casler | Los Angeles | CA | 90060 | US | 9/14/2023 |
| Laura Richards | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Christi Robinson | Phoenix | AZ | 85008 | US | 9/14/2023 |
| Lokesh Anand | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Prerna Mehla | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Kerry Baker | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Archana Gangadhar | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Susan Sheroff | Phoenix | AZ | 85041 | US | 9/14/2023 |
| Natalie Walker | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Mokhtar Boukhari | Phoenix | AZ | 85001 | US | 9/15/2023 |

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| Heidi Van Newkirk | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zubair Shora | Miami | | 33197 | US | 9/15/2023 |
| Lindsey Prock | Myrtle Beach | | 29588 | US | 9/15/2023 |
| Suchithra Kumar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Taiya Wooden | Hollywood | | 33027 | US | 9/15/2023 |
| Joseph Zandlo | Kansas City | | 66104 | US | 9/15/2023 |
| Diego Morales | Los Angeles | | 90028 | US | 9/15/2023 |
| Journey Johnson | Moultrie | | 31768 | US | 9/15/2023 |
| Tom George | Rowlett | | 75089 | US | 9/15/2023 |
| Courtney Osaki | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Livan Peraza | Miami | | 33138 | US | 9/15/2023 |
| Wouter Roodenburg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Manmeet Duggal | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Sarah Jewett | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kamna Gaur | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Neeraj Umarjikar | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Wenjie Tang | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Lulu Wang | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yu Chieh Phan | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Peter Khuu | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Katelyn Chen | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Man Feng | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Melissa Ruetten | Phoenix | AZ | 85016 | US | 9/15/2023 |
| Mary Shullaw | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Kari Williams | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Biju Mon Payyappilly Paulose | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rashi Agar | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Andrea Keegan | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sara Millett | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Marisa OConnor | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Brad Berg | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Rebecca Mauck | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Remie Loudy | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Daniela Betancourt | Holland | | 49423 | US | 9/15/2023 |
| Margaret Allen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Addison Spradlin | Cantonment | | 32533 | US | 9/15/2023 |
| Thomas Tredrea | Batavia | | 60510 | US | 9/15/2023 |
| meghan parker | Hobart | | 46342 | US | 9/15/2023 |
| Gunja Maskay | Phoenix | AZ | 85040 | US | 9/15/2023 |
| Alexis Quijano | Austin | | 78703 | US | 9/15/2023 |
| Melody Mendez | bristol | | 6010 | US | 9/15/2023 |
| Brooke Williams | Phoenix | AZ | 85009 | US | 9/15/2023 |
| Miguel Sierra | Bedford | | 76021 | US | 9/15/2023 |
| Jody Wilmes | Phoenix | AZ | 85041 | US | 9/15/2023 |
| Buthaina Salem | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Girish Mour | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Nicole Koolick | Phoenix | AZ | 85001 | US | 9/15/2023 |

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| N K | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Srini Moola | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Saba Joshaghani | Alhambra | | 91803 | US | 9/15/2023 |
| Samson Afeworki | Aurora | | 80010 | US | 9/15/2023 |
| Khairmohammad Akhondzada | West Valley City | | 84128 | US | 9/15/2023 |
| Mamta Jain | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Tiffany Andersen | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Alyse Meislik | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Kurt H. Miller | Miami | FL | 33197 | US | 9/15/2023 |
| Shea McCormick | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Elliott Cropp | Phoenix | AZ | 85017 | US | 9/15/2023 |
| Jennifer Reams | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Yan Dai | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jane Soukup | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Joshua Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Kathy Nassar | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Melissa Chandlee | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Rebecca Reedy | Phoenix | AZ | 85069 | US | 9/15/2023 |
| Mallorie LaForest | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Ariana Bowie | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Layla Saikley | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Gina Walstad | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Vikas Upadhyaya | Phoenix | AZ | 85003 | US | 9/15/2023 |
| Meredith Pollov | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Natalee Karre | Fredonia | | 66736 | US | 9/15/2023 |
| Abi P | Houston | | 77099 | US | 9/15/2023 |
| Esther Fatokun | Terre Haute | | 47807 | US | 9/15/2023 |
| Terry Blaze | Secaucus | | 7094 | US | 9/15/2023 |
| Alessandra Villar | Hialeah | | 33012 | US | 9/15/2023 |
| Debbie Miller | Phoenix | AZ | 85002 | US | 9/15/2023 |
| Celeste Cesario | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Ryan Waddington | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Jingyi Shi | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Robert Markus | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Bharathi Jayaraman | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Terra Sosa | Mesa | AZ | 85050 | US | 9/15/2023 |
| Darren Powell | Kenai | | 99611 | US | 9/15/2023 |
| Corey Emslie | Mobile | | 36612 | US | 9/15/2023 |
| Laura Drachler | Phoenix | AZ | 85001 | US | 9/15/2023 |
| addison castoe | Diamondhead | | 39525 | US | 9/15/2023 |
| Oluwakemi Adedoyin | Indianapolis | | 46255 | US | 9/15/2023 |
| Stacy Taouil | Phoenix | AZ | 85007 | US | 9/15/2023 |
| Melissa Wozniak | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Zak House | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Manasi K | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Maritza Lopez | Houston | | 77052 | US | 9/15/2023 |
| HEY WHY SUNSHINE | Dallas | | 75270 | US | 9/15/2023 |

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|---|---|---|---|---|---|---|
| Your Mother | Akron | | | 44307 | US | 9/15/2023 |
| Alan Walstad | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Kristi Huebner | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Brady Pollov | Phoenix | AZ | | 85017 | US | 9/15/2023 |
| Helana Doyle | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Michelle Bach | Phoenix | AZ | | 85066 | US | 9/15/2023 |
| Debbie Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Leslie Ziff | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mike Bolde | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paige Casler | Cave Creek | AZ | | 85331 | US | 9/15/2023 |
| Rusty Benton | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Greg Nelson | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Melissa Schwan | Phoenix | AZ | | 85006 | US | 9/15/2023 |
| Robert Abbott | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Manisha Gowlikar | Phoenix | AZ | | 85029 | US | 9/15/2023 |
| Emily Mohr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| KellyAnn Laffey | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| DeAnna Schaefer | Palmer | | | 99645 | US | 9/15/2023 |
| katarina melian | Oakland | | | 94610 | US | 9/15/2023 |
| Carmen Allen | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Joshua Curphey | Peterborough | | PE7 | | US | 9/15/2023 |
| Sabrina Sundquist | Phoenix | AZ | | 85016 | US | 9/15/2023 |
| Celine Beverly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kelci Hunter | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| George Mcnamara | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Qingyang Li | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mayra Boukhari | Phoenix | AZ | | 85041 | US | 9/15/2023 |
| Jill Young | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dana Epstein | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| William Kelly | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Rahul Menon | Scottsdale | AZ | | 85254 | US | 9/15/2023 |
| Xi Zhu | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Asmita S | Phoenix | AZ | | 85254 | US | 9/15/2023 |
| Michele Riordan | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Mark Allen | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Lisa Ormsby | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Paul Ormsby Jr | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Andy Mesecher | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Dean Terzic | Phoenix | AZ | | 85050 | US | 9/15/2023 |
| Slaven Gusak | Phoenix | AZ | | 85008 | US | 9/15/2023 |
| Valerie Givens | Phoenix | AZ | | 85001 | US | 9/15/2023 |
| Kiran Uppal | Phoenix | AZ | | 85054 | US | 9/16/2023 |
| Belinda Curtis | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Taylor Ungerer | Phoenix | AZ | | 85032 | US | 9/16/2023 |
| Carol Ferraco | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Chris O'Connor | Phoenix | AZ | | 85050 | US | 9/16/2023 |
| Erica Cooper | Phoenix | AZ | | 85024 | US | 9/16/2023 |

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|---|---|---|---|---|---|
| Jennifer Budiac | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Gregory Budiac | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linda Montgomery | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lavanya Udupa | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Natalie Leitner | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelsey Mathis | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Jenna Stoneberg | Phoenix | AZ | 85009 | US | 9/16/2023 |
| Lauren Knapp | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Chris Kay | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Chris Knapp | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Curt Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Claudia Pack | Phoenix | AZ | 85008 | US | 9/16/2023 |
| Susan Knapp | Scottsdale | AZ | 85261 | US | 9/16/2023 |
| Rebecca Eldridge | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kelene Otterson | Prescott | AZ | 86302 | US | 9/16/2023 |
| Sudha Ugendran | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jia Zeng | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Nicole Burnes | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Sara Buchanan | Phoenix | AZ | 85024 | US | 9/16/2023 |
| Meghann Jones | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kristy McCool | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Amy House | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Klair Moses | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Kimber Devoe | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Laura Ray | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Tanya Romero | phoenix | AZ | 85027 | US | 9/16/2023 |
| Preeti Menon | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Katherine Hutchins | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sridhar Yadav | Phoenix | AZ | 85016 | US | 9/16/2023 |
| Shannon Adams | Scottsdale | AZ | 85254 | US | 9/16/2023 |
| Vivek Varshney | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Rebecca Tischler | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Amitava Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Brandon Raper | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Tylor Tuttle | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Linnaea Godwin | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Postler-Pierce | Phoenix | AZ | 85950 | US | 9/16/2023 |
| Robyne Schultz | Los Angeles | CA | 90011 | US | 9/16/2023 |
| Jayeeta Kundu | Phoenix | AZ | 85080 | US | 9/16/2023 |
| Rhonda Waldersen | Scottsdale | AZ | 85262 | US | 9/16/2023 |
| David Stine | Phoenix | AZ | 43054 | US | 9/16/2023 |
| Michelle Stelnik | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Willis-Jost | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Stefani Zucker | Phoenix | AZ | 85017 | US | 9/16/2023 |
| Laura Reynoso | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Lorri Bucholz | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Melissa Berglind | Phoenix | AZ | 85050 | US | 9/16/2023 |

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|---|---|---|---|---|---|
| Cydney Hubbard | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sharon Knecht | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Catherine Dee | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kyle Reichert | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Rebecca de Jesus | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Kim Anderson | Phoenix | AZ | 85068 | US | 9/16/2023 |
| Kevin Jost | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Robin Bowie | Phoenix | AZ | 85004 | US | 9/16/2023 |
| Evelyn Grier | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Paul Bierbusse | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Sarah Gavigan | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Shuo Yang | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Krystle Edmonds | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jennifer Doolan | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Elizabeth Nelson | Seattle | WA | 98199 | US | 9/16/2023 |
| Linda Houston | Denver | CO | 80206 | US | 9/16/2023 |
| Danielle Deacon | Phoenix | AZ | 85001 | US | 9/16/2023 |
| John Pilzner | Phoenix | AZ | 85050 | US | 9/16/2023 |
| Jared Lewis | Phoenix | AZ | 85006 | US | 9/16/2023 |
| Jada Lewis | Phoenix | AZ | 85040 | US | 9/16/2023 |
| Andrea Remke | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Amanda Kaiser | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Wendy Moyer | Phoenix | AZ | 85007 | US | 9/16/2023 |
| Robert Houston | Denver | CO | 80218 | US | 9/17/2023 |
| Briana Brownell | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Shannon Lauer | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Alexandra Daniels | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Jeanne Comstock | Phoenix | AZ | 86314 | US | 9/17/2023 |
| Wendy Coyle | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Lisa McIntyre | Northville | MI | 48168 | US | 9/17/2023 |
| David Francyk | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hillary Grossman | Scottsdale | AZ | 85251 | US | 9/17/2023 |
| Stephanie Mason | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Sandra Itkowitz | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Hargun Kaur | Southington | | 6489 | US | 9/17/2023 |
| Marisela E. | The Bronx | | 10451 | US | 9/17/2023 |
| Yamilko Lugo | Miami | | 33102 | US | 9/17/2023 |
| Rachel Steinberg | Manhattan | | 60442 | US | 9/17/2023 |
| Hicham Mafhoum | Chicago | | 60625 | US | 9/17/2023 |
| Jameson Lutz | Melbourne Beach | | 32951 | US | 9/17/2023 |
| Isaac Sanchez | Fremont | | 43420 | US | 9/17/2023 |
| Jesus Jesus | Lewisburg | | 37091 | US | 9/17/2023 |
| Pamela Stewart | Houston | | 77064 | US | 9/17/2023 |
| cayla garcia | Miami | | 33169 | US | 9/17/2023 |
| Aimee Miranda | Aventura | | 33161 | US | 9/17/2023 |
| Daniel Pope | Provo | | 84604 | US | 9/17/2023 |
| Glen Pinckney | Atlanta | | 30301 | US | 9/17/2023 |

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|---|---|---|---|---|---|
| Jan Cerva | Phoenix | AZ | 85331 | US | 9/17/2023 |
| Brooke Yule | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Brandi Jenkins | Scottsdale | AZ | 85254 | US | 9/17/2023 |
| Jilanne Rose | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Brandina Wade | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Pete Cedor | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Larry Ladd | Chico | | 95928 | US | 9/17/2023 |
| J Brown | San Francisco | | 94109 | US | 9/17/2023 |
| araya habte | Los Angeles | | 90002 | US | 9/17/2023 |
| Miguelina Espiritu | The Bronx | NY | 10452 | US | 9/17/2023 |
| Sheila Bethancourt | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Bob Davis | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Sheila Long | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Ashlee Francisco | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Christine Alexander | Phoenix | AZ | 85006 | US | 9/17/2023 |
| kristi downing | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Britney Jacobs | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Hailey Yost | Phoenix | AZ | 85007 | US | 9/17/2023 |
| Shelly Jin | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chelsea Randall-McWherter | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Chan Jin | Phoenix | AZ | 85050 | US | 9/17/2023 |
| Maria Toro Toro | Phoenix | AZ | 85080 | US | 9/18/2023 |
| Cindy Ponciano | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Brianna Makos | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Wendy Piermarini | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Dawn Martinez | Phoenix | AZ | 85068 | US | 9/18/2023 |
| Mike Haug | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Ivy Biritz | Phoenix | AZ | 85024 | US | 9/18/2023 |
| Jason Epstein | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Divya Yoder | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jennifer Kindle | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Teresa Swingler | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Kristen Thielen | Phoenix | AZ | 85050 | US | 9/18/2023 |
| cristian achim | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Julie Richards | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Bob Giammarco | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Darlene Saucier | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Laura Pierce | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Christine Cowley | Phoenix | AZ | 85001 | US | 9/18/2023 |
| keith schmolze | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Jenny Naber | Phoenix | AZ | 85041 | US | 9/18/2023 |
| Jennifer Jost | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Allison Griswell | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Nidhi Krishna | Phoenix | AZ | 85050 | US | 9/18/2023 |
| KAUSHIK DILIP | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Ella Richards | Tempe | AZ | 85281 | US | 9/18/2023 |
| Audrey Hammond | Tempe | AZ | 85281 | US | 9/18/2023 |

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|---|---|---|---|---|---|
| Deb Kozak | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Erin Ruebbelke | Phoenix | AZ | 85050 | US | 9/18/2023 |
| Nirmalji Odedra | Phoenix | AZ | 85054 | US | 9/19/2023 |
| Jennifer Larson | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Bethany Lauber | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Justin Lauber | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Kathleen Brink | Bozeman | MT | 59715 | US | 9/19/2023 |
| lisa tims | Missoula | MT | 59801 | US | 9/19/2023 |
| Kayna Popnoe | Fort Worth | TX | 76127 | US | 9/19/2023 |
| Nick Popnoe | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Jim Popnoe | Fort Worth | TX | 76033 | US | 9/19/2023 |
| Audrey Boyd | Fort Collins | CO | 80527 | US | 9/19/2023 |
| Luis Hernandez | Cape Coral | | 33914 | US | 9/19/2023 |
| Elizabeth Ducar | Scottsdale | AZ | 85260 | US | 9/19/2023 |
| Scott Clark | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Nikolay Kapashikov | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Jennifer Francyk | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Sarah Torrilhon | Phoenix | AZ | 85024 | US | 9/19/2023 |
| Rebecca Cornell | Phoenix | AZ | 85001 | US | 9/19/2023 |
| Mara Tucker | Phoenix | AZ | 8505 | US | 9/19/2023 |
| Des D | Phoenix | AZ | 85032 | US | 9/19/2023 |
| Alicia Penner | Johnston | IA | 50131 | US | 9/19/2023 |
| Andrea Anderson | Phoenix | AZ | 85008 | US | 9/19/2023 |
| Aaron Bruhn | Phoenix | AZ | 85029 | US | 9/19/2023 |
| Allison Popnoe | Seattle | WA | 98136 | US | 9/19/2023 |
| Adrian Daniels | Phoenix | AZ | 85050 | US | 9/19/2023 |
| Ricky Barber | Los Angeles | | 90065 | US | 9/19/2023 |
| Rosa Angulo | Tampa | | 33606 | US | 9/19/2023 |
| Nick Sterry | Minneapolis | | 55408 | US | 9/19/2023 |
| Michael O'Neil | Phoenix | AZ | 85034 | US | 9/19/2023 |
| Julia Levene | Phoenix | AZ | 85069 | US | 9/19/2023 |
| Vrinda Arora | Phoenix | AZ | 85036 | US | 9/19/2023 |
| Jessica Quint | Phoenix | AZ | 85024 | US | 9/20/2023 |
| Sheri Bernstein | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Luke Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Noah Richards | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Hank Richards | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Saeda Ward | Phoenix | AZ | 85076 | US | 9/20/2023 |
| Misty Manes | Phoenix | AZ | 85004 | US | 9/20/2023 |
| Hannah Farfour | Phoenix | AZ | 85001 | US | 9/20/2023 |
| David Baron | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Annette Burton | Phoenix | AZ | 85030 | US | 9/20/2023 |
| Alma Armenta | Phoenix | AZ | 85008 | US | 9/20/2023 |
| Kelly Sanders | Phoenix | AZ | 85009 | US | 9/20/2023 |
| Bryant De Piazza | Phoenix | AZ | 85050 | US | 9/20/2023 |
| ANSHUL ARORA | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Michelle Suzuki | Phoenix | AZ | 85001 | US | 9/20/2023 |

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| Rachael Slosky | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Ann Fisher | Phoenix | AZ | 85007 | US | 9/20/2023 |
| Patricia Diamant | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Deanna Dalzell-Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Winston Chan | Phoenix | AZ | 85050 | US | 9/20/2023 |
| Rajesh Vaidya | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Raymond Brooks | Phoenix | AZ | 85024 | US | 9/20/2023 |
| James Taylor | Scottsdale | AZ | 85261 | US | 9/20/2023 |
| Jaydatt Joshi | Phoenix | AZ | 85001 | US | 9/20/2023 |
| Krutarth Joshi | Phoenix | AZ | 85040 | US | 9/20/2023 |
| Kimberly Johnson | Phoenix | AZ | 85003 | US | 9/21/2023 |
| Cole Johnson | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Gage Johnson | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Olga Rempel | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Michael Kiperman | Chandler | AZ | 85224 | US | 9/21/2023 |
| Timari Rusak | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Claire Grant | Storrs | | 6269 | US | 9/21/2023 |
| Wesley Orozco | Lynn | | 1902 | US | 9/21/2023 |
| Isabella Romine | Bradenton | | 34201 | US | 9/21/2023 |
| Amy Najera | Bell | | 90201 | US | 9/21/2023 |
| Danielle Flinn | Phoenix | AZ | 85040 | US | 9/21/2023 |
| Michelle Sounart | Phoenix | AZ | 85001 | US | 9/21/2023 |
| Cynthia Bennette | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Cheree Brown | Cave Creek | AZ | 85331 | US | 9/21/2023 |
| Brenda Schmalz | Scottsdale | AZ | 85261 | US | 9/21/2023 |
| Kaci Oldroyd | Phoenix | AZ | 85008 | US | 9/21/2023 |
| Sandy Campbell | Phoenix | AZ | 85050 | US | 9/21/2023 |
| michael boeder | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Daniel Welker | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Dave Moyer | Phoenix | AZ | 85050 | US | 9/21/2023 |
| Blythe Lipman | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Taylor Moskovich | Phoenix | AZ | 85008 | US | 9/22/2023 |
| Molly Fine | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Aliza Neufeld | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Jayme Mesecher | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Sheena Lovett | Phoenix | AZ | 85009 | US | 9/22/2023 |
| Michael Henein | Merrick | | 11566 | US | 9/22/2023 |
| Dana Huether | Phoenix | AZ | 85001 | US | 9/22/2023 |
| David Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Eva Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Alex Britton | Phoenix | AZ | 85069 | US | 9/22/2023 |
| Paul Surdakowski | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Kayla Grande | Phoenix | AZ | 85024 | US | 9/22/2023 |
| Rhonda Dimmick | Desert Hills | AZ | 85086 | US | 9/22/2023 |
| Jack MacDonald-Hilton | Worcester | | 1609 | US | 9/22/2023 |
| Hannah Soliman | Charlotte | | 28075 | US | 9/22/2023 |
| Andrew Floyd | | | | US | 9/22/2023 |

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| Cathy Zou | Phoenix | AZ | 85001 | US | 9/22/2023 |

**From:** Richards, Dan
**To:** PDD Long Range Planning; Anthony M Grande; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Date:** Friday, September 22, 2023 2:18:14 PM
**Attachments:** image002.png

Could I sneak in one final comment into the case file that was just getting brought up last night? People are now getting emails from Vestar trying to promote the need for more grocery stores in this area. The verbiage they are using was that Desert Ridge incredibly only has one grocery store in a 21-mile square area. Talk about incredibly confusing and misleading. 21-mile square area? Who speaks that way? Did they mean 21 square miles? They used 21-mile square area intentionally to confuse people. These people are spreading lies to try getting people to sign their ONLINE petitions. I would be very interested to see how many of these people that have signed their ONLINE petition live outside of the Desert Ridge area.

Another thing I would ask Gammage and Burham how many of these people signed their petition, while voting for a Sprouts or Trader Joes in their online survey? They are deceiving the public with this survey when they knew before they began the survey that these smaller grocery stores aren't even an option to be used as the grocer.

I would like the City and the Village Planning Committee to request the results of their online survey become public records. I would be willing to bet over 50% of their supporters are looking for something Vestar already knew wasn't an option.

Thanks,
Dan Richards

**From:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Sent:** Friday, September 22, 2023 2:04 PM
**To:** Richards, Dan <Dan.Richards@strand.com>; PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Thank you, your comment has been received.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Wednesday, September 20, 2023 9:35 AM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>; Anthony M Grande <anthony.grande@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Mr. Grande and Councilman Waring,

I submitted an email on September 13 pertaining to my opposition to the proposed development . One of the points made in my previous email was stating the amount of gas stations and grocery stores within a 3-mile radius of the Deer Valley and Black Mountain intersection. I mentioned 11 gas stations within a 3-mile radius, but the correct number is **12 gas stations**.

It was brought to my attention that Gammage and Burnham met with the residents of Sky Crossing shared an exhibit showing the lack of gas stations and grocery store options within a 5-mile radius. They failed to show all the options south of the 101 in their exhibit, which is incredibly misleading. I have attached a map that shows all the gas stations and grocery stores in a 3-mile radius. If you change your search to a 4-mile radius, you find **18-gas stations**. The grocery store options are quite vast as well.

**Grocery Stores included within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City

Please take this into consideration when Vestar continues to tell people that Desert Ridge is lacking grocery and gas station options. It's simply not true. Our neighbors do not want this development to be built. We all live in the residential superblock portion of Desert Ridge. If we wanted to live within walking distance to restaurants, we would have moved closer to Desert Ridge Marketplace. This isn't for the residents of Desert Ridge. They're looking at this parcel because they want the traffic from the 51.

Thanks,

**Dan Richards**

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602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

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**From:** Valerie Arnold
**To:** Anthony M Grande
**Subject:** No rezoning of Black Mountain and Deer Valley Road
**Date:** Saturday, September 23, 2023 10:31:19 AM

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Please do not rezone. My kids go to Pinnacle High School and this is a stupid idea. There is enough traffic there now. Please do not let Vestar come in. We need that land to stay undeveloped.

Thank you.

**From:** Kathy Green
**To:** Anthony M Grande
**Subject:** Zoning of the corner of Black Mountain and Deer Valley
**Date:** Saturday, September 23, 2023 10:51:17 AM

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As someone who lives in the area and drives that intersection every day, I fully oppose this re-zoning. Traffics is already a mess in the mornings and afternoons.

I would love to have a grocery store in the area but that location is awful.

Warmest Regards,
Kathy Green
Mountain Gate Subdivision resident

Sent from my iPhone

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande; PDD Long Range Planning |
| **Subject:** | Vestar Development Amendment and Zoning Requests for Superblock 12 in Desert Ridge |
| **Date:** | Sunday, September 24, 2023 2:12:13 PM |

To All Concerned With This Issue:

I recently attended a Desert Ridge Community Association meeting in which representatives for Vestar presented a rough sketch of their development plan for approximately 20 acres carved out of Superblock 12. Listening to them, one would surmise that this development was for the benefit of our neighborhood. They discussed a neighborhood grocery store, some small retail businesses, and dining options. A rather straightforward design, you might think. What Vestar's rep didn't mention was the inclusion of a gas station, fast food drive-throughs, and even a city bus stop. A plan that sounded innocent enough at the time now begs the question of how a development such as this would impact our neighborhood.

Vestar wants to rezone Superblock 12 from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come a commercial development, such as Vestar's, right at our back door. There are many troubling issues associated with this proposal. I am limiting my comments to the environmental impact that Vestar's proposal would have on our community.

One of the most significant pollutants of our environment is gas stations. For instance, during fueling, toxic compounds such as Benzene (a known carcinogen), Ethyl Benzene, Toluene, and Xylene (BTEX) are released into the air. Likewise, these same compounds will pollute the air when there is leakage from the storage tank vents. Spills from fueling and spills from emptying tanker trucks can occur, causing soil, groundwater, surface water and air contamination. Even idling engines of vehicles contribute to air pollution with the release of harmful chemicals, gases, and particles. Add to this the road noise associated with an overwhelming number of vehicles driving in and out of the gas station and one must conclude that gas stations are one of the most significant polluters of our environment.

Grocery stores and fast food restaurants are right behind gas stations when we consider the extent to which they pollute the environment. The average grocery store emits almost two tons of carbon dioxide from the electricity and natural gas that it uses each year. In addition to that, grocery stores and fast food restaurants generate tons of litter and garbage yearly. Proper disposal of these then becomes a major issue. If strict guidelines aren't followed, we are then dealing with air and soil pollution, in addition to the environmental issues posed by rodents and other pests attracted to the area. Another concern is the amount of traffic generated by these businesses. Their customer traffic, their delivery trucks, and their trash collection vehicles make a substantial contribution to both noise and air pollution. Lastly, it is not surprising that air pollution is the direct result of food preparation.

With the kitchen exhaust fans we have the release of organic aerosol into the environment. With grills, stoves, and ovens we have the release of formaldehyde, carbon dioxide and carbon monoxide into the air. Naturally, these airborne particulates are inhaled by everyone nearby. With ongoing exposure, these particulates can be extremely harmful to individuals. This is especially true for asthmatics and individuals dealing with long-term breathing problems such as COPD.

It is obvious that the environmental impact of Vestar's proposed development would not be limited to noise, air, soil, and light pollution. Their proposal would guarantee both traffic pollution and people pollution, as well. Is it fair to assume that crime in our neighborhood would not be far behind, if Vestar's proposal were to be approved?

The negative impact that Vestar's commercial development would have on our neighborhood far outweighs any benefits of a grocery store, a gas station, and fast food restaurants. With these services and many more just minutes away in the Desert Ridge Marketplace, we don't need them in our own back yard.. We must keep Superblock 12 zoned R-2 Residential, as it was originally intended.

Please say NO to Vestar.

Carolyn Dunn
3752 E Covey Lane
Fireside Community

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:00:47 PM

---

| **Name** |
| --- |
| Sachiyo Moench |
| **Email** |
| satosachiyo@hotmail.com |
| **Support Comments** |
| Traffic during school pickup/drop off and rush hour is already stressing the traffic flow in this area. The traffic associated with a big box retailer would make this intersection/area much worse. |

| | |
|---|---|
| **From:** | Jennifer Garcia |
| **To:** | Anthony M Grande |
| **Cc:** | Jennifer Garcia |
| **Subject:** | Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Monday, September 25, 2023 9:08:21 PM |
| **Attachments:** | image001.png |

---

**Dear Anthony,**

I am writing to let you know I'm very concerned with the new zoning up for approval. reference case numbers below.

This zoning in my opinion is way to close to Pinnacle High School. The traffic is already so congested with the onramp of hwy 51, and with new drivers (young from the high school) potential accidents would be a huge concern.

I vote NO for the new commercial zoning.  It needs to stay residential

Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Thank you, Jennifer Garcia

3824 E. Ringtail Way

*Jennifer Garcia*
*www.RelationalWealthAdvisors.com [relationalwealthadvisors.com]*

RWA
Relational Wealth Advisors

**From:** Jayme Mesecher
**To:** Anthony M Grande
**Subject:** Rezoning of Superblock 12
**Date:** Monday, September 25, 2023 8:07:45 PM

---

Hello,

I'd like to document my opposition to the rezoning of superblock 12. I am a homeowner across the street at 3609 E Cat Balue Dr Phoenix AZ 85050 and do not want to see this area rezoned for commercial use. Here are the case numbers:

**Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.**

Thank you,

Jayme Mesecher

**From:** Thejas Nair
**To:** Anthony M Grande
**Subject:** Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.
**Date:** Monday, September 25, 2023 8:44:10 PM

---

Reference : Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

Hello Sir,
This is regarding rezoning of superblock 12 - Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

I am a resident of the Fireside community in Desert Ridge. I would like to voice my concerns on rezoning superblock 12.

Rezoning to commercial would change the neighbourhood characteristics to be less desirable and affect the peace and quiet of the Fireside community. We already have sufficient access to grocery and other businesses within a couple of miles in multiple directions.
If rezoning is still being considered, I would be for restricting the hours of operations of the commercial establishments to be before 10pm (or restrict it to such types of establishments). And not have other establishments like gas stations that tend to operate very late in the night.

Thanks,
Thejas

**From:** Tininenko, Jason
**To:** Anthony M Grande
**Subject:** black mountain project
**Date:** Monday, September 25, 2023 4:24:16 PM

---

My family wanted to weigh in on the proposed black mountain village project.
We are Opposed to the building of a gas station, grocery store, or any large project that will increase traffic, crime, and accidents.
A nice restaurant or 2 would be great,  but Vape shops, Liquor stores, Pawn shops and gas stations do not help wonderful neighborhoods like Aviano.
Thanks.

**From:** Suresh Uppalapu
**To:** Anthony M Grande
**Subject:** Rezoning of super block 12
**Date:** Monday, September 25, 2023 7:18:49 PM

---

Hello,

Please consider this email my vote and my wife's vote in opposition of rezoning the area for commercial use. It is too close to the schools in the neighborhood. Desert ridge shopping complex is not that far. We don't need another complex here. Also, the traffic for drop off and pick up to Pinnacle and Fireside schools is already backed up. A commercial complex will further complicate traffic and lead to traffic mishaps.

Please NO.

Sincerely,
Dr. Uppalapu and Dr. Veeranki

**From:** Kim Galetti
**To:** Anthony M Grande
**Subject:** SW. Corner of Deer Valley & Black Mountain Blvd.
**Date:** Wednesday, July 19, 2023 1:51:47 PM

---

Anthony,
My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [mail.onelink.me]

**From:** Nahian Latif
**To:** Anthony M Grande
**Subject:** Re: black mountain village
**Date:** Saturday, July 22, 2023 11:45:06 AM

---

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience. Future growth for a public library adjacent would serve the area well.

Thank you
Nahian Latif
Local resident

**From:** Riley Dresser
**To:** Anthony M Grande
**Subject:** Support for Z-39-23
**Date:** Wednesday, August 2, 2023 2:48:50 PM

---

Hi Anthony,
I just wanted to express my support for this project. I live in Fireside and would love to have amenities closer to my house without having to go to Desert Ridge.

Thank you,

Riley Dresser

Sent from my iPhone

**From:** Lauren Packer
**To:** Anthony M Grande
**Subject:** Rezoning Black Mountain/Deer Valley
**Date:** Thursday, August 3, 2023 8:34:43 PM

---

Just voicing our opinion for what it is worth.
We are not against the rezone. But we are against a gas station and drive thru fast food. Additionally if this is rezoned, there must be traffic modifications on Black Mountain. My kids do not attend pinnacle but we get stuck in the backlog daily and this is without additional people entering or exiting a shopping plaza.

We hope the city listens to the citizens.

Lauren Packer

Sent from my iPhone

| | |
|---|---|
| **From:** | Polson, Adam |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village / Superblock 12 |
| **Date:** | Thursday, August 3, 2023 10:30:07 AM |
| **Attachments:** | Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png<br>80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png |

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050


LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

Phoenix Plaza Tower II
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**From:** shawnkline2
**To:** Anthony M Grande
**Subject:** Black Mountain Village Project
**Date:** Friday, August 4, 2023 1:55:26 PM

---

Hello Mr. Grande,

I am writing to you regarding the Black Mountain Village project on the corner of Deer Valley and Black Mountain Dr. I am a resident of the Sky Crossing neighborhood directly across from the proposed project. I welcome the zoning change from residential to commercial with a few stipulations.

1. No gas station. It will increase loitering, traffic, and light pollution in the neighborhood.

2. Grocery store must be a smaller, neighborhood grocery store (Trader Joes, Sprouts, Whole Foods). A large Fry's or Albertsons type store would not fit into our residential area, especially since there is already an Albertsons in Desert Ridge and on Cave Creek.

3. The businesses must be in line with the demographics of the neighborhood. Desert Ridge and Sky Crossing are neighborhoods with high end homes. We need high end businesses, shops and restaurants that would enhance our community and not degrade it like a large grocery store and gas station would. This would also hopefully include appropriate lightscaping and landscaping, so the business park blends into the desert area that we all bought houses here for. We moved here because it was a quiet, residential area and we do not want to see it turn into another corner of concrete, traffic, litter, and loitering.

Thank you for your concern and I look forward to hearing about the next steps of the project.

Shawn Kline
Sky Crossing Resident

**From:** Lisa Abrams
**To:** Anthony M Grande
**Subject:** Zoning Changes Near Black Mountain and Deer Valley RDs
**Date:** Monday, August 7, 2023 4:32:42 PM

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Hi,
I'd like to suggest a compromise for the city to consider regarding the parcel near Black Mountain and Deer Valley Rds. I agree we need more shopping in the area, however this is still a large residential neighborhood and I'd like the city to consider putting some restrictions on the new zoning, similar to what many shopping centers in Scottsdale have done.

Please consider rezoning with conditions including:
a maximum size for the grocery
prohibiting gas stations
dimmer lighting
larger landscape setbacks
shaded walking and bike paths
ample outdoor dining spaces

These conditions would still allow a company to develop the land, while also keeping it as close to a neighborhood feel as possible.

Thank you for your consideration.

Lisa Abrams

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 11:05:58 AM

---

| **Name** |
| --- |
| Jenna Barrett |
| **Email** |
| jennabarrett422@gmail.com |
| **Support Comments** |
| I would want a grocery store and fast food options at the shopping center. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:09:07 AM

| **Name** |
| --- |
| Ashley Campbell |
| **Email** |
| Ashleycampbell@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside at Desert Ridge |
| **Support Comments** |
| I support retail space in that location. Thank you! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:04:56 AM

---

| **Name** |
| --- |
| John Schott |
| **Email** |
| Jopschott@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| As a native and person living in the area, I welcome the new development. Adding places to live, shop and eat will benefit the community. Please approve this project. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:08:35 AM

| **Name** |
| --- |
| Austin Lynch |
| **Email** |
| Alynchortho@yahoo.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:03:22 AM

---

**Name**

Michael Marsh

**Email**

michaelmarsh.cre@gmail.com

**Support Comments**

I am currently building a home in Desert Ridge and am extremely supportive of additional retail and commercial opportunities in this area. Desert Ridge Marketplace is hugely successful, but that comes with a convenience fee for people who actually live in the area. Additional options for groceries, restaurants and neighborhood retail on a smaller scale would actually serve the needs of people who live in and around the area, and an additional option to avoid the traffic and crowds of Desert Ridge Marketplace that has become a destination shopping center. My understanding is that the current entitlements would allow for additional housing units. While I am moving to the area and think that housing is important, the opportunity to have additional retail and commercial as a future homeowner in this area is exciting and would seem to actually serve the needs of the people that already live and are actively building homes there. Thanks for your favorable consideration of the requests.

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:28:47 PM

---

| **Name** |
| --- |
| Rachel Cohn |
| **Email** |
| rachel-cohn@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I would love a small grocery store, no gas station and a local bistro. Thanks! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:05:35 PM

---

| **Name** |
| --- |
| Amanda Honey |
| **Email** |
| amanda.honey3@gmail.com |
| **Support Comments** |
| Neighborhood grocer is wonderful but no gas station please |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:37:25 PM

---

| **Name** |
| --- |
| Meghann Jones |
| **Email** |
| Mprusick@yahoo.com |
| **Support Comments** |
| No gas station.<br><br>Small grocery store, i.e. Trader Joe’s, Whole Foods. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:09:39 PM

---

| **Name** |
| --- |
| Kevin Honey |
| **Email** |
| amaresh@cox.net |
| **Address / Neighborhood (Optional)** |
| 3762 e ember glow way |
| **Support Comments** |
| Neighborhood grocer, but no gas station please. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:16:05 PM

---

| **Name** |
| --- |
| Pam Sullivan |
| **Email** |
| Scottspam4@gmail.com |
| **Support Comments** |
| No gas station |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:29:06 AM

---

| **Name** |
| --- |
| Peter Reinsch |
| **Email** |
| Preinschaz@gmail.com |
| **Support Comments** |
| Sounds like a great idea! That’s a great location to build a grocery store! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:56:30 AM

---

| **Name** |
| --- |
| Melissa Romero |
| **Email** |
| Melromeo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4240 E Expedition Way |
| **Support Comments** |
| We need additional options in this area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 10:01:05 AM

---

| **Name** |
| --- |
| Allie Schott |
| **Email** |
| alliejschott@gmail.com |
| **Support Comments** |
| As a future resident in the Talinn development, I support growth in the local area. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:19:23 PM

---

| |
|---|
| **Name** |
| Scott Shuman |
| **Email** |
| sshuman99@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I am very supportive of this new development. This area would benefit from additional convenient options for groceries, restaurants, etc. In particular, it would be great to have a Trader Joe’s or Sprouts. The congestion around Desert Ridge can be challenging and quality alternatives are welcome. |

**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Deer Valley and Black Mountain commercial
**Date:** Thursday, August 10, 2023 12:41:55 PM

---

hi, I guess people are saying to contact the planner about this development and that's you I guess? anyways, this is great news. we need more commercial in this area. it's a major intersection and just what should be happening here. I'm emailing because I'm sure people will complain. because that's what people do. and usually, the most vocal are the minority. I want to make sure you guys know that there are plenty of people excited about this happening. but will probably never attend a meeting or voice their excitement, because people usually only do that when they complain. so if you need anybody to point to in the community that has no vested interest at all, that is excited and 100% in favor of this, that would be me. thanks and good luck with the complainers

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 1:10:32 PM

---

| **Name** |
| --- |
| Chris Sinclair |
| **Email** |
| sinclaireng@cox.net |
| **Address / Neighborhood (Optional)** |
| 23251 N 38TH PL |
| **Support Comments** |
| this is a great news. been living in Aviano since 2009. we need more commercial, not less. Deer Valley and Black Mountain is exactly the type of spot where this should be going. this creates a walkable destination from our neighborhood. we need more of this. I'm firmly in favor of this happening! thanks. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 9:06:22 AM

| **Name** |
| --- |
| Hanna Steger |
| **Email** |
| Hannaesteger@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano Community |
| **Support Comments** |
| We fully support the new black mountain shopping center. We would love to see something smaller scale to desert ridge that provides us places to dine and shop. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 10, 2023 12:55:47 PM

---

| **Name** |
| --- |
| Mahyar Vahabzadeh |
| **Email** |
| mahyar@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano Desert Ridge |
| **Support Comments** |
| This shopping center will be a much needed addition to the Desert Ridge area as we are very limited currently with a single grocery store (Albertsons). |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, August 12, 2023 10:43:46 AM

---

**Name**

James Senften

**Email**

jsenften@gmail.com

**Address / Neighborhood (Optional)**

4535 E. Navigator Lane, Phoenix, AZ 85050

**Support Comments**

As a resident of Desert Ridge for over 3 years, I am excited for the opportunity to have additional options for groceries, restaurants and neighborhood retail in the area. This area has seen a lot of residential development in the past 5 to 10 years, but there has been a lack of additional commercial development. However, I don't want to see this site end up as another huge big box store (like a Wal-Mart) for several reasons. For one, we have a Target and other big box stores at Desert Ridge that fill that need. Second, it might cause too many traffic problems at the site and the surrounding area. I think this site should focus on a smaller, high quality grocery store and related restaurants and commercial uses. I would be in support of a square footage cap to prevent any big box stores from going in and to promote the possible attraction of a Sprouts or Trader Joe's type grocery store.

**From:** Scott Corwin
**To:** Anthony M Grande
**Subject:** Support for Black Mountain Village development
**Date:** Sunday, August 13, 2023 1:32:59 PM

---

Mr. Grande,

My family and I are residents of Sky Crossing, and I am writing in support of the re-zoning of the land proposed for Black Mountain Village.

To say I am disappointed in my community members who oppose this project is an understatement. Apparently others do not care about growth and development of a neighborhood. Apparently others do not care about their property values increasing because of convenience. Apparently the principal of Pinnacle High School is urging us to protest the re-zoning, and because the school cannot figure out how to manage the flow of kids arriving to school, they are using this development as a scapegoat.

Granted, while I love the concept of the development, I do oppose the gas station idea unless it is only a gas station without a convenience store. Convenience stores, no matter the location, seem to draw people out of the woodwork. I don't know what latitude the city has to stipulate the details of the plan, but that would be my request as a resident.

I do plan on attending the October 3rd meeting, but will all those in attendance have the opportunity to vote on the decision?

Looking forward to the meeting.

Thank you,

Scott Corwin
3422 E Crest Ln
Phoenix, AZ 85050

Sent from Yahoo Mail for iPhone [mail.onelink.me]

**From:** Aly Fox
**To:** Anthony M Grande
**Subject:** Case Number Z-39-23
**Date:** Monday, August 14, 2023 1:26:25 PM

---

Anthony Grande I am a resident the last 17 years in Aviano in Desert Ridge. I'm emailing you in reference to case number Z-39-23 to say that we are very excited for the proposed commercial zoning at the corner of Deer Valley and North Black Mountain Blvd. We were told that this was in the plan when we first bought. I feel this will be positive for the area and help bring home values up as well. I hope that this is highly considered and passed to continue to build. Thank your time and appreciate all you do.

Alyson and Ken Fox
602-909-0340

**From:** cici martin
**To:** Anthony M Grande
**Subject:** Desert View Shopping Center - Rezoning
**Date:** Tuesday, August 15, 2023 9:11:11 PM

---

Hello,
I am a resident of Sky Crossing and wanted to write to share my thoughts as I have seen a lot of chatter in the Sky Crossing community FB account.
I am not opposed to a smaller shopping mall with a small grocery store and food/coffee options. Nice mall like Gainey Ranch or DC Ranch. I would be opposed to a gas station as I believe it will bring traffic from the freeway, not community members. As well as the noise of refueling trucks.
Just wanted to share my thoughts - commercial property yes; as long as no gas stations are included.
Thank you,
Cecilia Martin

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 16, 2023 3:35:09 PM

| **Name** |
| --- |
| Jodi Dougan |
| **Email** |
| Jodster_29@hotmail.com |
| **Support Comments** |
| Would love more shopping and eating options close by. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, August 17, 2023 9:42:39 PM

---

| **Name** |
| --- |
| Nicole Mezzatesta |
| **Email** |
| nicolem@lunicabeauty.com |
| **Support Comments** |
| I support this parcel to be zoned for commercial property. |

**From:** Walker, Oliver
**To:** Anthony M Grande
**Subject:** Black Mountain Village Plans at Black Mtn Blvd and Deer Valley Rd
**Date:** Friday, August 18, 2023 2:09:36 PM
**Attachments:** image001.png

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Anthony,

I hope you are enjoying your Friday! I wanted to reach out as your email was provided by a neighbor in Sky Crossing as a point of contact on this proposed project.

I live in one of the homes that backs up to Deer Valley and to the piece of land which is being submitted for rezoning from Residential to Commercial.

I actually love the idea of having a retail center on the plot of land - I absolutely hate the idea of a gas station being part of the project, especially on the North side of the project as it would be the first thing I would see out of my back window. I can tell you that opinion within the neighborhood on the Sky Crossing Facebook group seems to be split 50/50. One thing, however, that seems to be consensus - nobody wants a gas station as part of the project.

I am in the mortgage lending world, and I can share that if a gas station is placed at the very northern edge of the parcel, it would render the homes on the other side of Deer Valley unlendable for certain mortgage products, which seems incredibly unfair to the folks who bought homes here 3 years ago none the wiser to future changes that might occur.

I would stand firmly against a gas station, but would support a well designed retail center that would serve our community. I have lived in Desert Ridge for the last 15 years, and the project seems very exciting if done correctly.

Please feel free to call my cell below if you would like any further input or have any questions.

ROCKET Mortgage



**Oliver Walker**

**Sales Manager**
**Rocket Mortgage**
**Office:** (480) 548-4365
**Cell:** (517) 214-7706
**Fax:** (877) 380-5164
**NMLS 34960**

[social.pr]

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 10:55:52 PM

---

| **Name** |
| --- |
| Doug Dresser |
| **Email** |
| flyboyltu@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I’m for no gas station, as we have had a big increase in homelessness in north Phoenix in the last couple of years as a gas station will increase homeless presence. A small grocery story like sprouts, Aldi, or Trader Joe’s will be nice as these stores typically don’t attract homelessness and close at a decent hour. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 4:00:02 PM

---

| **Name** |
| --- |
| Janee Foster |
| **Email** |
| Janeeapostol@yahoo.com |
| **Support Comments** |
| Would like to see a small grocer like Trader Joe’s. Traffic is already so bad by the high school, don’t need a big retail store there. And NO gas stations! |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, August 22, 2023 6:50:57 PM

---

| **Name** |
| --- |
| Bob Mayo |
| **Email** |
| bob_mayo@cox.net |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| I am in support of this project, minus the gas station, think that needs to be rethought. Thank you |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 5:10:04 PM

| **Name** |
| --- |
| Clint Marchuk |
| **Email** |
| cmarchuk@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments** |
| I'm highly supportive of bringing a 2nd grocery store into the Desert Ridge community. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 9:44:23 PM

---

| **Name** |
| --- |
| Raj Kapur |
| **Email** |
| raj85719@gmail.com |
| **Support Comments** |
| the overwhelming majority of desert ridge residents want this project to be built and get another small grocery store. i would rather not have a gas station though.. |

**From:** James Patterson
**To:** Anthony M Grande
**Subject:** Black mountain / deer valley project
**Date:** Wednesday, August 23, 2023 7:12:43 PM

---

Anthony,

Hope all is well. I live in Sky Crossing and want to make you (and the other city planners) know that my family supports this new development. This area continues to grow and we need more amenities like another grocery store, etc.

I can tell you that the FB group for my neighborhood gets all fired up about every little issue and this is no different. People are clearly frustrated about pinnacle traffic at 7am… can't imagine a grocery center is going to have a ton of extra traffic at that time. They seem to be forgetting the convenience + likely property value appreciation by having more amenities within walking distance.

I support this development and from what I can tell, Vestar seems like a very reputable firm with a great track record of great shopping centers.

Apologize in advance if you are getting many emails very different from this one. Appreciate all that the city does!

-Jimmy

James S. Patterson III
(480) 390-4288

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 11:52:57 AM

---

| **Name** |
| --- |
| Jacqueline Soutus |
| **Email** |
| jackie.soutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I support this proposal. Currently there is not enough retail in the Desert Ridge area. More house developments will cause an even larger shortage of restaurants, groceries and other retailers. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, August 27, 2023 7:11:09 PM

---

| **Name** |
| --- |
| Goldberg Nathan |
| **Email** |
| ndgoldberg@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside - amber crest |
| **Support Comments** |
| I support the proposal but would like it without a gas station. Perhaps we can do some kind of awesome charging station with higher end convenience store. Also, no Walmart or Walmart market…an AJs or Trader Joe's or even a frys would be fantastic. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, August 28, 2023 12:44:37 PM

---

**Name**

Sonita W.

**Email**

Soniyay@gmail.com

**Address / Neighborhood (Optional)**

Aviano N 36th St

**Support Comments**

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.

**From:** sonia
**To:** Anthony M Grande
**Subject:** New development Desert Ridge Black Mtn Village
**Date:** Monday, August 28, 2023 12:09:32 PM

---

I just wanted to let you know that as a Aviano resident I am very happy to hear about this development. I would welcome a grocery store, a coffee shop and other retail, and hopefully also getting dust under better control once the construction is done. So, good luck and keep us posted.

I do want to request that some thought be given to control of any petty crime that may arise from this development as there will be increased activity in the surrounding areas.
Thank you
Sonita W.

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: SW Corner of Black Mountain Blvd snd Deer Valley |
| **Date:** | Thursday, August 31, 2023 11:26:19 AM |

---

**From:** Kim Galetti <kg2238171@yahoo.com>
**Sent:** Wednesday, July 19, 2023 1:48 PM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** SW Corner of Black Mountain Blvd snd Deer Valley

Hi Michelle,
Nice talking to you today. My spouse and I are very excited about the proposed project at the above corner. We badly need a second option for groceries. This additional competition will be great for the residents of Desert Ridge. It will also increase property values. Hope this project is approved and ground is broken soon.
Mr. Kim Galetti
3864 E. Melinda Drive
Phoenix, AZ 85050
443-962-0974

Sent from Yahoo Mail for iPhone [linkprotect.cudasvc.com]

**From:** Anthony M Grande
**To:** Anthony M Grande
**Subject:** FW: Black Mountain Village
**Date:** Thursday, August 31, 2023 11:25:59 AM

---

**From:** Nahian Latif <nahian25@gmail.com>
**Sent:** Saturday, July 22, 2023 11:44 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Re: Black Mountain Village

Hi there,

I am a resident near the proposed zoning change at the intersection of deer valley and black mountain. I support the zoning change to a small commercial to allow for a small grocery store/retail shop/restaurant. Ideally a small grocery store like trader Joe's would be ideal. Encourage bistros like Panera/chipotle or a local business to setup shop. Bike friendly lanes and bike locks with shaded/mature trees around stops would enhance the experience.  Future growth for a public library adjacent would serve the area well.

Thank you
Nahian
Local resident

| | |
|---|---|
| **From:** | Anthony M Grande |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Sky Crossing Resident / Black Mountain Village |
| **Date:** | Monday, September 11, 2023 8:07:40 AM |

---

**From:** James Patterson <jsp.three@gmail.com>
**Sent:** Friday, September 8, 2023 9:09 AM
**To:** Michelle Santoro <msantoro@gblaw.com>
**Subject:** Sky Crossing Resident / Black Mountain Village

Hello,

I am a resident of Sky Crossing and very in-favor of this proposed development. For what it's worth, the community seems overly concerned about 1) the additional traffic around Pinnacle high school at drop off and pick up, 2) the potential for a gas station and 3) the "aesthetic" of the project.

For me, this seems like a no-brainer given we need a grocery store + other amenities (this helps our property values). I look forward to attending the town hall on Tuesday

Thanks,
Jimmy

--
James Patterson
(480) 390-4288

**From:** Jessica Fierros
**To:** Anthony M Grande
**Cc:** Robert Fierros
**Subject:** Aviano resident FOR commercial rezoning
**Date:** Saturday, September 9, 2023 9:10:41 AM

---

Hello Anthony,
I am a resident that is beyond excited about the potential rezoning near Pinnacle HS! I am shocked by the negative response being organized by some here in Desert Ridge. We DESPERATELY need more commercial businesses to support the homes/community that are already here. It is horrendous that we only have ONE grocery store and ONE gas station and ONE fast food restaurant for this many homes in one area- and there are many more homes still being built. One of the biggest complaints by people is that these businesses will bring in crime and homelessness. Well guess what?! It's already been moving in and the problem isn't businesses. The problem is that we have voted in a mayor who is SOFT on crime and our police force is over worked, under staffed and under funded. Commercial businesses are what we NEED!!

We have lived in Aviano for 14 years and had already been saying for several years that we hoped businesses would develop somewhere along this stretch of Deer Valley. We were so excited to hear about this proposal and couldn't be more disappointed or disheartened by how "noisy" the ones against this have been. We truly hope they don't ruin this much needed opportunity for growth in our community.

Jess Fierros

**From:** Martina McConnon
**To:** Anthony M Grande
**Subject:** Black Mountain shopping area
**Date:** Saturday, September 9, 2023 8:16:54 AM

---

Hi Mr Grande,

My name is Martina McConnon, I live in the Fireside community and have been hearing about the planned rezoning & possible shopping area coming to Black Mountain next to Pinnacle High School. Just wanted to let you know that our family would very much welcome a grocer like Trader Joes or Sprouts to get that spot. We do not need more fast food options as we have plenty in Desert Ridge. But another grocery store would be great, especially a healthier alternative to Albertsons.

Thank you!

Martina McConnon
3826 E Cat Balue Drive
Phoenix AZ 85050

| | |
|---|---|
| **From:** | vanessacorwin@yahoo.com |
| **To:** | Anthony M Grande |
| **Subject:** | Support for Black Mountain Village Project |
| **Date:** | Saturday, September 9, 2023 11:19:25 AM |

Mr. Grande,

I am a resident of the Sky Crossing community, and am writing this email in support of the rezoning of Vestar's proposed Black Mountain Village project. For the planning committee's consideration, I want to offer some thoughts about the project:

1. Traffic - I have seen a lot of input from community members opposing the rezoning because of traffic concerns. If it is eventually developed into homes, that'll be another 20+ single family homes built. If it's developed into townhomes, it'll be another 400 units. If it'll be developed into apartments, the number of residents will be even higher. Regardless of the outcome of residential development, residential development will also create more traffic for that area. Those those oppose the rezoning to commercial don't seem to offer that as a consideration. Some/any level of additional residential development will further congest DRM. The Vestar development of this land at least offers additional shopping and dining options, which I would hope offloads DRM to some degree. I see that as a positive. However, I would hope the City would partner with Vestar to assess entrance and egress points, especially during the morning when PHS students are driving or being dropped off. I do agree it'll create more traffic at certain points of the day, so I would hope that is already on the docket to evaluate.

2. Types of businesses on the property - I would ask the planning committee to not support a gas station with a convenience store. I would rather have a gas station alone, like Costco, with limited hours. A convenience store option will likely cause more harm than good, in terms of the people who would be shopping or loitering at the store.

3. There are many concerns about noise from residents in my community and the community to the immediate east of the proposed development. My house is located 5 houses Black Mountain Boulevard, and we are objectively closer to the proposed development than 60% of Sky Crossing. In the two+ years that we've lived in this community, I've never heard any noise from BM boulevard. I can't even hear the football games at Pinnacle High School. I've seen many people via our community's Facebook and Desert Ridge's community Facebook groups share this concern as a reason to oppose the development. How can people 2-3 miles away complain about noise when noise present no impact to them today? Rhetorical question, but people are grasping at straws.

Overall, while this proposed project is not by any means perfect and there are some legitimate concerns (like traffic), additional commercial development for this area will be a boost for property values, tax revenue, economic growth, and some level of job creation. I strongly, strongly support this rezoning in favor of the Vestar development.

Thank you,

Vanessa Corwin

**From:** Roland Ward
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Sunday, September 10, 2023 4:25:24 PM

---

Hello Anthony,

I live in Aviano at Desert Ridge near the proposed Black Mountain Village shopping center.

I fully support the proposal and welcome the additional option for shopping, especially a grocery store.

Regards,
Roland Ward
3828 E Morning Dove Trail
Phoenix, AZ 85050

**From:** sonia Whig
**To:** Anthony M Grande
**Subject:** Black mountain village
**Date:** Monday, September 11, 2023 5:35:10 PM

---

Not sure if this is the right forum but I am writing to add my FULL SUPPORT for this project.

I live in Aviano and would love to have a coffee shop and a grocery store within walking distance. The land will definitely go the apartment route if left alone for long. Can't build more than 6-7 houses in the lot. Can't imagine anyone preferring that to a neighbourhood market. I am definitely for it for environmental as well and logistics reasons.

Thank you

Sent from my iPhone

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 8:48:38 PM

---

| **Name** |
| --- |
| Jared Nielsen |
| **Email** |
| jarheadnielsen@gmail.com |
| **Support Comments** |
| We are very excited about the possibility of a grocery store close to our house. A quick food option would also be welcome. |

**From:** Polson, Adam
**To:** Anthony M Grande
**Cc:** msantoro@gblaw.com
**Subject:** RE: Black Mountain Village / Superblock 12
**Date:** Wednesday, September 13, 2023 7:55:44 AM
**Attachments:** image001.png
image002.png
Logo_e6253148-26a1-47a9-b861-6ac0ff0bc3c4.png
80pctcolor_2022mansfieldcertificationbadge_492244a7-2944-454d-8270-3a8a522bf068.png

---

Mr. Grande,

I am sending this e-mail to reaffirm my position that I am **IN FAVOR** of the proposed development. I attended the information session by the developer and Gammage and Burnham at Sky Crossing yesterday evening, and I was impressed with what Vestar was agreeing to do as far as infrastructure in and around this proposed project. If this project is denied, I do not see a residential developer agreeing to do what Vestar is agreeing to do. Nevertheless, although I do not pretend to be a traffic engineer, I believe that it makes sense to have a light at 34th street and Deer Valley. This is even though there is a light nearby at Deer Valley and Black Mountain. Again, I am not a traffic engineer, but it seems to me as a layperson that 75% of Sky Crossing traffic would be inclined to head west down Deer Valley and enter Sky Crossing at 32nd Street and/or Sky Crossing Way. I suspect that a lot of people who live around Cave Creek and Deer Valley would also prefer to have a light at 34th Street. This is something to consider. Again, I am **IN FAVOR** of the proposed development.

-Adam


LEWIS BRISBOIS

**Adam S. Polson**
**Partner**
**Adam.Polson@lewisbrisbois.com**

**T: 602.792.1503 F: 602.385.1051**

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**From:** Polson, Adam <Adam.Polson@lewisbrisbois.com>
**Sent:** Thursday, August 3, 2023 10:30 AM
**To:** anthony.grande@phoenix.gov
**Subject:** Black Mountain Village / Superblock 12

Mr. Grande,

I am sending this e-mail to indicate that I am **IN FAVOR** of the proposed development. You are likely to see a bunch of people trying to complain, and my guess is that those people will try to drown out the people who do want the project. I would strongly prefer if there was no gas station, but I understand the realities of the situation. To the extent there is a compromise, I would suggest no gas station.

-Adam Polson
2845 E. Cashman Drive
Phoenix, Arizona 85050

**Adam S. Polson**
**Partner**
Adam.Polson@lewisbrisbois.com

**T: 602.792.1503 F: 602.385.1051**

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**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Black Mountain Village Desert Ridge
**Date:** Wednesday, September 13, 2023 2:03:18 PM

---

from the sounds of it, you're getting obliterated with negative comments about this. just wanted to make sure you know many of us here approve of this project. we were promised for years we'd be getting a second grocery store. the people complaining are mostly people that have been here only a year or 2. many of them back the major roads to this. this has 2 major roads and leads to the interstate. and backs a high school. should the rest of the community be deprived of this development because they bought houses that back these major roads? I don't think so. I've been here since 2009 and have always known there was commercial coming. anyways, thanks for hearing me out.

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 11:52:21 AM

---

| **Name** |
| --- |
| Alexander Soutus |
| **Email** |
| asoutus@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22221 n 41st st |
| **Support Comments** |
| We are in support for commercial business. Preferably a grocery store. |

**From:** david white
**To:** Anthony M Grande
**Subject:** Zoning
**Date:** Wednesday, September 13, 2023 7:37:10 PM

---

To Whom This May Concern,

I just want my voice heard.

I fully support the rezoning of the southwest corner of Deer Valley Road and Black Mountain Blvd. from residential to commercial.

Respectfully,
David White

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 13, 2023 4:09:28 PM

---

| **Name** |
| --- |
| Brandon York |
| **Email** |
| blyork85@gmail.com |
| **Support Comments** |
| Thank you for planning to bring some more shopping to the desert ridge area. Desert ridge marketplace is a nightmare most all the time with all the congestion. |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 5:56:51 PM

---

| **Name** |
| --- |
| Sharon Ceccarelli |
| **Email** |
| Sceccarelli1@gmail.com |
| **Support Comments** |
| I would like a fry’s or Trader Joe’s. Qt would be nice too. I’m down for chic fillet or chipotle |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 7:49:45 PM

---

| **Name** |
| --- |
| Allie Lucyk |
| **Email** |
| Lucykallie88@gmail.com |
| **Support Comments** |
| Bring on the grocery store |

**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 14, 2023 6:43:12 AM

---

| **Name** |
| --- |
| Chrissy Seibel |
| **Email** |
| chrissyandsteve2011@gmail.com |
| **Support Comments** |
| I’m all for a new grocery store in the area! We are in need! |

**From:** Robert Berto
**To:** Anthony M Grande
**Subject:** Rezoning near Pinnacle High School
**Date:** Friday, September 15, 2023 8:28:08 AM

---

I just would say not all residents in this area are opposed to finally building on land that looks like a deserted field that has not been maintained and does not align with the atmosphere of surrounding homes in the area. Finally something can be put in place with some amenities north of the 101.

I do have a question though.
Is there a plan to build anything north of Pinnacle Peak and Black Mountain? This land as well looks like overgrown weeds that have not been maintained.
Not only that, but it is a dark busy road on Pinnacle Peak. Wildlife darts out from the side of the road and could pose a risk to drivers trying to avoid hitting a coyote chasing a rabbit. I know from experience. I drive it multiple times a night.

I look forward to seeing more commercial establishments that will help the community that continues to grow.

I just wanted to give some input as I live in the area and my son goes to Pinnacle High School.

Thank You,
Robert Berto

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 6:30:20 AM

---

| **Name** |
| --- |
| Sonia W. |
| **Email** |
| nimbus-polkas0h@icloud.com |
| **Support Comments** |
| Would LOVE to have a Trader Joes or similar grocery store. A nice independent coffee shop would be great too. Not a gas station though- I don’t think that’s a good idea. Maybe some other tasteful and new concept retail. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 16, 2023 9:17:01 PM

| **Name** |
| --- |
| Lynn Stevens |
| **Email** |
| lynnkstevens@gmail.com |
| **Support Comments** |
| Improved Grocery shopping is needed desert ridge. A Fry’s would offer choices to consumers and improve the food desert north of the 101. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:17:36 PM

---

| **Name** |
| --- |
| Jan Axtell |
| **Email** |
| kentandjan@cox.net |
| **Support Comments** |
| We need another grocery store besides Albertsons! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:24:48 PM

| **Name** |
| --- |
| Vanessa Corwin |
| **Email** |
| vanessacorwin@yahoo.com |
| **Support Comments** |
| I support this project |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:44:54 PM

---

| **Name** |
| --- |
| Michael Curtis |
| **Email** |
| mcc50@q.com |
| **Address / Neighborhood (Optional)** |
| 2235 e Parkside lane |
| **Support Comments** |
| I support this there is no grocery stores in this area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 11:11:07 PM

---

| **Name** |
| --- |
| Melissa Gasper |
| **Email** |
| melissa.gasper@icloud.com |
| **Address / Neighborhood (Optional)** |
| Desert peak |
| **Support Comments** |
| I support it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:39:35 PM

---

| **Name** |
| --- |
| John Hamby |
| **Email** |
| Jhamby1011@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| All day! Living is Aviano is funny because the homes are a millions dollars but the grocery and food options around are minimal and/or of poor quality. Would love to see more options up here but some serious traffic mitigation would need to take place because with the high school right there, it’s already a disaster. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:12:51 PM

---

| **Name** |
| --- |
| Brenda Johnson |
| **Email** |
| artbybrenda@cox.net |
| **Address / Neighborhood (Optional)** |
| 3919 E Daley Lane Phoenix/Aviano |
| **Support Comments** |
| Please! Another grocery store and gas station and another fast food drive-through option! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:44:47 PM

---

| **Name** |
| --- |
| Rajesh Kapur |
| **Email** |
| Raj@benefitcommerce.com |
| **Address / Neighborhood (Optional)** |
| 20918 N 37th pl |
| **Support Comments** |
| we all want this. please ignore the handful of rowdy fireside folks that are arguing against! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 4:35:44 PM

| **Name** |
| --- |
| Jodie Koltes |
| **Email** |
| jodie.koltes@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Crescent Butte |
| **Support Comments** |
| Fry’s would be nice! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:27:39 PM

---

| **Name** |
| --- |
| Jadyn L |
| **Email** |
| Jnlien267@gmail.com |
| **Support Comments** |
| Please add a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:14:15 PM

---

| **Name** |
| --- |
| Jamie Lafranchi |
| **Email** |
| lafranchi.jamie@gmail.com |
| **Support Comments** |
| We need another grocery. Crazy just to have Albertsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:32:44 PM

---

| **Name** |
| --- |
| Vanessa Mason |
| **Email** |
| vnessahenderson@gmail.com |
| **Support Comments** |
| As a resident in this area we would<br>love to have easier access to a nice grocery store without having to drive 10-15 mins to the nearest store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 12:53:20 PM

| **Name** |
| --- |
| Roselyn Meyer |
| **Email** |
| meyerroselyn@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3818 E Cat Balue Dr |
| **Support Comments** |
| We will support Trader Joe’s to come to our neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 8:23:42 PM

---

| **Name** |
| --- |
| Scott Corwin |
| **Email** |
| scott.corwin@yahoo.com |
| **Support Comments** |
| I support this development, but suggest two things: 1) no convenience store as part of any gas station. 2) Vestar and City do traffic studies to assess impact to BM Boulevard, and make changes to entrance and egress points. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 7:40:37 PM

| **Name** |
| --- |
| Mary Patterson |
| **Email** |
| Mfpatterson2016@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 6:44:56 PM

---

**Name**

Jon Peterson

**Email**

jpeterson_az@yahoo.com

**Support Comments**

I realize the location is not ideal for everyone but I would prefer to have a local grocery store closer and less crowded than a Desert Ridge

I think the fry's complex at Thompson Peak and Hayden is a good example of what this could be and support it.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 10:44:24 PM

| **Name** |
| --- |
| Jamisyn Smith |
| **Email** |
| jamisyn.rae.smith@gmail.com |
| **Support Comments** |
| We need better options. A Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 2:21:55 PM

| **Name** |
| --- |
| Leslie Wren |
| **Email** |
| lesliewren22@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek Rd & Deer Valley |
| **Support Comments** |
| We need another grocery store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:54:09 PM

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| **Name** |
| --- |
| Suhair Riederer |
| **Email** |
| ishtar2000@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21526 n 59TH way Phoenix AZ 85054 |
| **Support Comments** |
| Please bring a sprout , fry’s or Walmart yo the area . We lack a good grocery store in desert ridge<br>Thanks<br>Suhair |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:04:40 PM

| **Name** |
| --- |
| Mary Jill Almassy |
| **Email** |
| jillalmassy@cox.net |
| **Support Comments** |
| We definitely need more and more convenient grocery shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:38:09 PM

---

| **Name** |
| --- |
| Not Helping |
| **Email** |
| Nothelping@stop.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Hey Gammage and Burnham - these silly Facebook groups are not a good idea. I actually like the idea of Black Mountain Village, but having a law firm with no vested interest in the neighborhood aside from the development being approved creating a Facebook/Instagram group to drum up support for the project makes your law firm look absolutely desperate, pathetic, and borderline deceptive. Please discontinue this type of advertising. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:34:53 AM

---

| **Name** |
| --- |
| Anne Blazek |
| **Email** |
| boutiquewellness@gmail.com |
| **Support Comments** |
| Need more than one alberstsons |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 2:08:41 PM

---

| **Name** |
| --- |
| Dennis Brown |
| **Email** |
| azhairguy@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2513 E Barbed Wire Pass |
| **Support Comments** |
| I think it would be great, yes students need parking which could be part of it, rather more houses/apartments that they couldn’t park in, stores would be closer for all of us on cave creek and deer valley ect. Can’t wait for it!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:47:07 AM

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| **Name** |
| --- |
| Maryanne Christensen |
| **Email** |
| mlchristensen05@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| We need another grocery store in this area!! I have lived here for 12+ years and the only thing that hasn't grown is options to shop for groceries. Please make it a Signature Fry's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:09:33 AM

| **Name** |
| --- |
| Brian Clifton |
| **Email** |
| bclifton5@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We need more business and less housing in the area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:44:09 AM

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**Name**

Stephanie Cohen

**Email**

s_marema@yahoo.com

**Address / Neighborhood (Optional)**

4410 East Kirkland Rd.

**Support Comments**

I support and additional shopping development with hopes to have another more boutique style. Grocery store option.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:03:00 PM

| **Name** |
| --- |
| Ralph Ferrara |
| **Email** |
| ralph.ferrara@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2129 East Daley Lane |
| **Support Comments** |
| I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:36:17 AM

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| **Name** |
| --- |
| Sol Fink |
| **Email** |
| sol_fink@yahoo.com |
| **Address / Neighborhood (Optional)** |
| SkyCrossing |
| **Support Comments** |
| We definitely need a supermarket, some restaurants and a few boutique shops within walking distance of SkyCrossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:57:01 PM

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| **Name** |
| --- |
| James Gregory |
| **Email** |
| jamesgregory1882@gmail.com |
| **Address / Neighborhood (Optional)** |
| Boulder Creek |
| **Support Comments** |
| I'm looking forward to the space being utilized, for what I hope, will be a higher end use. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:57:52 AM

---

| **Name** |
| --- |
| April Halaby |
| **Email** |
| ahalaby@chicagopropertyconcierge.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Harlow Sky Crossing |
| **Support Comments** |
| We wholly support the plans for Vestar to develop the land, including a grocery store. This area is underserved with regards to grocery stores and small shops, and this would help resolve that issue. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 8:45:58 AM

---

**Name**

Bob Hamer

**Email**

Hamer.bob@gmail.com

**Address / Neighborhood (Optional)**

Adobe Rd. (Sky crossing resident)

**Support Comments**

Definitely in favor of the commercial development on Black Mtn and Deer Valley. Closer grocery store (maybe gas too?) retail restaurants (a coffee shop) would be awesome. Right now we have to go to desert ridge and it’s too trafficked. Also, growing up and in High School eating at our local restaurants nearby school was a huge part of the community experience and right now I fear that doesn’t exist. As long as it’s thoughtful re: loitering and lighting and traffic there really isn’t a downside here at all. Hope we can get this approved!!

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 11:47:41 AM

---

**Name**

Brooke Harmon

**Email**

brharmon@gmail.com

**Address / Neighborhood (Optional)**

2214 E SOFT WIND DR

**Support Comments**

As someone that has live near this area since 2011, I am excited for the potential to build more commercial stores, including a grocery store other than Albertsons nearby. Our only nearby options for this is Desert Ridge which is getting ridiculously crowded now that Sky Crossing exists. It's funny that I see them as the ones complaining, but we were all very opposed to more residential homes in that area for two reasons. 1 - it made things even more congested and 2 - now our school boundaries risk being redrawn. I purchased land at cave creek and deer valley for Pinnacle High, now the extra residential growth is putting our ability to attend that school in the future at risk.

I do NOT want more residential homes at the corner at Black Mountain and Deer Valley. Commercial property is what I would love to see. It would also create more jobs for our area, especially the older teens / young adults.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:52:58 PM

| **Name** |
| --- |
| Linda Metcalf |
| **Email** |
| Ljm@hdride.com |
| **Address / Neighborhood (Optional)** |
| 26633 N 42nd street |
| **Support Comments** |
| We do need more shopping choices on this area. Not much to choose from right now |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:02:45 PM

---

| **Name** |
| --- |
| Kyla Geise |
| **Email** |
| kyla_geise@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| I do not want a new gas station/ store on deer valley. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 1:13:40 PM

---

| **Name** |
| --- |
| James Patterson |
| **Email** |
| Jsp.three@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I fully support this project. It will add much needed amenities to a growing area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 3:04:26 PM

---

| **Name** |
| --- |
| Christina Peregrym |
| **Email** |
| Cperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| I would love a Trader Joe’s across the street!!’ |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 4:50:19 AM

---

| **Name** |
| --- |
| Jeanice Ridgway |
| **Email** |
| jeanice@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 2213 E. Monona Dr |
| **Support Comments** |
| We should not need to drive that far to get the things we need. It's a busy corner already with the high school so it won't change. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 10:11:29 AM

---

**Name**

David Rucker

**Email**

azresbroker@gmail.com

**Address / Neighborhood (Optional)**

Aviano Desert Ridge

**Support Comments**

This area is in desperate need of additional shopping. The traffic is way too congested at Tatum and Deer Valley. It's also a safety issue for our teens that have to cross Tatum or Deer Valley to get to the only shopping at Desert Ridge Marketplace. The business revenue for City of Phoenix would be substantial as multiple businesses are ready to expand to this area. Another grocery anchor is what we really need. Our options are very limited especially with the expansion off of 56th St. And Deer Valley.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 6:27:29 PM

---

| **Name** |
| --- |
| Ron Stilwell |
| **Email** |
| rstilwell9@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Yes more choices |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:14:33 AM

---

**Name**

Roland Ward

**Email**

rmward194@gmail.com

**Address / Neighborhood (Optional)**

3828 E Morning Dove Trail/Aviano

**Support Comments**

Black Mountain Village is a much needed addition for Desert Ridge residents. Albertsons needs competition and the current mall is already too congested. I don't shop there because the ingress and egress are so terrible.

With thousands of new residents coming to Desert Ridge in at least four apartment complexes, new condos and Talin additional shopping options are absolutely necessary.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 5:35:21 PM

| **Name** |
| --- |
| Scott Weinberg |
| **Email** |
| scottysair@aol.com |
| **Address / Neighborhood (Optional)** |
| 3635 E Zachary Dr |
| **Support Comments** |
| Please build new Fry’s and In N Out Burger, as well as new restaurants. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 18, 2023 7:12:09 PM

---

| **Name** |
| --- |
| Shane Zink |
| **Email** |
| shane.j.zink@gmail.com |
| **Support Comments** |
| Put a new grocer in Desert Ridge. Whole Foods or Trader Joe’s would kill here. Don’t listen to the vocal minority about this. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:51:29 PM

| **Name** |
| --- |
| Ashley Allen |
| **Email** |
| ashleyallenfit@gmail.com |
| **Support Comments** |
| Please put a grocery store here, with a Starbucks |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:13:43 PM

---

| **Name** |
| --- |
| Anna Britt |
| **Email** |
| swedeanna@gmail.com |
| **Support Comments** |
| Its about time! Trader Joe and Sprouts would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 11:19:16 PM

---

| **Name** |
| --- |
| Simental Carolina |
| **Email** |
| csimental@hotmail.com |
| **Support Comments** |
| We need more options on the area. We only have Desert Ridge Mall as option. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 9:43:04 PM

| **Name** |
| --- |
| Danielle Coleman |
| **Email** |
| daniellecjacques@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Desert Ridge marketplace is too congested, would love to have other options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:07:09 AM

| **Name** |
| --- |
| Melissa Gitt |
| **Email** |
| melissagitt@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We look forward to this potentially happening and appreciate the transparency in your plans. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:09:40 AM

| **Name** |
| --- |
| Jesse Goldstein |
| **Email** |
| jgoldstein19@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We'd like this to happen. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 12:28:44 PM

---

| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| Wildcat Ridge |
| **Support Comments** |
| I'd love a grocery store but no stabd alone gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:51:34 PM

---

| **Name** |
| --- |
| Sylvia Lind |
| **Email** |
| spawlak0808@gmail.com |
| **Support Comments** |
| Yes we need a grocery store!!! Trader Joe’s please!!!!<br>There is nothing close by. Albertsons and Costco. Trader Joe’s would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:11:42 AM

---

| **Name** |
| --- |
| Monica Litt |
| **Email** |
| Monicalitt@hotmail.com |
| **Support Comments** |
| We live in Sky Crossing and fully support this project!<br>A gas station, restaurant, grocery store (would love Trader Joe’s) and a Dutch brothers would be absolutely amazing!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:59:06 PM

| **Name** |
| --- |
| Josh Mann |
| **Email** |
| jmann5225@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23230 N 20TH St |
| **Support Comments** |
| My closest grocery store is desert ridge which is about 12 minutes from my house. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:20:31 AM

---

| **Name** |
| --- |
| Don McCaul |
| **Email** |
| ddmccaul1@cox.net |
| **Address / Neighborhood (Optional)** |
| 3807 E Crest Lane, Phoenix, AZ. 85050 |
| **Support Comments** |
| Desert Ridge is exploding in size with no additional retail services. We desperately need an additional grocery store. Hopefully Vestar will attract Trader Joe’s. Desert Ridge Mall is a transportation nightmare with poor circulation. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:52:42 AM

| **Name** |
| --- |
| L M |
| **Email** |
| lauramcintosh5@gmail.com |
| **Support Comments** |
| Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 7:47:25 PM

| **Name** |
| --- |
| Ben McKeown |
| **Email** |
| buckshanks@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2521 e paraiso dr |
| **Support Comments** |
| I fully support having more quality grocery options include to my neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 6:18:50 PM

| **Name** |
| --- |
| Jorge Monroy |
| **Email** |
| jorge.monroy0@gmail.com |
| **Address / Neighborhood (Optional)** |
| Pinnacle at desert peak |
| **Support Comments** |
| I 100% support more options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 5:20:08 PM

| **Name** |
| --- |
| Marc Pruzansky |
| **Email** |
| mpruzansky@yahoo.com |
| **Support Comments** |
| Albertsons is the only large market in the vicinity. We deserve more options. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 4:29:28 PM

| **Name** |
| --- |
| Nathan Rodgers |
| **Email** |
| Iamnatedog@gmail.com |
| **Support Comments** |
| Grocery stores really don’t go north of Bell Road |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 19, 2023 8:59:49 PM

---

| **Name** |
| --- |
| Connie Tracy |
| **Email** |
| ctracycrna@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| I support more grocery stores and restaurants and shopping . |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 7:29:41 PM

---

| **Name** |
| --- |
| Kasey Allayeva |
| **Email** |
| kaseyaz1225@yahoo.com |
| **Support Comments** |
| Would like to see Trader Joe’s<br>Aldi store |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 12:28:52 PM

---

| **Name** |
| --- |
| Sommer Arekat |
| **Email** |
| sommer.arekat@gmail.com |
| **Support Comments** |
| Please bring a Trader Joe’s!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 8:37:06 PM

| **Name** |
| --- |
| Natalie Castaneda |
| **Email** |
| ndcastaneda80@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2725 e. Mine creek rd unit 1030 Phoenix, az 85024 |
| **Support Comments** |
| We need in this area more retail shopping and a mall too |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:37:07 PM

| **Name** |
| --- |
| Beth Field |
| **Email** |
| Bethfield1@hotmail.com |
| **Support Comments** |
| Support more shopping |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:54:34 AM

---

| **Name** |
| --- |
| Marta Graziano |
| **Email** |
| deltazeta@cox.net |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| My husband and I would greatly appreciate a grocery store with healthy foods like Sprouts. This area is becoming too dense with homes and not enough grocery stores to support the families who live here. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:53:57 PM

| **Name** |
| --- |
| Abigail Hunnicutt |
| **Email** |
| abbyjhunnicutt@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2029 east dry wood rd Phoenix 85024 |
| **Support Comments** |
| Our family would love to have a grocery store closer |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 5:42:35 AM

| **Name** |
| --- |
| Devin Kaufman |
| **Email** |
| Dgkaufman3@gmail.com |
| **Support Comments** |
| Supportive |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:23:46 PM

| **Name** |
| --- |
| Cindy Marquardt |
| **Email** |
| cindymarq@cox.net |
| **Address / Neighborhood (Optional)** |
| 4831 E Williams Dr., Phx 85054 |
| **Support Comments** |
| We need another grocery store in desert ridge |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:26:33 PM

| **Name** |
| --- |
| Lorenia Ochoa |
| **Email** |
| lorenia_o@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr. |
| **Support Comments** |
| Yes, it would be beneficial to Sky Crossing! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:28:39 PM

| **Name** |
| --- |
| Sara Phillips |
| **Email** |
| sjsmx@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 904 E Mohawk Dr |
| **Support Comments** |
| A grocery store such as frys, Trader Joe’s and a cvs or Walgreens would be amazing!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 2:29:33 PM

| **Name** |
| --- |
| Joann Polk |
| **Email** |
| Jopolk@me.com |
| **Address / Neighborhood (Optional)** |
| East side of Tatum and Ranger |
| **Support Comments** |
| I support the need for another grocery store in Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:39:54 PM

| **Name** |
| --- |
| VERNON PEREZ RUBIO |
| **Email** |
| vpra@me.com |
| **Address / Neighborhood (Optional)** |
| 3416 E Los Gatos Dr |
| **Support Comments** |
| I support comercial center |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 9:13:00 PM

| **Name** |
| --- |
| Bonnie Sauer |
| **Email** |
| momtogrif@gmail.com |
| **Address / Neighborhood (Optional)** |
| Fireside |
| **Support Comments** |
| Yes!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 10:05:49 AM

| **Name** |
| --- |
| Nate Schoenfeld |
| **Email** |
| nathan.schoenfeld@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3251 E Donald Dr Phoenix 850505, Sky Crossing |
| **Support Comments** |
| This is needed! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 4:17:57 PM

---

| **Name** |
| --- |
| Shirlee Tye |
| **Email** |
| tyeshi67@gmail.com |
| **Support Comments** |
| Trader Joe's would be the perfect size store in that location! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 20, 2023 6:29:46 PM

| **Name** |
| --- |
| Sunny Weisbaum |
| **Email** |
| sunnyw@sbcglobal.net |
| **Address / Neighborhood (Optional)** |
| 4009 E hashknife Rd |
| **Support Comments** |
| We need a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 4:42:43 PM

| **Name** |
| --- |
| Jean Kantaros |
| **Email** |
| jkantaros@gmail.com |
| **Address / Neighborhood (Optional)** |
| WildCat Ridge |
| **Support Comments** |
| I'm all for a grocery store. NO to a gas station. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:42:47 PM

| **Name** |
| --- |
| Michael Charley |
| **Email** |
| mcharle9@asu.edu |
| **Address / Neighborhood (Optional)** |
| Moon Valley |
| **Support Comments** |
| I support the location as their needs to be a grocery store within desert ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:18:51 PM

| **Name** |
| --- |
| Crystal Cline |
| **Email** |
| crystal2383@aol.com |
| **Address / Neighborhood (Optional)** |
| 21917 N 59th Ter |
| **Support Comments** |
| We would love more grocery store, restaurants and shopping options! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:32:19 PM

| **Name** |
| --- |
| John DEAN |
| **Email** |
| Johntdean@aol.com |
| **Support Comments** |
| I support a grocer and gas station |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:48:50 PM

| **Name** |
| --- |
| Sandesh Dev |
| **Email** |
| Sandeshdev1@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Grocery store is a positive - Sprouts or Whole Foods would be great |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:50:13 PM

---

| **Name** |
| --- |
| Joann Friedman |
| **Email** |
| joannwf@cox.net |
| **Support Comments** |
| I watched Desert Ridge shopping Center being built and was thrilled when Albertson's was completed. Another market facility would add to desert ridge neighbors choices. I wholeheartedly support this idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:05:00 PM

---

| **Name** |
| --- |
| Shannon Griffith |
| **Email** |
| Rowharder1@gmail.com |
| **Support Comments** |
| It would be very beneficial to build a Trader Joe’s at Deer Valley Dr and Black Mountain Pkwy. This area is saturated with customers and shopping. However, having more grocery options gives people more choices. Having a Trader Joe’s also appeals to a younger audience and is highly desirable. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:56:23 PM

---

| **Name** |
| --- |
| Bethany Gunn |
| **Email** |
| bethbaz79@aol.com |
| **Support Comments** |
| Trader Joe’s would be great! That’s all I want. Please put one in.<br><br>Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:19:17 PM

---

| **Name** |
| --- |
| Jodi Hoffman |
| **Email** |
| lbux555@aol.com |
| **Support Comments** |
| I live off of Cave Creek right after Deer Valley. The only convenient store is Costco. I dont always need to buy in bulk. Please place a Fryes near me. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 3:09:37 PM

---

| **Name** |
| --- |
| Jennifer Hopkins |
| **Email** |
| jenay99@aol.com |
| **Address / Neighborhood (Optional)** |
| 3941 E Hashknife Rd |
| **Support Comments** |
| This is definitely needed in this area as our options are very limited for how many homes are in the area versus convenience to a local grocer. This is fully supported.<br>Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:16:47 PM

| **Name** |
| --- |
| Joseph Joaquin |
| **Email** |
| Josephj1299@yahoo.com |
| **Support Comments** |
| It would be good to have a Trader Joe’s at Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:35:42 PM

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**Name**

Samalie Kahunde

**Email**

samaliek@yahoo.com

**Support Comments**

To begin with, the proposed development will be closer to where our family lives than Desert Ridge Marketplace. Sometimes, one just needs to make a really quick dash to the store to make a much-needed quick family dinner, when running late.

I also appreciate the Fuel Station - again for the convenience of proximity when one needs to get the kids to school or get oneself to work.

If the following stores (Trader Joe's, Whole Foods, Fry's, Sprouts or Safeway) were brought closer to the Desert Ridge residences, it would be a big plus as we usually travel little longer to one of their locations.

In summary, proximity, quality and variety of options, are key for my family and I.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 12:21:07 PM

| **Name** |
| --- |
| Debra Kruszalnicki |
| **Email** |
| dsbeerrn99@aol.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Sprouts please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 2:15:29 PM

| **Name** |
| --- |
| Cindy Lien |
| **Email** |
| cindyrocketonline@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate |
| **Support Comments** |
| The Albertsons parking lot drivers are just rude and awful and drive like they are above the laws of traffic. Need more alternatives. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:53:56 PM

---

| **Name** |
| --- |
| Diane McCaul |
| **Email** |
| ddmccaul1@gmail.com |
| **Support Comments** |
| Would love to see a Trader Joe’s or a Sprouts at this location. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:46:09 PM

| **Name** |
| --- |
| Klara McClellan |
| **Email** |
| Klara.mcclellan@hotmail.com |
| **Support Comments** |
| I would love to see Trader Joe's there |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:34:54 PM

| **Name** |
| --- |
| Whitney Murto |
| **Email** |
| whitneymurto@gmail.com |
| **Support Comments** |
| Trader joes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:55:08 PM

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**Name**

Neal Dubey

**Email**

neal.dubey@gmail.com

**Address / Neighborhood (Optional)**

22313 N 36th Street

**Support Comments**

I would love a neighborhood shopping center catering to the local community as getting in and out of Desert Ridge Marketplace can be quite congested. I prefer a smaller grocery store like a Trader Joe's over a larger store like Fry's. I am opposed to having a gas station in station the complex. Based on my discussions with people in the community if the shopping center had Trader Joe's and no gas station more people would support the development.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:03:50 PM

---

| **Name** |
| --- |
| Michelle Nordmann |
| **Email** |
| normoyle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23009 North 23rd Place |
| **Support Comments** |
| Would appreciate another spot to shop. Desert ridge is impossible |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:11:39 PM

| **Name** |
| --- |
| Jaimee Pascale |
| **Email** |
| bklyndevil24@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23825 N 25th way |
| **Support Comments** |
| It would be much closer for us |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:10:44 PM

---

| **Name** |
| --- |
| Anne Pauli |
| **Email** |
| Paulifamily@hotmail.com |
| **Support Comments** |
| TRADER JOES!!! We need one in our area!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:32:29 PM

---

| **Name** |
| --- |
| Mary Petty |
| **Email** |
| smspetty2006@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| I would love to have a Sprouts grocery store nearby. The second choice would be Trader Joe's. I have to drive a ways to get to the nearest Sprouts store. I would love to have access to both the Albertsons we have and adding a Sprouts nearby. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:11:42 PM

---

**Name**

Raymond Rita

**Email**

raymond3213@hotmail.com

**Address / Neighborhood (Optional)**

Sky crossing.

**Support Comments**

I love this idea and have been waiting for news on its development.

Going to desert ridge marketplace is a pain in the butt for the essentials, it will be nice to have a place that is much closer. It’s a huge win for people who want to bike and walk too.

I think the developers can secure a big win if they scrap the gas station idea. I also think having a left hand turn option on 34th street would be a big win.

I also think you should include more studies on how convenient/walkable areas like this improve properly values.

Many of the naysayers also site traffic, however for most residents of SC it’s a net win since they will drive less to DRM. The safety concerns are also silly cuz there’s already traffic, and the new improvements will actually make it safer.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:11 PM

---

| **Name** |
| --- |
| Sophia Rizk |
| **Email** |
| sophia_rizk@yahoo.fr |
| **Support Comments** |
| A Trader Joe’s would be great in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 9:40:00 AM

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| **Name** |
| --- |
| David Roth |
| **Email** |
| lancets.bearded.0v@icloud.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing Neighborhood |
| **Support Comments** |
| We fully support development at Deer Valley & Black Mountain Blvd. Desert Ridge can be extremely busy with traffic in that area, so it would be nice to have other shopping options closer to our home in Sky Crossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:26:26 PM

---

| **Name** |
| --- |
| Marjorie Schnell |
| **Email** |
| ms.margieschnell@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 39726 N MESSNER WAY |
| **Support Comments** |
| Would love a Trader Joe's or While Foods at Desert Ridge, perfect size and variety of food different from the many Frys and Sageways we have around. Thank you! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:01:21 PM

| **Name** |
| --- |
| Kassie Shirey |
| **Email** |
| kassie.shirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr |
| **Support Comments** |
| A neighborhood Sprouts or Trader Joe’s would be wonderful! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:34 PM

| **Name** |
| --- |
| Elissa Silber |
| **Email** |
| gemsilber@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5867 E Tierra Buena Ln |
| **Support Comments** |
| I would like a Trader Joe’s, or a Sprouts to go on there. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:24:59 PM

---

| **Name** |
| --- |
| Cynthia Sowa |
| **Email** |
| clusowa@gmail.com |
| **Address / Neighborhood (Optional)** |
| 23319 N 44TH PL |
| **Support Comments** |
| Trader Joe's would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:45 PM

---

| **Name** |
| --- |
| Scott Starr |
| **Email** |
| rltycheck@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Thai would be a great addition. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 8:29:06 PM

| **Name** |
| --- |
| April Storey |
| **Email** |
| azstorey@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate Pass |
| **Support Comments** |
| Trader Joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:39:37 PM

---

| **Name** |
| --- |
| Elena Tager |
| **Email** |
| elenatager@yahoo.com |
| **Support Comments** |
| We support. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:00:15 PM

---

| **Name** |
| --- |
| Juli Thompson |
| **Email** |
| Julesnrs@gmail.com |
| **Support Comments** |
| Yes, I vote for Whole Foods and a trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:57:47 PM

---

| **Name** |
| --- |
| Morgan Troutman |
| **Email** |
| morgan.troutman8700@gmail.com |
| **Address / Neighborhood (Optional)** |
| 12802 N 23RD ST |
| **Support Comments** |
| I support the proposal of a new grocer in the desert ridge area... preferably Fry's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 6:03:56 PM

| **Name** |
| --- |
| Amber Vercelline |
| **Email** |
| amber.rhodes.rn@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum Manor |
| **Support Comments** |
| Agree with grocery store. Would love Trader Joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 5:58:52 PM

| **Name** |
| --- |
| chris waranch |
| **Email** |
| cwaranch@gmail.com |
| **Support Comments** |
| Would appreciate a new grocery store in this location |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 7:18:11 PM

---

| **Name** |
| --- |
| John Zatarski |
| **Email** |
| jzatarski@hotmail.com |
| **Support Comments** |
| YES - We need another Grocery Store ! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 21, 2023 10:25:29 PM

---

| **Name** |
| --- |
| Mike Albers |
| **Email** |
| MikeAlbers23@gmail.com |
| **Support Comments** |
| Huge NO for gas of any kind.<br>Yes Trader Joe's or Whole Foods. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:07:37 PM

| **Name** |
| --- |
| David Ashkuri |
| **Email** |
| davidashkuri@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3514 E Utopia Rd. |
| **Support Comments** |
| We would love to see either a traders joe’s |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 2:21:51 PM

---

| **Name** |
| --- |
| Tony Baldwin |
| **Email** |
| Avalosoul@live.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Trader joes please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:36:27 AM

---

| **Name** |
| --- |
| Samantha Bednarz |
| **Email** |
| samiebednarz@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4616 E Desert Cactus St |
| **Support Comments** |
| This area absolutely needs a Sprouts! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:25:47 AM

| **Name** |
| --- |
| Kimberly Bocchi |
| **Email** |
| kimberly.a.bocchi@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Such a great use of the land over here!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:03:27 PM

---

| **Name** |
| --- |
| Amanda Brockbank |
| **Email** |
| Brockbankamanda16@gmail.com |
| **Address / Neighborhood (Optional)** |
| Boulder creek at desert foothills subdivision |
| **Support Comments** |
| I think this proposed plan adds value and convenience to the north Phoenix area. With the growing number of houses going up and no new stores, especially grocery, going up, this will be a positive and impactful addition to our neighborhood. We don’t want more houses or apartments crammed together. We want something that will actually be of use in the day to day life. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:11:14 AM

---

| **Name** |
| --- |
| Susan Cotner |
| **Email** |
| sccotner@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23650 N. 22nd St. |
| **Support Comments** |
| As senior living in the area, having a new neighborhood grocery store would help me to age in place in my current home. Currently I live more than 5 miles away from any grocery store. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:32:55 AM

| **Name** |
| --- |
| Kimberly Fabrycki |
| **Email** |
| kimberlyfabrycki@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3222 E Bryce Ln |
| **Support Comments** |
| Trader Joe’s please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:09:18 PM

---

| **Name** |
| --- |
| Sara Grasteit |
| **Email** |
| sarajuneco@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please make it a Trader Joe’s!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:55:08 AM

| **Name** |
| --- |
| kevin jerrett |
| **Email** |
| krjerrett@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 6 deer valley drive |
| **Support Comments** |
| Hope its a frys |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:44:20 PM

---

| **Name** |
| --- |
| PG Lakshminarayan |
| **Email** |
| plakshman@rocketmail.com |
| **Address / Neighborhood (Optional)** |
| Aviani |
| **Support Comments** |
| Support mini grocer like trader joe or sprouts... |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 6:32:26 AM

| **Name** |
| --- |
| David Larcher |
| **Email** |
| Dlarcher@vestar.com |
| **Support Comments** |
| Go for it |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 9:53:48 AM

---

| **Name** |
| --- |
| Sarah Larocca |
| **Email** |
| sarahdeelo@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3984 E Scout Pass |
| **Support Comments** |
| We need a healthy, organic grocery store that is local. |

**From:** Michelle Santoro
**To:** PDD Long Range Planning
**Subject:** FW: Support for Black Mountain Village Project
**Date:** Friday, September 22, 2023 11:33:04 AM

---

-----Original Message-----
From: Aaron Lloyd <aarontlloyd@gmail.com>
Sent: Friday, September 22, 2023 11:21 AM
To: anthony.grande@phoenix.gov
Cc: Michelle Santoro <msantoro@gblaw.com>
Subject: Support for Black Mountain Village Project

Mr. Grande,

I will not be able to attend the meeting on October 3 but write to provide my strong support for the Black Mountain Village rezoning project. As a homeowner in the Sky Crossing community I view this project favorably. It will be a good use of the land and provide homeowners in the surrounding neighborhoods with options not found in the immediate vicinity. I would much prefer a commercial rezoning to a multi family project and believe those opposed may be not realizing other potential and less favorable uses for the land.

As a former member of the PV Village Planning Committee, this project has my full support, and I urge the committee to vote to approve on October 3.

Thanks,

Aaron Lloyd

Sent from my iPhone

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 11:10:41 AM

---

**Name**

Aaron Lloyd

**Email**

aarontlloyd@gmail.com

**Address / Neighborhood (Optional)**

21926 N 29th St

**Support Comments**

Hello,

I strongly support this project as a neighbor in the Sky Crossing community. I believe the project will be an asset to the neighboring communities, provide additional services not found in the immediate neighborhood, and be a good use of the land. I strongly recommend that the planning committee approve the project at the upcoming meeting!

Thanks,

Aaron Lloyd

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 4:10:08 PM

---

| **Name** |
| --- |
| Thomas Mosmeyer |
| **Email** |
| thomasmosmeyer@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4514 E Weaver Road |
| **Support Comments** |
| The ability to walk to a grocer can greatly reduce the traffic strain that is clearly obvious in front of Desert Ridge Marketplace. The more walkable the surrounding neighborhoods, the cheaper and less deleterious the use of cars becomes. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 1:02:47 PM

---

| **Name** |
| --- |
| Charles Pawlak |
| **Email** |
| charlespawlak@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| A grocery store is badly needed and the Desert Ridge area with all the new apartments and homes being built and only Albertsons available within a few miles. I totally support a grocery store at the southwest corner of Deer Valley and Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:34:01 AM

---

| **Name** |
| --- |
| Nikki Reiter |
| **Email** |
| nikkijean6@yahoo.com |
| **Support Comments** |
| Trader Joe’s would kill it up in this neighborhood! We have to travel all the way down to tatum and shea or get overwhelmed at the FLW location. Also a full sized Sprouts or ALDIs would be nice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 12:23:46 AM

---

| **Name** |
| --- |
| Gianna Schneider |
| **Email** |
| ggbella12@gmail.com |
| **Support Comments** |
| Trader joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 7:52:48 PM

---

| **Name** |
| --- |
| Sylvia Sebescu |
| **Email** |
| silvip3@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 23222 N. 41 st Street, Phoenix 85050 |
| **Support Comments** |
| We need grocery store in our neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 10:17:31 AM

---

| **Name** |
| --- |
| Will Shirey |
| **Email** |
| wtshirey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2517 E. Paraiso Dr. |
| **Support Comments** |
| I support this initiative. We need more fuel and groceries in this area. Prefer Sprouts or Trader Joe’s as first choice. Fry’s second choice. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 3:20:20 PM

---

| **Name** |
| --- |
| Jennifer Ulrich |
| **Email** |
| jenbulrich@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Stone Butte |
| **Support Comments** |
| We need closer shopping and restaurant options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 22, 2023 8:13:18 AM

| **Name** |
| --- |
| Rohit Vir |
| **Email** |
| rohitvir@hotmail.com |
| **Support Comments** |
| Love the idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 12:01:03 PM

---

| **Name** |
| --- |
| Ariela Acuna |
| **Email** |
| Acunaariela@gmail.com |
| **Support Comments** |
| We really need more stores near our neighborhood as there isn’t much around and other stores such as desert ridge are becoming super crowded. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:37:09 AM

| **Name** |
| --- |
| David Allayev |
| **Email** |
| davidallayev5@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3843 e expedition way |
| **Support Comments** |
| This would be great for the neighborhood |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:15:32 AM

| **Name** |
| --- |
| Karla Grajeda |
| **Email** |
| Karlaplacido_96@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 23555 n desert peak parkway Phoenix Arizona 85024 |
| **Support Comments** |
| Give us a Trader Joe’s and Whole Foods |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 5:34:53 PM

| **Name** |
| --- |
| Ginny Komlos |
| **Email** |
| ginnykomlos@gmail.com |
| **Support Comments** |
| We need a new supermarket and gas station in the Deer Valley/Black Mountain |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 11:05:11 AM

| **Name** |
| --- |
| Greg Kraus |
| **Email** |
| greg.kraus@datadvisors.com |
| **Support Comments** |
| Can’t wait |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:08:31 AM

---

| **Name** |
| --- |
| Lama Mattar |
| **Email** |
| lama.mattar@hotmail.com |
| **Support Comments** |
| Such a great idea !! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:16:56 AM

---

| **Name** |
| --- |
| Terrie Miller |
| **Email** |
| tmiller855@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5350 E Deer Valley Dr |
| **Support Comments** |
| We need another grocery option as well as dining in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 1:04:05 PM

---

| **Name** |
| --- |
| Shaun Kelley |
| **Email** |
| sh4unz0r@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| My support for this development is contingent upon 3 things:<br>1. Grocer is guaranteed to be Sprouts, Whole Foods, or AJ's<br>2. No gas station, given the above grocers don't do accessory stations.<br>3. Lighting plan is implemented to be similar to lights at the Shops at Gainey Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 2:03:22 PM

| **Name** |
| --- |
| Jennifer Padgett |
| **Email** |
| Jcwiltse3@yahoo.com |
| **Support Comments** |
| Trader Joe's!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 10:46:54 AM

| **Name** |
| --- |
| Kaci Peregrym |
| **Email** |
| kaciperegrym@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3253 E Pike St |
| **Support Comments** |
| n/a |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 9:50:49 AM

| **Name** |
| --- |
| Gloria Poppa |
| **Email** |
| gjpoppa@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 5450 E Deer Valley Dr. #4211 Phoenix AZ 8505 |
| **Support Comments** |
| LOVE IT!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 6:20:40 AM

---

| **Name** |
| --- |
| Xiomara Pravong |
| **Email** |
| xpravong@gmail.com |
| **Address / Neighborhood (Optional)** |
| 18618 N 34th Pl |
| **Support Comments** |
| Trader Joe’s please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 23, 2023 8:24:20 AM

---

| **Name** |
| --- |
| Marisa Sanchez |
| **Email** |
| Marisatsanchez@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak |
| **Support Comments** |
| We'd like to see a Whole Foods or Sprouts put in. It's a long drive to either of these places. Or even a Natural Grocers or Trader Joe's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 12:05:30 PM

| **Name** |
| --- |
| Joyce Carlberg |
| **Email** |
| carlberg_az@msn.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We are in favor |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 7:00:37 PM

---

| **Name** |
| --- |
| Beth Dahl |
| **Email** |
| bethdahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cachet at Peakview |
| **Support Comments** |
| I lived in Aviano and Fireside for 8 years. I would have loved this center a mile from My house |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:21:29 PM

---

| **Name** |
| --- |
| Dianne Moore |
| **Email** |
| dianneishappy@gmail.com |
| **Support Comments** |
| I would be interested in a Trader Joe’s. Is that a possibility? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 8:01:25 PM

---

| **Name** |
| --- |
| Al Mercado |
| **Email** |
| azalbert@cox.net |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Please only speciality high-quality markets like Trader Joe’s, Whole Foods, Fry’s, Sprouts. Please NOT Frys or Safeway!!!<br><br>And surrounded by small retail stores = ok, but NO fuel station please!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 10:23:43 AM

---

| **Name** |
| --- |
| Donald Pearman |
| **Email** |
| 1fantasea@gmail.com |
| **Address / Neighborhood (Optional)** |
| PO Box 5155 Carefree AZ 85377 |
| **Support Comments** |
| I would like the facility (s) to exist. Please help make it happen |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 24, 2023 6:59:13 AM

---

| **Name** |
| --- |
| Victoria Pearman |
| **Email** |
| Twobeadorknot@yahoo.com |
| **Support Comments** |
| I would love to see a Trader Joe’s or something similar in that area. I support Desert Ridge’s idea to build another grocery. I would definitely use it when in the area. |

**From:** Dan Oseran
**To:** Anthony M Grande
**Subject:** Support(ish) for Black Mountain Village / Superblock 12
**Date:** Sunday, September 24, 2023 10:56:17 PM

---

Hi,
I know you are probably inundated with notes about the development on BMB and Deer Valley. Thank you for taking the time to consider all of the suggestions.

I support a form of development with limitations. I would strongly support a C-1 designation (rather than the proposed c-2) with no gas stations or fast food drive through pads. I support a true neighborhood community commercial development.

The area immediately surrounding this parcel has homes worth over a million dollars and I think Vestar made a tactical error by trying to build too much on the property. The current proposal isn't aligned with the 'feeling' of the immediately surrounding neighborhood, which is quieter, more residential, and further from the Desert Ridge core. If a more modest commercial development was proposed, I think it could make a positive difference in the community and be better received.

Thank you again,
Dan Oseran

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Robert Adams
22819 N. 39th Ave
Phx AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Alissa Thompson
alissa Thomp
3955 E. Parkside Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Mark Eyglehardt
3937 E Patrick Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jessica Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Lorena Figueroa
22903 N. 39th Terrace
85050 Phoenix, AZ.

**From:** Mandi Fleming
**To:** Anthony M Grande
**Subject:** Fireside at Desert Ridge - Superblock 12 Rezoning Amendment Requests
**Date:** Monday, September 25, 2023 11:18:59 AM

---

Dear Mr. Grande,

This communication is to inform you that as homeowners at Fireside Desert Ridge, my husband, Tom, and I are in favor of the proposed rezoning requests. You will find the case numbers associated with this proposal below:

**Case No. SPA-DS1 V-2-23-2**

**Case No. CPA-DSTV-3-23-2**

**Case No. 1-39-23**

Warm Regards,
Mandi and Tom Fleming

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Megan Grimes
3977 E Navigator Lane
Phoenix AZ 85050
Megan Grimes

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ed Hansen
3815 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Cameron Headley
3840 E Daley Ln
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

[illegible]

[illegible]

22833 N. 39th Ave

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Padma Thakur
23008 N. 38th Pl
Phoenix AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Jonathan Floyd
Jonathan Floyd
3937 E. Herrera Dr
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Christine Jones

3815 E. Daley Ln
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Justin Thompson

3955 E Parkside Ln

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Sarah Kang
3955 E Navigator Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:40:42 AM

---

**Name**

Ana Keller

**Email**

Anarygi@cox.net

**Support Comments**

I will strongly support a Trader Joe’s store .
We don’t have any of those close by and I’m sure it will be the best since we have 3 other ones you mention already and close by too .
Thank you !
Ana Keller

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Melinda Kennedy
3936 E. Parkside Ln
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 10:26:01 AM

| **Name** |
| --- |
| Alexandra Lusk |
| **Email** |
| alusk482@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert ridge |
| **Support Comments** |
| Trader Joe’s. I’m all in. Sprouts. For sure. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 4:23:22 PM

---

| **Name** |
| --- |
| Paul Marazzo |
| **Email** |
| amarazzo@arrowheadbmw.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Sounds great! Better than building apartments! |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Lawrence Martinez
22705 N 38th Way

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Anuradha Melam
23012 N. 38th Pl
Phoenix, AZ, 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ann Z. Nimlos

3810 E Patrick Ln
Phoenix AZ 85050

Ann Z. Nimlos

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely, PAT NOCK

PAT NOCK
3977 E Navigator Ln
Phoenix AZ

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

FIKRET PAJAZETOVIC
3815 E HERRERA DR
PHOENIX, AZ, 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 9:05:32 AM

---

| **Name** |
| --- |
| Shelly Palmer |
| **Email** |
| shellypalmerrd@gmail.com |
| **Support Comments** |
| I would support a Trader Joe’s or Whole Foods |

CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.*
*Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Priscilla Barnes | [signature] | 2115 E Williams DR | |
| Matt Tave | [signature] | 2115 E Williams DR | |
| Jan Rehorik | [signature] | 2045 N. 28 Way | |
| Indira Kirby | [signature] | | |
| Adelynn Kirby | [signature] | | |
| Wyatt Bowie | [signature] | | |
| Trenton Dawson | [signature] | | |
| Ryan Aldon | [signature] | | |
| Jeannette Vespale | [signature] | | |
| Dyan Bond | [signature] | | |
| Mary Barry | [signature] | | |
| W. Barry | [signature] | | |
| Marta Andreyeda | [signature] | 3664 E. Adobe Dr. | |
| Bree Fulp | [signature] | | |
| Jenifer Graham | [signature] | 4945 E Roberta Dr Cave Creek | |
| Zoe Drolet | [signature] | 6302 E Delcoa Ave | |
| Kay Griffith | [signature] | 5450 E Deer Valley Dr | |
| Lauren Herzog | [signature] | | |
| Mary Fulton | [signature] | | |
| Rebecca Hodo | [signature] | | |
| James Trewtinen | [signature] | 4841 E. Williams DR. | |
| Andrew Hendley | [signature] | 18002 N 12th St | |
| Alysa Torres | [signature] | 18002 N 12th St | |
| Maya Torres | [signature] | 16220 N 7th St, Phoenix | |
| Drew Pyne | [signature] | | |
| Young Jung | [signature] | 4849 E Garfield | |
| Connor O'Malley | [signature] | 4849 E Earll Dr | thetotaldoor.com |
| Joey Steinbacher | [signature] | | Joeysteinbacher49@hotmail.com |
| Ante henderson | [signature] | 4345 e acoma drive | a henderson20@cox.net |
| drew henderson | [signature] | | drewhenderson@cox.net |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Natasha Nuwasma | | | |
| [illegible] Price | [illegible] Price | 228 N 32nd St Phx | 85054 |
| Ryan Wolinsky | | | |
| [illegible] | | | |
| Zachary Wierzbicki | | | |
| Alex Drifler | | | |
| Windee Gustafson | | | |
| Zachary Stone | | | |
| Kristie Mills | Kristie Mills | 17987 E Veit Springs | |
| [illegible] | | | |
| Kian Akhavan | | | |
| Yuth Bunnell | | | |
| Linda Quartaro | | 3935 E Rough Rider Rd | |
| Liam Bailey | | | lbliamBailey@gmail.com |
| | | | |
| Khrismary Vazquez | | | |
| [illegible] Blankey | | 24901 N 39th Cra | Blankey3@cox.net |
| [illegible] | | 15635 N 29th | |
| Lindy Chipman | | | |
| Virginia Hurst | Virginia Hurst | 5550 E. Deer Valley | |
| Debra Giuffre | | | |
| Laiza montes | | | park |
| Caleb Campos | | Aviano community | 505-385-9630 |
| [illegible] | Kelly Kenneas | 3350 Valley Dr. | 206-353-563 |
| Reema McGonagle | | 4275 E. Ether Trail | |
| Amanda Fagelman | Fagelman | 21150 N Tatum, Phx | |
| Kurt Fagelman | | 21150 N Tatum Phx | |
| Billy Watkins | | | |
| Kenis Paulk | | | |
| Ryan Kosterna | | 22036 N 44th Pl | |

# BRING A NEW GROCER TO DESERT RIDGE

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| T. McWilliams | [signature] | | |
| Kari Backlin | [signature] | | |
| Hannah Ullestad | Hannah Ullestad | | contact.hpulis@gmail.com |
| Anthony Paterno | [signature] | | |
| Matt Endicott | [signature] | 3960 E Melinda Dr | |
| Susan Santiago | Santiago Sa | 10040 E Happy Valley | SGercone@ex.NET |
| Barbara Miranda | B Miranda | 18637 N 45th Pl | |
| Jen Kirby | [signature] | | |
| RAHUL THAEL | [signature] | | |
| Jenna Turner | [signature] | 22028 N. 59th Way | jennanturner@gmail.com |
| Brian Watts | [signature] | 5550 E. DEER VALLEY | Bwatts14@gmail.com |
| TYLER SMITH | Tyler Smith | 4031 E. ROBIN LANE | TYLER.SMITH@KIDDER.COM |
| Becki Smith | B Bigler S | 4031 E Robin Ln | beckibiglersmith65 |
| Grayson Smith | Grayson Smith | " | @yahoo.com |
| Anita Skywater | [signature] | | Grayson Smith162 |
| | | | @gmail.com |
| Megan Newman | [signature] | 26418 N. 42nd St | |
| Amy Windisch | Amy Windisch | 4631 E. [illegible] Dr. | amydye@me.com |
| Taryn Gosch | [signature] | | taryngosch@hotmail.com |
| Larry Trefz | [signature] | | |
| H. Khatchadourian | [signature] | 4750 E Union Hills Dr | |
| Joe Johnson | Joe Johnson | 23313 N 45th St | njandjj3@cox.net |
| Phil Gilbert | [signature] | 20653 N 16th Way | |
| Analicia Greeley-Reed | [signature] | | |
| Ruben Borden | [signature] | 21150 N Tatum | |
| Dominica | [signature] | 24113 N 20th | |
| | | | |
| Anita Mayur | Anita Mayur | 3132 E. Tina dr. | anitajmayur@gmail.com |
| Sandeep Mayur | [signature] | 3132 E. Tina dr. | Sandeep.mayur@gmail.com |
| | | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Andres Torres | [signature] | 4849 E Earll DR | andrestorres ne@gmail |
| Asida Cheval | [signature] | 21155 N 56th, | Phoenix |
| AGGIE BEDNARZ | [signature] | [illegible] | |
| Chloe Peck | [signature] | 22429 N 30th Way | |
| Sarah LaRue | [signature] | | |
| Logan Glines | [signature] | | |
| Riley Coughlin | [signature] | 22020 N 28th Way | |
| Holly Grossman | [signature] | | |
| SHARYN VUOLO | [signature] | | |
| Renee Ybarra | [signature] | 3816 Ringtail | |
| G M Lee | [signature] | 3975 W Chame | |
| Jake Thos | [signature] | 21811 N. 48th pl | |
| Veronica Gaffney | [signature] | 21495 N 28th st. | |
| Lauren Teixeira | [signature] | 21150 N Tatum | |
| Sophie Aspen | [signature] | 3712 E Potter | |
| [illegible] Susan Kneff | [signature] | 4412 E Williams | |
| KARL KASOWSKI | [signature] | | |
| Supsup Lor | [signature] | | |
| A. Itkoff | [signature] | 3901 E. Pinnacle PK RD, Phoenix 85050 | |
| [illegible] | [signature] | 2448 ec [illegible] | |
| Wes Desperis | [signature] | BLVD 85024 4823 E Patrick Ln | |
| Whitney M | [signature] | Phoenix, AZ 85054 | |
| Sara Betancourt | [signature] | 18245 N. Pima Rd, Scottsdale AZ 85255 | |
| Bill Kelley | [signature] | | |
| Fran Kelley | [signature] | | |
| MARSHALL FUND | KATHLEEN FUND | ~~1750 PINE AVE. LOS OSO~~ | |
| Sage Moffett | [signature] | 5102 E Votaire | sagemoffett@gmail.com |
| [illegible] | [signature] | | |
| Fredie | [signature] | | |
| [illegible] | [signature] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

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***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Charlie Quinn | [signature] | 21831 N 48th Pl | |
| Amelia Burton | [signature] | | |
| Brian Burton | [signature] | 21715 N 59th St. | |
| Ethan Fender | [signature] | 21320 N 56th St | |
| Jason Willson | [signature] | 211 50 N Tatum | |
| Abby Russell | [signature] | | |
| David Everett | [signature] | | |
| Darryl Lemecha | [signature] | 22227 N 51st ST | |
| Karen Lemecha | [signature] | " " | |
| Michelle Corey | [signature] | 4702 E Sands Dr 85050 | |
| Cameron Campbell | [signature] | | |
| Chatam Smith | [signature] | | |
| Christine Wallis | CHRISTIE O | 3901 E PINNACLE PEAK RD PHX 85050 | |
| Ernesto Ortiz | [signature] | | |
| Ernesto Ortiz | [signature] | 23555 N. Desert Pk #625 Phoenix | |
| Thida Uk | [signature] | | |
| Lawrence Moon | [signature] | 3517 E Adobe Dr | |
| Jadyn Shak | [signature] | | |
| Christopher [illegible] | [signature] | | |
| Lynn Konrath | Lynn Konrath | 4908 E. Kirkland Rd | |
| Julie Steelman | [signature] | 3960 E. Hummingbird Ln. | |
| Shannon Hanna | [signature] | 4810 E Rosin Ln Phx | |
| James | Smith | | |
| Nichole | [signature] | | |
| Alex | [signature] | | |
| Felix taxjhal | Felix | | |
| Travis Wells | [signature] | 21332 N 60th Place, Phoenix | |
| Sakina Pashu | [signature] | 3945 E Monona Dr. Phoenix | |
| Kendell Friess | [signature] | 5450 East Deer Valley Drive. | |
| ~~Kendell~~ Friess | [signature] | ✓ ✓ ✓ | |
| Colin | | | |

# BRING A NEW GROCER TO DESERT RIDGE

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***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| SAVANNAH ROBINSON | [signature] | 1481 N. MONTOYA PHX, AZ | |
| Matthew Mann | [signature] | | |
| Danielle Stein | [signature] | | |
| P. Haggard | P. Haggard | | |
| Sandra Shradek | | | |
| [illegible] | Logan Ritter | 3935 E Roughrider | |
| Trena Hamilton | Trena Hamilton | 11095 E Running Deer Trail Scotts | |
| Gilda Kemp | [signature] | Desert Ridge | |
| Shiloh Stewart | [signature] | | |
| Reza Parvin | [signature] | | |
| [illegible] | | | |
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CITY OF PHOENIX
SEP 25 2023
Planning & Development Department

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

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| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Johnathan Gamler | | | |
| Gianna Falco | | | |
| Nicole Wurzel | | | |
| Nathan Hawkins | | | |
| Blake Walker | | | |
| Brian Mrochinski | | | |
| Damon Brady | | 4656 E Sandra Terrace | |
| Cameron Peterson | | | |
| Gabby Mouradian | | | |
| Zach VanMore | | | |
| Erika Jesen | | | |
| Cole Gissing | | Desert Ridge | |
| Landon Shaw | | | |
| Trevor Wood | Trevor Wood | | |
| Super Chief | | | |
| Kyien Cohn | | | |
| Emily Ankeny | | | |
| Trevor Swenson | | Avino | |
| Colin Chemes | | | |
| Garrett White | | | |
| Michael Juel | | | sonovanlabs@gmail.com |
| Kadence Stout | | | |
| Scott Shopper | | | |
| Rob Prichard | | | |
| Brittany Krusze | | | |
| Lauren Taylor | | | laurenmtaylor18@gmail.com |
| Lauren Adams | | | laurenadams@gmail.com |
| Megan Gredish | | | |
| Heather S. | | | |
| Ethan Crupe | | | ethancrupe@gmail.com |

# BRING A NEW GROCER TO DESERT RIDGE

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***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| JODY MONCRIEFF | [signature] | 21150 N TATUM BLVD | |
| Yaqueline Cox | [signature] | " | |
| Erlion Bojter | [signature] | 21810 N 48th | |
| [illegible] | [signature] | 26220 N. 47th Pl | |
| [illegible] | Barbara Lerch | | horseshownana@aol.com |
| [illegible] | [signature] | | |
| [illegible] | [signature] | 5350 E. Deer Valley | |
| CHUCK WARREN | [signature] | 4606 E. VISTA BONITA DR. | |
| Diana Cowen | [signature] | | |
| Jodi Held | [signature] | 4816 E. Daley Lane | |
| Robin Edgett | [signature] | 2034 E Patrick Ln | |
| [illegible] | [signature] | 4042 E [illegible] Dr | |
| [illegible] | | 352 989 4771 | |
| [illegible] | | 505 892 2810 | |
| Teresa Perrin | | 30654 10201 | |
| Autumn Brewer | [signature] | | |
| Scott Snelson | [signature] | [illegible] | |
| Julie McAfee | [signature] | 3651 E ZACHARY DR. | |
| Allison L Wilkins | [signature] | | |
| MICHAL | [signature] | 21155 N 56th St | |
| Nancy | Nancy Buttaro | 1212 W. Muriel D. | |
| Angie Gayer | [signature] | 8126 E Vista Bonita | |
| Sean Gibeau | [signature] | 8116 W Vista Monis Dr | |
| Sheryl A Shealey | Sheryl Shealey | 22423 N 22nd Way | |
| Rita Hervey | Rita Hervey | 21150 N. Tatum | |
| Zach Lynn | [signature] | | |
| [illegible] | Teresa Tay | | |
| Alden Sundeen | [signature] | | |
| [illegible] | [signature] | 3450 E. Deer Valley Dr | |
| Julianna Rivera | [signature] | 24342 N. 27th Pl. | julianna.ri |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

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*Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| David Mauhin | [signature] | | |
| Anna Mauhin | Anna Mauhin | | |
| [illegible] | [signature] | | |
| Sharon Kellogg | [signature] | | |
| Young Jung | [signature] | | yjung021@gmail.com |
| Julie Zawada | [signature] | | RCDRIVING80@yahoo |
| alex nichols | alex | | alexisnichols480 |
| Riley Mogull | [signature] | | rileymogull@icl. |
| Aidan Hague | [signature] | | 73645@cccsd93. |
| Amberlyn Bell | Amberlyn Bell | | |
| Camden Gallasher | [signature] | | |
| [illegible] Mulhern | [signature] | | |
| Colton Alhers | [signature] | | |
| Brady Narbut | Brady Narbut | | bradynarbut@yahoo.com |
| Zachary Narbut | Zachary Narbut | | zachnarbut2@gmail.com |
| Walter Funes | [signature] | | |
| Joshua Williams | [signature] | | |
| Janice Christian | [signature] | | |
| Ker Carpenter | [signature] | | |
| Ed Rucki | [signature] | | |
| Debra Rucki | Debra Rucki | | |
| Blaise Backlund | [signature] | | |
| Ryan Wegner | [signature] | | |
| TYLER ARNETT | [signature] | RENEE DR | |
| Gilda Kemp | [signature] | Desert Ridge | |
| Abigayle Glidden | [signature] | | |
| KEITH DUDLEY | [signature] | DESERT RIDGE | |
| Grady B | [signature] | DR | Dsgradybeegmail |
| Max Blotzman | [signature] | | |
| Julia Graham | Julia Graham | Desert Ridge | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Norbert Hofwald | [illegible] | Desert Ridge | |
| [illegible] | Maria Vittorio | Desert Ridge | |
| Kerry Malvin | [illegible] | Desert Ridge | |
| Donna Nagy | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | | |
| Ana Salomon | a Salomon | | |
| [illegible] | Schumacher | | |
| Linda Woodard | Linda Woodard | Desert Ridge | |
| Jackson McKenzy | [illegible] | | |
| Marisa Carangi | Marisa C | | |
| Joe Brown | [illegible] | | |
| Victoria Herrera | [illegible] | Desert Ridge | |
| Terry Serago | Terry Serago | " | |
| Stone Mason | [illegible] | DR | |
| Sam Oslender | [illegible] | | |
| Ethan DePue | [illegible] | | |
| Kylie Francis | Kylie Francis | | |
| Peyton P. | [illegible] | | |
| Sarah E | [illegible] | Scottsdale AZ | — |
| Sativa K | [illegible] | Scottsdale AZ | — |
| Lisa Bern | [illegible] | DR | |
| Ayden Baker | [illegible] | | |
| Ethan Moya | [illegible] | | |
| Brandon Torres | [illegible] | | |
| Jeremy Burnley | Jeremy Burnley | | |
| Avery Whitesitt | [illegible] | | |
| Isaac Reynolds | [illegible] | | |
| Henwcin Mae | Benitez | | |
| Violet Sanders | [illegible] | Cave Creek | |
| Oliver Celaya | [illegible] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

*A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options*

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Regina Arellano | | | |
| Alex Pirtle | | Fireside | |
| Isabella Renaud | | Fireside | |
| Erica Delgado | | | |
| Michael Delgado | | | |
| Hall Beyer | | | |
| Ryder Dominguez | | | |
| Tommy Wall | | | |
| Keegan | | | |
| Tristin Mahr | | | |
| MS chapman | | Desert Ridge | |
| Anahis Moreno | | | |
| Carolina Moreno | | | |
| Stephanie Moreno | | | |
| Nate Crabtree | | | |
| Tessa Crabtree | | | |
| Kate Crabtree | | | |
| JJ Watt | | | |
| Hank Webber | | Desert Ridge | |
| Srijn Parthi | | Sanctuary | |
| | | | |
| | Shaylah Satchel | | |
| | Jackson Gaertner | Aviano | |
| Charlie Larsen | | Aviano | |
| Olivia Gaertner | | Aviano | |
| Trish Dorney | | Desert ridge | |
| Srimaa | | Desert ridge | |
| Jonah Espinoza | | Desert ridge | |
| Tyler Trimakoff | | | |
| Brendan George | | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| DAVID LANUE | [illegible] | | DAVID LANUE3@ EMAIL |
| Chloe Jackson | Chloe Jackson | | |
| Lanor Roe | [illegible] | | Chloebeharose@xlovel |
| Ethan Penrose | [illegible] | | |
| Mary Spener | [illegible] | | spener@cox.net |
| Carolina Nieto | Nieto Carolina | | |
| Sayra Soto | [illegible] | 16432 N 28th St | SayraSoto0908@1clov.com |
| Jesus Aguirre | | 1946 W LARKSPUR Dr. | |
| Amina Afous | Amina | East Monte Cristo 6009 | amina85259@gmail.com |
| [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | | |
| Carson Smith | [illegible] | | |
| Bailey Ison | [illegible] | | |
| Maya Belleher | [illegible] | | |
| Alec Greenwood | [illegible] | | |
| Jason Coleman | [illegible] | | |
| LOWELL MANAW | [illegible] | | |
| MARK Daggleby | [illegible] | | |
| Felipe Betancur | [illegible] | | |
| Aly Betancur | [illegible] | | |
| Lou Rodriguez | [illegible] | | |
| Amy Jones | [illegible] | | |
| John Burns | [illegible] | | |
| Nasrin Molani | [illegible] | 85032 | — |
| Eliesa Rob. | [illegible] | | |
| Armin Smailagic | [illegible] | | armin.1674@gmail.ca |
| Jota Oso | [illegible] | | jotaoso@5919.com |
| Sara Hanson | [illegible] | 85004 | |
| SaMara Brown | [illegible] | 85022 | Samarakrier@gmail |
| MARY KORY | [illegible] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Tirsa Quartullo | | | |
| Kierre S | | | |
| Jermaine Norman | | | |
| Jocelyn Chay | | | |
| Andres Torres | | | andres.tort22@gmail.com |
| Graceek | | | |
| Josh Stelwell | | | |
| Zac Brown | | | brownzac@gmail.com |
| Josie Ramos | | | Josie Ramos@gmail |
| Paul Palmer | | | |
| Douglas Perez | | | Perdog18@hotmail.com |
| Tiffany Nowatske | | | tnowatske@gmail.com |
| Tiffini Giebel | | 3114 E Kerry ln | Tiffini Giebel |
| Jordan Thomin | | 2725 E Mine Creek Rd | Jordan.e.thomin@gmail |
| Lisa Graham | | | |
| Shyler Weber | | | |
| Mari Holtore | | | |
| Daisy Ellis | | | |
| Kanani Araki | | | |
| amber g. | | | |
| Alexis P. | | | |
| Margaret Castillo | | 22717 N 38th Way Phx, AZ 85050 | |
| Tiffany Ossoughe | | 4720 E Pinchot Peak | tvossoughe2@gmail.com |
| Emily Thai | | | |
| Isaac Lara | | | |
| Jack Lankford | | 11441 N thunderbird | Jdlankford03@gmail |
| Shreyas A | | 4038 E Saint John Rd | |
| Averie | Cowden | 4038 E St John Rd | |
| Ryker P | | 3046 East Wilbrage | Ryker.pr |
| Ethan | | 5309 E Monte | elohenz |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Robert Johnson | [signature] | 2959 N 29th st | rj732855.rj4@gmail.com |
| Jack Creelman | [signature] | 4690 S Lakeshore Drive | jackcreelman108@gmail.com |
| Jenna Jeran | [signature] | 610 W. Roosevelt | — |
| Mark Durocher | [signature] | — | Mduro8@gmail.com |
| Andreas Hacmeyer | [signature] | | |
| David Herrera | [signature] | | |
| Kristen Packard | [signature] | | Kristen.packard@me.com |
| Jared Blackstone | [signature] | | Jblackstone1977@gmail |
| Collin Hurt | [signature] | | |
| Karli Davis | [signature] | | |
| Lauren Angelo | [signature] | | |
| Nathan Padilla | [signature] | | |
| Matt Durocher | [signature] | — | mattdurocher1@gmail.c |
| Bree Durocher | [signature] | — | bread1023@yahoo.com |
| Robert Gilch | [signature] | | |
| Tyrone Brandon | [signature] | PHX | |
| Chris Potter | Chris Potter | | |
| Mya Sheppard | [signature] | | |
| [illegible] | [illegible] | Calif / PHX | [signature] |
| [illegible] | [illegible] | | |
| Jacob Newberry | [signature] | | |
| Carlyn Stalionicz | [signature] | | |
| [illegible] | [illegible] | | |
| [illegible] | Nolan Lapskin | | |
| Dylan McMullen | [signature] | PhX | |
| [illegible] | FATE TAYLOR | PHX | |
| Val Hartman | C. Tejera | | |
| Sarah Connell | [signature] | | |
| Lauren Summey | [signature] | | |
| Bibi Tejera | [signature] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Brett Bigelow | [signature] | | bbigelow55@cal |
| [illegible] | [signature] | | [illegible] |
| Anthony Reeves | [signature] | | areeves@gmail.com |
| Tristan Vanderbilt | [signature] | — | — |
| Taylor Sunset | [signature] | — | — |
| Alexis Gordon | [signature] | | lexie15boss@gmail.com |
| McKenzie Reynolds | [signature] | — | — |
| Casie Cooper | [signature] | — | — |
| Judieu Williams | [signature] | — | — |
| Alivia Judith Kagal | [signature] | | akagal3398@gmail.c |
| Soley Kilian | [signature] | | sdkilian@gmail.com |
| MADISON DEES | [signature] | | MADDYDEES@GMAIL.COM |
| RICHARD CHAVEZ | [signature] | | chavezrel4@hotmail.com |
| Steve Lukasl | [signature] | | Bob@Aol.com |
| John Gallagher | [signature] | — | — |
| London Sabani | [signature] | | |
| [illegible] | | | |
| Nima Parvin | [signature] | — | — |
| Adrian Vender | [signature] | — | — |
| Brianna Balderaz | [signature] | | |
| Pawshlewin | [signature] | — | — |
| Doyle Thomas | [signature] | — | — |
| BRIAN GUTTERREZ | [signature] | | |
| Tyler Blinn | [signature] | — | — |
| Mark Kosten | [signature] | | |
| Austin Hartin | [signature] | — | |
| Don T | [signature] | | |
| Matthew | [signature] | | |
| [illegible] | [signature] | | |
| Max Valentine | [signature] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| | | 5070 83rd St | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Moorea Crabtree | | | Mooreacrabtree@gmail |
| CASSI MIHO | | | |
| TJ MIHO | | | |
| | | | |
| | | | |
| Cheyenne Patti | | | |
| | | | |
| Carla Engel | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
|

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Kevin Harkey | [illegible] | | Kharkey69@gmail.com |
| [illegible] | [illegible] | | |
| Drake Barandela | [illegible] | | drakeabarandela@gmail.co |
| Jeremy Barandela | [illegible] | | drake.barandela@my.tccd.E |
| Christina Barandela | [illegible] | | christinabarandela@gmail |
| Carlie Fitting | [illegible] | | carlie197@gmail |
| Ryan Castle | Ryan Castle | | |
| Gabby Vega | Gabriel Vega | | |
| Casey Spencer | Casey Spencer | | |
| Meadow Spencer | Meadow | | |
| Erick Chavez | [illegible] | | |
| Danny Saavedra | [illegible] | | |
| Shane Thompson | [illegible] | | |
| [illegible] | Hannah Hoffman | | HRH@SamHoustonedu |
| Marleen Galvan | [illegible] | | |
| Lauren Thompson | [illegible] | | |
| Jeanette Madera | [illegible] | | GetLuz@gmail.com |
| Brenda Ferreira | [illegible] | | GetLuz@gmail.com |
| Jesr Rodriguez | [illegible] | | |
| Maricela Reyes | [illegible] | | [illegible] |
| Jessica Galarza | [illegible] | | |
| [illegible] | [illegible] | Desert Ridge | |
| [illegible] | [illegible] | DR | |
| [illegible] | [illegible] | | notaeyyjb8e241@yahoo |
| [illegible] | [illegible] | | |
| Jeremiah Hyles | [illegible] | | |
| Colin Brandenberger | [illegible] | | |
| Anthony [illegible] | [illegible] | | |
| [illegible] | [illegible] | | |
| [illegible] | [illegible] | DR | |
| Doug Gonnly | [illegible] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd.***
***Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Myles Henderson | [signature] | | Mymy Henderson44@gmail.com |
| Desirée Ayala | [signature] | | |
| Kendricks Y. Lab | [signature] | | |
| Yeriel Figueroa | [signature] | | |
| Cole Gascon | [signature] | | |
| Derek Kane | [signature] | | |
| Ana Serra | [signature] | | |
| Nolan Johnson | [signature] | | |
| Jeremy Zanganella | [signature] | | |
| Brian Kelly | [signature] | | |
| Amy Kelly | [signature] | | |
| Brett Moran | [signature] | | |
| Katie Warren | [signature] | | |
| David Hall | [signature] | | |
| Connor Gowens Bdt | [signature] | | |
| Ben Petersen | [signature] | | |
| Angel Gonzalez | [signature] | | |
| Erik Espinoza | [signature] | | |
| Cory David | [signature] | | |
| Jim Gruler | [signature] | | |
| Jill Gruler | [signature] | | |
| BRIAN MORAN | [signature] | | |
| Joe Cryan | [signature] | | joe@citywidecre.com |
| Chelsea Martin | [signature] | | |
| TREY MARTIN | [signature] | | |
| Shae Hardin | [signature] | | shaelenahardin@live.com |
| Jenna Finley | [signature] | | |
| Skye Kollmer | [signature] | | |
| Julie Crowley | [signature] | | |
| Lauren Clement | [signature] | | |
| Allison Radzel | [signature] | | |

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Lou Sarno | | | |
| James Wilson | | | |
| Thalia Holmstrom | | | |
| Brandon Kohli | | | |
| James Gotch | | | |
| Katrina Brunn | | | |
| Heather Wilson | | | |
| | | | |
| | | | |
|

# BRING A NEW GROCER TO DESERT RIDGE

Support the Development of Black Mountain Village (SWC of Black Mountain Blvd. & E. Deer Valley Rd.)

***A neighborhood grocery-anchored shopping center near Deer Valley Rd. and Black Mountain Blvd. Would provide us with convenient access to fresh and affordable food options***

| Printed Name (First, Last) | Signature | Address (Optional) | Email (Optional) |
|---|---|---|---|
| Jessica Bjork | | | |
| Chris Reese | | | |
| Joey Gonzales | | | |
| Michael Rhodes | | | |
| Sally Fordham | | | |
| Patricia Blair | | 3 | |
| Betty Schley | | | |
| | | | |
| | | | |
|

CITY OF PHOENIX
SEP 25 2023
Planning & Development
Department

## SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD

| Name | City | State | Postal Code | Country | Signed On |
|---|---|---|---|---|---|
| New Grocer | | | | US | 9/1/2023 |
| David Larcher | Brooklyn | NY | 11249 | US | 9/4/2023 |
| Yvette Mayo | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Bob Mayo | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Stephanie Garcia | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Susan Hweimel | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Christine McNeal | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Monica Pereira-Guana | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Chris Cross | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Kiersten Pace | Phoenix | AZ | 85017 | US | 9/6/2023 |
| Mary Downing | Clifton | CO | 81520 | US | 9/6/2023 |
| Sandy Summers | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Cheryl Wadina | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Lina Chua | Phoenix | AZ | 85001 | US | 9/6/2023 |
| Jill Blair | Phoenix | AZ | 85085 | US | 9/6/2023 |
| Skeleton Key | Los Angele | CA | | US | 9/6/2023 |
| Michael Vittorio | Chicago | | 97603 | US | 9/6/2023 |
| Nancy Thompson | Kennesaw | | 30152 | US | 9/6/2023 |
| Jon Inwood | Brooklyn | NY | 1123 | US | 9/6/2023 |
| Alix Cassagnol | Watertown | | 13601 | US | 9/6/2023 |
| Daniel O'Brien | MILTON | | 12547 | US | 9/6/2023 |
| Preston Towne | Burlington | | 52601 | US | 9/6/2023 |
| Arya Albritton | Terre Haute | | 47802 | US | 9/6/2023 |
| Chloe Carlton | Peoria | | 61604 | US | 9/6/2023 |
| Kieth Bryant | Seattle | | 98118 | US | 9/6/2023 |
| Shane White | Kansas City | | 66101 | US | 9/6/2023 |
| Mackenzie Griswold | Irving | | 75063 | US | 9/6/2023 |
| Max Mildebrandt | | | | US | 9/6/2023 |
| Aja Smith | Norristown | | 19401 | US | 9/6/2023 |
| Miala Wilkerson | Atlanta | | 30315 | US | 9/6/2023 |
| Gedion Yemane | Los Angeles | | 90016 | US | 9/6/2023 |
| Michael Keith | Cincinnati | | 45239 | US | 9/6/2023 |
| Frehiwot Gezahegn | Hayward | | 94544 | US | 9/6/2023 |
| Catherine Kenyon | La Quinta | | 92253 | US | 9/6/2023 |
| Andrew Floyd | | | | US | 9/6/2023 |
| Viviana Sanchez | Jamaica Plain | | 2130 | US | 9/6/2023 |
| lyssy howard | Annapolis | | 21403 | US | 9/6/2023 |
| Liliana Martinez | Caldwell | | 83605 | US | 9/6/2023 |
| Ivory Murphy | Asbury Park | | 7712 | US | 9/6/2023 |
| Trukessa Ussery | Hampton | | 30228 | US | 9/6/2023 |
| Cynthia Ervin | Winston-salem | | 27105 | US | 9/6/2023 |
| Mia Helmick | Dearborn | | 48126 | US | 9/6/2023 |
| Sennait Misghinna | Wylie | | 75098 | US | 9/6/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Melissa Winner | Phoenix | AZ | 85024 | US | 9/6/2023 |
| Ann Jankes | Phoenix | AZ | 85054 | US | 9/6/2023 |
| Lisa Andreas | Phoenix | AZ | 85016 | US | 9/6/2023 |
| Debbie Merrick | Phoenix | AZ | 85050 | US | 9/6/2023 |
| Gary Lawrence | Phoenix | AZ | 85040 | US | 9/7/2023 |
| Deirdre Menchaca | Hyannis | MA | 2601 | US | 9/7/2023 |
| Melanie Stone | Phoenix | AZ | 85024 | US | 9/7/2023 |
| Carol Ditmore | Phoenix | AZ | 85050 | US | 9/7/2023 |
| Martina McConnon | Phoenix | AZ | 85080 | US | 9/7/2023 |
| Moon Knight | Los Angele | CA | | US | 9/8/2023 |
| Sheena Lamon | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Christopher Lamon | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Diane Diamond | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Shannon Garman | Phoenix | AZ | 85036 | US | 9/11/2023 |
| Chantelle Sabbath | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Jenna Huffman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Robert Caccamo | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Lina Senia | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Susan Cheeseman | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Beth levine | Phoenix | AZ | 85015 | US | 9/11/2023 |
| Jamie Bush | Phoenix | AZ | 85003 | US | 9/11/2023 |
| Sonita W. | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Ginny Komlos | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Christine Nard | Phoenix | AZ | 85001 | US | 9/11/2023 |
| Don Crosby | Phoenix | AZ | 85008 | US | 9/11/2023 |
| Susan Almanza | Phoenix | AZ | 85059 | US | 9/11/2023 |
| Angela Marnell | Phoenix | AZ | 85024 | US | 9/11/2023 |
| Karen Flaherty | Phoenix | AZ | 85063 | US | 9/11/2023 |
| Rita Onofrio | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Rebeka Bauer | Phoenix | AZ | 85050 | US | 9/11/2023 |
| Juliana Fisher | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sharon Levy | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Susan Nerheim | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Maria Elizabeth Rodriguez | Phoenix | AZ | 85022 | US | 9/12/2023 |
| Sarah Levine | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Jodi Lavin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Patrice Kimmerle | Phoenix | AZ | 85003 | US | 9/12/2023 |
| Betsy Studer | Phoenix | AZ | 85009 | US | 9/12/2023 |
| Mohan Paredla | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sri Ben | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Hamsa Srinivasan | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Sunil K | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Sananda Saha | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Jamie Bessler | Phoenix | AZ | 85014 | US | 9/12/2023 |
| Shachindra Pandey | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Divya Kutty | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kingshuk Choudhary | San Dimas | CA | 91773 | US | 9/12/2023 |
| Neil Hoffman | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Colleen Widdows | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Barbara Welch | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kirstin Robinson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Kathy Petersen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| aaron brock | HOWELL | | 48843 | US | 9/12/2023 |
| G. Diane Matthews-Marcelin | Carson | | 90746 | US | 9/12/2023 |
| Javier Chacin | Memphis | | 38112 | US | 9/12/2023 |
| Christina Rago | Cave Creek | AZ | 85331 | US | 9/12/2023 |
| barbara coyle | San Antonio | | 78234 | US | 9/12/2023 |
| Christopher Bean | | | | US | 9/12/2023 |
| Mary Ursaki | Portland | | 97206 | US | 9/12/2023 |
| Stephen Roan | Baton Rouge | | 70807 | US | 9/12/2023 |
| Cody teawitch | Castle Rock | | 80109 | US | 9/12/2023 |
| natalie thornhill | Charleston | | 25312 | US | 9/12/2023 |
| Jonna Parker | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Niko D-R | | | | US | 9/12/2023 |
| natalie Thornhill | Elkview | | 25071 | US | 9/12/2023 |
| Jaslyn Ruvalcaba | Aurora | | 80010 | US | 9/12/2023 |
| Zach Pemberton | Santa Rosa | | 95404 | US | 9/12/2023 |
| Diana Brown | San Bernardino | | 92410 | US | 9/12/2023 |
| Cathie Andresen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Kristin Peterson | Scottsdale | AZ | 85261 | US | 9/12/2023 |
| Julie Greenberg | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Alysson Zatarga | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Sarah Williford | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Daliah Meirovits | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Liz DAnna | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Cummings | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Julie Peterson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Nancy Ackel | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tony D'Anna | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Elena Tager | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Sk V | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Carole Fields | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Stephanie Gustafson | Phoenix | AZ | 85041 | US | 9/12/2023 |
| William Getz | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Karenlee Thorpe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Joann BEVERLY | Phoenix | AZ | 85001 | US | 9/12/2023 |
| David Binkley | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sidney Mae | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Gillian Fallas | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Olivia Filippone | Phoenix | AZ | 85050 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Dinesh Chintalapuri | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Jenny Araujo | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhishek Saxena | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Robin Berning | Phoenix | AZ | 85006 | US | 9/12/2023 |
| Jen Silverberg | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Sheila Hansen | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Tamara Hajja | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shalimar Marshall | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Leah Mondlick | New York | NY | 10038 | US | 9/12/2023 |
| Michele Briggs | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Laurie Thrasher | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Johnston Melanie | Phoenix | AZ | 85012 | US | 9/12/2023 |
| Noel Ortiz | Phoenix | AZ | 85004 | US | 9/12/2023 |
| Michele Sonkin | Phoenix | AZ | 85068 | US | 9/12/2023 |
| James Patterson | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Keaira Tighe | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Geoff Rubin | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Kate Fleming | Phoenix | AZ | 85025 | US | 9/12/2023 |
| Courtney Strittmater | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Crystal Alix | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Irish Shay | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Natalie Monjoin | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Navneet Bhatnagar | Phoenix | AZ | 85080 | US | 9/12/2023 |
| Monika Saxena | Phoenix | AZ | 85036 | US | 9/12/2023 |
| Victoria Zacchini | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Adam Polson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shilpi Gupta | Phoenix | AZ | 85024 | US | 9/12/2023 |
| Lavanya Juttukonda | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Shane Zink | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Annabel Rimmer | Phoenix | AZ | 85020 | US | 9/12/2023 |
| Chris Sinclair | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Abhilasha Kapur | Phoenix | AZ | 85050 | US | 9/12/2023 |
| James Watson | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nancy Thomas | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Praveen avuthu | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Chris Collins | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Derek Geisinger | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lauren Barbaruolo | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Christina Peregrym | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Meredith Blythe | Phoenix | AZ | 85013 | US | 9/12/2023 |
| Keith Maclaren | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Carrie Laliberte | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Jennifer Kovacik | Scottsdale | AZ | 85254 | US | 9/12/2023 |
| Meredith Edling | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Richa Sharma | Phoenix | AZ | 85001 | US | 9/12/2023 |

**SUPPORT FOR NEW GROCER AT DEER VALLEY ROAD AND BLACK MOUNTAIN BOULEVARD**

| | | | | | |
|---|---|---|---|---|---|
| Audrey Somers | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Preston Spriggel | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Dipti Dravid | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Katie Ray | Phoenix | AZ | 85016 | US | 9/12/2023 |
| Cici Martin | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Nathan Goldberg | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Lavanya Vinjamuri | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Brooke chez | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Yana Dashevsky | Phoenix | AZ | 85007 | US | 9/12/2023 |
| Joshua Hope | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Tanner Davis | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Brianne Fischer | Collierville | | 38017 | US | 9/12/2023 |
| Neal Dubey | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Shivani Dubey | Phoenix | AZ | 85001 | US | 9/12/2023 |
| Robert Fierros | Phoenix | AZ | 85050 | US | 9/12/2023 |
| Josh Schweser | Phoenix | AZ | 85041 | US | 9/12/2023 |
| Leslie German | Phoenix | AZ | 85050 | US | 9/13/2023 |
| Heather Noble | Phoenix | AZ | 85001 | US | 9/13/2023 |
| Annie Maiden-Hope | Phoenix | AZ | 85001 | US | 9/13/2023 |
| David Wallace | Phoenix | AZ | 85006 | US | 9/13/2023 |
| Jodie Koltes | Phoenix | AZ | 85004 | US | 9/13/2023 |
| Brad Otoupalik | Phoenix | AZ | 85027 | US | 9/13/2023 |
| Susan Tinsley | San Diego | CA | 92101 | US | 9/13/2023 |
| Brian Sevchik | Phoenix | AZ | 85015 | US | 9/13/2023 |
| David M | Phoenix | AZ | 85001 | US | 9/14/2023 |
| Chrissy Seibel | Phoenix | AZ | 85013 | US | 9/14/2023 |
| Raymond Rita | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Ivy Bryan | Phoenix | AZ | 85050 | US | 9/14/2023 |
| Jordan Sandler | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Scott Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Sean Morgan | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Monica Litt | Phoenix | AZ | 85001 | US | 9/15/2023 |
| Melissa Gitt | Phoenix | AZ | 85036 | US | 9/15/2023 |
| Vanessa Corwin | Phoenix | AZ | 85050 | US | 9/15/2023 |
| Morgan Bircher | Phoenix | AZ | 85041 | US | 9/16/2023 |
| Pratiba Rachamalla | Phoenix | AZ | 85001 | US | 9/16/2023 |
| Mark Sidorenkov | Phoenix | AZ | 85001 | US | 9/17/2023 |
| Erin Reese | Phoenix | AZ | 85008 | US | 9/17/2023 |
| Bob Hamer | Phoenix | AZ | 85001 | US | 9/17/2023 |
| CJ Wren | Phoenix | AZ | 85024 | US | 9/17/2023 |
| Lorraine Roberts | Rocky Poin | NC | 28457 | US | 9/17/2023 |
| Shyamsharan Prajapati | Phoenix | AZ | 85001 | US | 9/18/2023 |
| Jaiden Dubey | Phoenix | AZ | 85050 | US | 9/22/2023 |
| Shweta ghumre | Phoenix | AZ | 85050 | US | 9/22/2023 |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

ROBERT L. REFUERZO
3831 E HERRERA DR
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Robert Fierros
3801 E Patrick Lane
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Ross Dunpeno
ROSS
3929 E Herrera Dr

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Ameen Salfi

3459 E. Navigator Lane

Phx, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

SHERREEN SARWAT
22822 N. 39TH RUN
PHOENIX, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Scott A. Sas

3839 E. Daley Lane

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 1:09:13 AM

---

| **Name** |
| --- |
| Emily Schaefer |
| **Email** |
| emily.schaefer@me.com |
| **Address / Neighborhood (Optional)** |
| Tatum Village |
| **Support Comments** |
| Support of sprouts or Safeway |

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Jigar Shah

22306 N. Fremont Rd.
Phoenix, AZ 85050

what happened to the library plans?

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Sam Tacheny
3760 E Expedition Way
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

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I urge you to support this request!

Sincerely,

Margaret Thorstenson
3821 E Cielo Grande Ave
Phoenix, Az 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

David Walgvick
3823 E Daley Ln

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Cadence Writing
3951 E. Parkside Ln.
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 25 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Wieslawa Floyd
Wieslawa Floyd
3957 E. Herrera Dr
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, September 25, 2023 6:02:40 PM

---

**Name**

Fan Wu

**Email**

wufan1026@gmail.com

**Address / Neighborhood (Optional)**

4723 E Parkside Ln

**Support Comments**

I am writing the comments below to support Vestar's proposal to develop the 20.5 acres of Property located at the southwest corner of Deer Valley Drive and Black Mountain Parkway as a retail shopping center called Black Mountain Village.
I believed the new grocery store will have the following benefit:
1.Local Economic Growth
2.Convenience and Accessibility
3.Community Gathering Place
4.Environmental Sustainability

CITY OF PHOENIX

SEP 25 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

LANCE ZAMORA
22928 E 39th PL
Phx AZ 85050

| | |
|---|---|
| **From:** | mjb cartof.com |
| **To:** | Anthony M Grande |
| **Subject:** | FW: Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2) |
| **Date:** | Tuesday, July 4, 2023 12:17:10 PM |
| **Attachments:** | image002.png<br>GPA-DSTV-2-23-2.pdf<br>GPA-DSTV-3-23-2.pdf |

Anthony—

It amazes me that the applicant would want to put in a shopping center of that magnitude only 2.5 miles from Desert Ridge. Why isn't the currently designated 2-5 du/ac housing more important than changing the General Plan to provide Commercial?

Marcia Busching

---

**From:** Geno Koman [mailto:geno.koman@phoenix.gov]
**Sent:** Monday, July 3, 2023 3:11 PM
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Review & Comment on General Plan Amendment in the Desert View Village (GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2)

Attached for your review is an amendment to the General Plan for Phoenix that has been filed:

**DESERT VIEW VILLAGE**
Application **GPA-DSTV-2-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for a Map Amendment to change the General Plan land use designation on approximately 20.5 acres from Residential 2-5 du/acre (20.5 acres) to Commercial (20.5 acres) to allow commercial land uses.

Application **GPA-DSTV-3-23-2** at the southwest Corner of Black Mountain Boulevard and Deer Valley Drive. Request for an amendment to the Desert Ridge Specific Plan Section 6.C.5, Superblock 12, Parcel 12.L.

These applications are proceeding concurrently with a rezoning request (Z-39-23-2) for the same property, approximately 20.5 acres from S-1 (Approved R1-6 and R-2) to C-2 to allow a commercial shopping center.

Please forward your comments prior to **August 22, 2023** to:

**Anthony Grande**
Village Planner
City of Phoenix Planning & Development Department
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003-1611
**602-256-5648**

**anthony.grande@phoenix.gov**

Should you have any questions or concerns, please contact the Planning & Development Department at 602-262-7811.

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:** | Paul Bierbusse |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC; marybierbusse@gmail.com |
| **Subject:** | Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School |
| **Date:** | Monday, August 14, 2023 5:05:46 AM |

To: Anthony Grande, Planner, City of Phoenix Planning & Development Department
Cc: Mr. Jim Warring, Councilman – District 2, City of Phoenix

Good morning gentlemen,

My wife, Mary, and I recently purchased a home in the Sky Crossing neighborhood immediately north of the proposed rezoning on E. Deer Valley Drive and Black Mountain Boulevard near Pinnacle High School (Desert View Village GPA-DSTV-2-23-2). We are excited to become active members of the community and have been impressed by how the City of Phoenix has thoughtfully managed development. We understand that the proposed rezoning transitions the parcel from residential to commercial, and while we don't object to the rezoning of the parcel we do have a number of significant concerns.

First, we understand that proposed development plans include the construction of a gas station on part of the parcel – we would like to express our strongest reservations as to the inclusion of a gas station within the final plan given the traffic it is likely to draw, the likely extended hours of operations including intrusive late-night lighting in the area, and the environmental impact. There are nearby stations located both at E. Deer Valley Drive/Cave Creek and at E. Deer Valley Drive/Tatum which should more than suffice to address local demand.

Second, the area already deals with significant traffic challenges associated with ingress/egress to Pinnacle High School. Any rezoning and associated development should be coordinated with the traffic needs of the high school both to mitigate impact to overall traffic flow and to enhance safety in a high traffic area. As development continues north of our community, confident that the AZ-51 access point will only see increased traffic volume – plans should be made to address not only existing traffic due to the high school but increased traffic due to the proposed redevelopment.

Third, we have been made aware of increased random acts of violence associated with late night hours at Desert Ridge Marketplace and we don't wish to see those issues brought closer to our community. Should the rezoning be approved, we would ask that conditions be placed on the hours of operations for tenants to minimize late night traffic to the property (preferably no later than 9pm) and that coordination be pursued with the City of Phoenix Police Department to ensure appropriate police resources are dedicated to the area.

We understand the importance of continued development across Phoenix and believe that reasonable accommodations can be made that both permit development while addressing resident concerns. Thank you for providing us the opportunity to voice our concerns.

Warmest regards,

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

Any tax advice in this e-mail should be considered in the context of the tax services we are providing to you. Preliminary tax advice should not be relied upon and may be insufficient for penalty protection.

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**From:** website@gblaw.com
**To:** Anthony M Grande
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, August 23, 2023 7:26:32 AM

---

**Name**

RICHARD STARR

**Email**

rtstarraz@hotmail.com

**Address / Neighborhood (Optional)**

FIRESIDE

**Support Comments**

There is an existing parking problem at Pinnacle HS that needs to be solved before the development of retail center. At 6pm last night, there were 200 overflow cars in desert on future retail center site. AZ State Land, PVUSD and possibly retail developer need to solve problem first. Perhaps retail center purchases extra 5 acres and delivers to PVUSD west of retail?

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, September 17, 2023 3:34:20 PM

| **Name** |
| --- |
| Susan Babendure |
| **Email** |
| susiebabendure@gmail.com |
| **Support Comments** |
| Need to know info |

# ATTACHMENT C

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

## ADDENDUM A
## Staff Report: Z-39-23-2
September 20, 2024

| | |
|---|---|
| **Desert View Village Planning Committee Hearing Date:** | October 3, 2023<br>October 1, 2024 |
| **Planning Commission Hearing Date:** | November 2, 2023<br>January 4, 2024<br>November 7, 2024 |
| **Request From:** | S-1 DRSP (Approved R1-6 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Single-Family Residence District, Desert Ridge Specific Plan) (1.71 acres)<br>S-1 DRSP (Approved R-2 DRSP) (Ranch or Farm Residence, Desert Ridge Specific Plan) (Approved Multifamily Residence District, Desert Ridge Specific Plan) (18.81 acres) |
| **Request To:** | C-2 DRSP (Intermediate Commercial, Desert Ridge Specific Plan) (20.52 acres) |
| **Proposal:** | Commercial shopping center |
| **Location:** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **Owner:** | Arizona State Land Department |
| **Applicant:** | Ryan Ash, Vestar |
| **Representative:** | Stephen Anderson, Gammage & Burnham |
| **Staff Recommendation:** | Approval, subject to stipulations |

On October 3, 2023, the Desert View Village Planning Committee heard this request and recommended denial by a vote of 9-1. On November 2, 2023, the Planning Commission heard this request and recommended a continuance to the January 4, 2024 meeting by a vote of 9-0. On January 4, 2024, the Planning Commission heard this request and recommended a continuance to a date uncertain and remanded the case back to the Desert View Village Planning Committee for reconsideration by a vote of 7-0. The applicant has since submitted a revised site plan, date stamped August 27, 2024, to address community and committee concerns. The conceptual site plan, attached as an exhibit, shows a reduction in the size of the largest retail spaces and does not include a gas station. Staff does not recommend any revisions to the

stipulations as a result of the revised site plan; however, staff recommends a technical correction to Stipulation No. 23 to correct a numbering error.

In addition, since the staff report was published on September 26, 2023, staff has received 127 letters in opposition and 283 letters in support, which are attached as an exhibit.

Staff recommends approval per the modified stipulations in bold font below.

1. All on site lighting shall comply with the following:

    a. Maximum of 20 feet in height including lamp, pole, and base.

    b. All outdoor lighting fixtures must be designed, installed, and maintained to prevent light trespass, glare, and skyglow.

    c. All outdoor fixtures must be full cutoff, ensuring zero light output emitted above the horizontal (90-degree plane).

    d. Utilize LED lights with a correlated color temperature (CCT) of 3000K or lower.

2. A minimum 5,000-square-foot pedestrian plaza shall be provided and maintained by the developer as a gathering place for the public, adhering to the following standards, and as approved by the Planning and Development Department.

    a. The plaza shall be designed to allow pedestrian access and shall not be restricted during the time the shopping center is open.

    b. The plaza shall include seating for public use and a minimum of two additional amenities, such as a water feature, outdoor game area, splash pad, shaded seating, enhanced landscaping, performance stage, fire pit, or other similar amenities.

3. A minimum 6-foot-wide pedestrian pathway, providing cross-block access and connecting with the public plaza, shall be provided consistent with the following standards, and as approved by the Planning and Development Department.

    a. The pathway shall adhere to the requirements of Section 1304.H of the Phoenix Zoning Ordinance.

    b. The pathway shall connect with the HAWK crossing provided at Mayo Boulevard.

c. The pathway shall be lined on both sides with either of the following elements, or a combination of the two, except where a pedestrian pathway is a minimum of 16 feet wide:

(1) A minimum 5-foot-wide landscape strip, except where drive aisles cross the pathway where necessary. Structural shade elements may be used, and footers may be placed within the landscape strip along the pathway.

(2) Building frontages meeting the glazing requirements of a minimum of 75 percent of the ground floor frontages facing the pedestrian pathway, measured as the area between 3 and 8 feet above grade for the entire width of the facade, consisting of clear windows that will allow a minimum of 75 percent of the visible light (as specified by the manufacturer) to be visible on either side of the window.

4. 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.

5. All pedestrian pathways, including sidewalks and shared-use paths, shall be shaded by a structure or landscaping at maturity, or a combination of the two to achieve a minimum of 75 percent shade, as approved by the Planning and Development Department.

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

7. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance, except that Section 1307.H.6.c shall not apply, as approved by the Planning and Development Department.

8. A minimum of 2 percent of the required parking shall be EV installed.

9. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

10. The developer shall dedicate right-of-way and construct a bus stop pad on southbound Black Mountain Boulevard. Bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from Deer Valley Drive according to City

of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity.

11. A minimum number of pedestrian connections shall be provided from the development to the adjacent sidewalk, as follows: 2 connections to Deer Valley Drive, 3 connections to Mayo Boulevard, and 3 connections to Black Mountain Boulevard, as approved by the Planning and Development Department. Pedestrian connections shall be sufficiently spaced to allow convenient pedestrian access to the sidewalk from any portion of the proposed development.

12. The landscape planters along all streets, separating the curb from the sidewalk, shall be planted to the following standards, as approved or modified by the Planning and Development Department.

    a. Minimum 2-inch caliper shade trees planted 20 feet on center or in equivalent groupings to provide a minimum of 75 percent shade at tree maturity.

    b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

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

13. A 20-foot-wide shared-use path easement (SUPE) shall be dedicated along Black Mountain Boulevard and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

14. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk, shall be provided along 34th Street, as approved or modified by the Planning and Development Department.

15. A minimum 70-feet of right-of-way shall be dedicated for the west half of Black Mountain Boulevard, adjacent to the development.

16. A minimum 55-feet of right-of-way shall be dedicated for the north half of Mayo Boulevard, adjacent to the development.

17. Mayo Boulevard shall be consistent with the Desert Ridge Specific Plan and the approved cross sections in the forthcoming Super Block 12 Master Street Plan.

18. The existing median in Black Mountain Boulevard shall be modified to extend northward to the Deer Valley Drive intersection.

19. The existing traffic signal at the intersection of Mayo Boulevard and Black Mountain Boulevard shall be fully funded and reconstructed to meet City of Phoenix standards.

20. A Traffic Impact Analysis (TIA) and Master Street Plan shall be submitted to the City for this development and Super Block 12 of the Desert Ridge Specific Plan. The Traffic Impact Analysis (TIA) shall also be expanded to address the proposed development's impact and funding responsibility on the Sonoran Desert Drive Corridor. No preliminary approval of plans shall be granted until the study and master street plan are reviewed and approved by the Street Transportation Department.

21. A HAWK traffic control device shall be fully funded and constructed on Mayo Boulevard between 34th Street and Black Mountain Boulevard, as approved by the Street Transportation Department.

22. Decorative metal view fencing shall be constructed in the landscape median along Mayo Boulevard, as approved by the Street Transportation Department.

~~**22.**~~ **23.** Acquire, dedicate sufficient right-of-way, and construct a southbound right turn lane, including incidental intersection improvements, on the northwest corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

24. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

25. Acquire, dedicate sufficient right-of-way, and construct an eastbound right turn lane, including incidental intersection improvements, on the southwest corner of the Deer Valley Drive and 40th Street intersection.

26. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and 40th Street intersection.

27. All streets within and adjacent to the development shall be constructed 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.

28. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Deer Valley Airport to future owners

or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

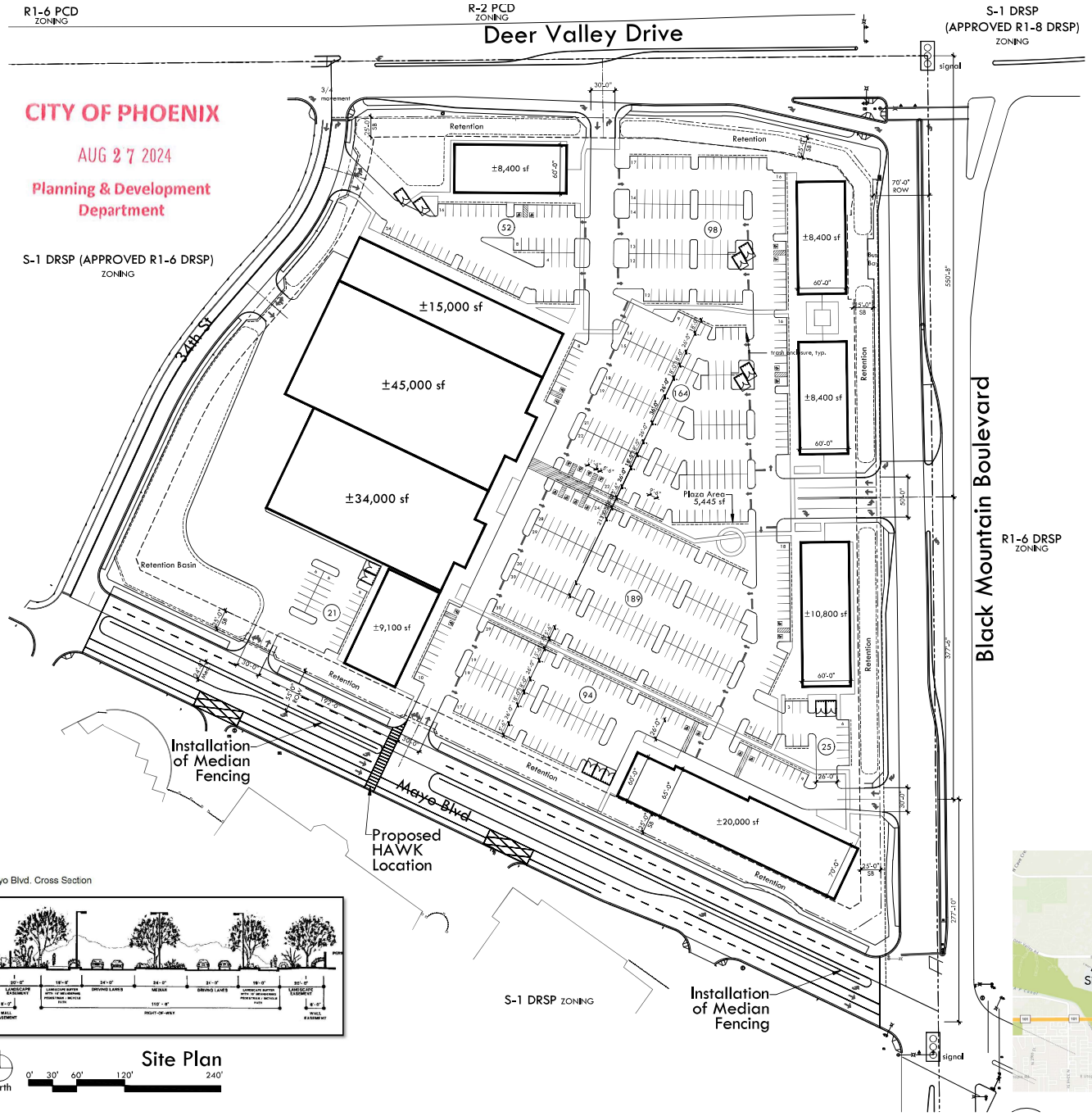
29. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

30. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

31. 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.

32. 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 August 27, 2024
Community Correspondence (545 pages)




Mayo Blvd. Cross Section



Site Plan

north 0' 30' 60' 120' 240'

## PROJECT INFORMATION

| | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Location** | SWC Deer Valley Dr and Black Mtn Blvd<br>Phoenix, AZ |
| **Developer** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 6 architecture + planning**<br>6111 N. Cartletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

## SITE DATA

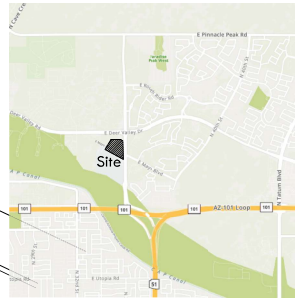
| | |
|---|---|
| **Existing Zoning** | S-1 DRSP (Approved R-2 DRSP) - 18.81 ac<br>S-1 DRSP (Approved R1-6 DRSP) - 1.71 ac |
| **Proposed Zoning** | C-2 DRSP |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,965 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| **GLA** | Area | Req'd Pkg |
|---|---|---|
| Majors | 94,000 sf | 376 sp |
| Shops | 65,100 sf | 261 sp |
| **Total GLA** | 159,100 sf | 637 sp |

| | |
|---|---|
| **Lot Coverage** | 23.6 % |

## PARKING QUANTITIES

| | |
|---|---|
| Required | 637 sp |
| Provided | |
| Standard Spaces | 619 sp |
| ADA Spaces | 24 sp |
| **Total Parking Prov'd** | 643 sp |
| **Parking Ratio /1000** | 4.0 sp |




Vicinity Map n.t.s.

Rezoning Case: Z-39-23-2

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Drive and Black Mountain Boulevard
Phoenix, Arizona

- ▲ Development Review Set
- △ Bid Set
- △ City Submittal
- △ Construction Set

Revisions:


Ownership of Instruments of Service:

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Seal

Date: August 19, 2024
Project Number: 711
Drawn by: dm/rdb

Sheet Number

PA.1

Site Plan

3450

# OPPOSITION

| | |
|---|---|
| **From:** | V H |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | OPPOSE rezoning of deer valley road and black mountain blvd |
| **Date:** | Tuesday, September 26, 2023 9:45:01 AM |

Re: **OPPOSE** Black Mountain Village/Superblock 12

Hello,

There is extreme frustration from local residents and homeowners regarding the request to rezone the parcel on the southwest corner of Deer Valley Rd and Black Mountain Pkwy (north of Pinnacle high school) proposed as Black Mountain Village.

As a homeowner in Sky Crossing, I purchased my home knowing that the parcel is residential. If it's rezoned strictly for monetary greed, there will be a host of issues that cannot be prevented such as increased traffic, homeless population loitering, vandalism, poor air quality, light pollution, litter, noise pollution, etc. In addition, residents already have to endure severe traffic issues from Pinnacle high school. If this corner becomes commercial, parents will park and pick their kids up in the parking lot. This cannot be prevented. I've lived with this exact issue in a previous neighborhood and it's awful to try and get gas, shop, or navigate the parking lot.

Not only should this not be rezoned, but the city of Phoenix needs to look into the false rumors and propaganda that is being promoted by Vestar Development. This company and their attorneys have created online petitions and facebook groups that falsely advertise support for the rezoning. In addition, Vestar actually sent local residents emails stating there will be a new grocery store in this parcel when in fact, it's not even zoned for it yet. No matter how the attorney's at Vestar spin their request, they cannot guarantee a particular grocery store or other tenants in the proposed area. Their propaganda uses phrases such as "walking village" or "decrease desert ridge traffic" to intentionally mislead residents who will be directly impacted by the rezoning.

Unethical and disrespectful behavior from Vestar and their attorney's should cause city planners to pause. Please listen and respect homeowners and residents and deny this rezone request. This shady behavior supports that Vestar doesn't care which type of store or gas station goes into this property, but they are all about the money.

PLEASE deny and stop this request. I urge you to respect the homeowners disapproval and desire to keep the area as originally planned which is single family residential.

Thank you for your time!

Vicki Hanley

| | |
|---|---|
| **From:** | Kim |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to case number SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Tuesday, September 26, 2023 4:31:45 PM |

Good Afternoon Anthony Grande,
I am currently writing to you in response to a recent request to have the zoning to the above case numbers altered.
As a resident of the community this directly impacts, I strongly disagree with a change to this zone.
There are several reasons a commercial property would adversely affect the area in regards to property value, proximity of school zones, public safety, community and lifestyle of the neighborhood.
This area was planned and sold to residents as a community super block, not for commercial use. There are plenty of spaces in the area for commercial use and the need to convert this zone is simply not there. I ask that you strongly consider the voice of the people this directly impacts.
Thank you your time and interest in this matter,
Kim Otis

Sent from my iPhone

| | |
|---|---|
| **From:** | Luke Reynoso |
| **To:** | Anthony M Grande |
| **Cc:** | heather; stellastarlucalight@gmail.com |
| **Subject:** | Opposition to Rezoning on Black Mountain Blvd for Vestar Development |
| **Date:** | Tuesday, September 26, 2023 10:23:34 AM |

Dear Mr. Grande,

I am writing to you as both a concerned member of the Desert Ridge community and an advocate for responsible urban planning to express my unequivocal opposition to the proposed rezoning on Black Mountain Blvd. This rezoning, aimed at facilitating Vestar's plans for a new grocery store, gas station, and drive-thru fast-food establishment, raises serious issues that conflict with the original intentions for land use within our community.

Desert Ridge Marketplace and City North serve as commercial hubs specifically designed to meet the needs of the Desert Ridge community. Introducing another commercial area within the neighborhood would not only be redundant but would create an unreasonable variance from the initial planning objectives for our community. This form of development would disrupt the balance between residential and commercial zones, adversely affecting the quality of life for residents.

Additionally, it's critical to consider the existing traffic issues exacerbated by Pinnacle High School. With thousands of students crossing the streets daily, the potential influx of vehicles entering and exiting the proposed Vestar establishments would invite further hazard into the lives of these young individuals. To endorse such a plan, in light of these concerns, would be nothing short of legislative malpractice.

Furthermore, I find it disconcerting that Vestar has initiated an aggressive social media campaign to garner support for their project. Using significant financial resources, they are presenting this rezoning and subsequent development as beneficial for the community, which is misleading, to say the least. I urge you to recognize this campaign for what it is: a manipulative tactic designed to gain support for a project that is clearly not in the best interest of the people it purports to serve.

I implore you to consider the will of the community and the adverse implications this rezoning would inflict upon it. By opposing this rezoning request, you will be granting us the victory we seek in preserving the integrity of our community and protecting the welfare of its residents, particularly our youth.

Thank you for your attention to this matter. I anticipate your thoughtful consideration and favorable decision in upholding the original planning ethos of the Desert Ridge community.

Sincerely,

Luke Reynoso
Owner, Law Office of Luke Reynoso, PLLC

I have CC'd my 14-year-old daughter, Stella

Luke Reynoso, Esq.
LL.M. in Taxation
Law Office of Luke Reynoso, P.L.L.C.
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| | |
|---|---|
| **From:** | depiazzaw@aol.com |
| **To:** | Anthony M Grande |
| **Cc:** | Eric Molenaar |
| **Subject:** | No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23. |
| **Date:** | Wednesday, September 27, 2023 4:33:38 PM |
| **Attachments:** | Vestar Black Canyon Village Proposal 9-21-23.pdf |

Dear Mr. Grande:

I am resident of Fireside Community since 2013. Our house is divided between the development of Black Canyon Village. My wife likes the idea of having a "better" grocery store as the anchor of the platform that Vestar is proposing. The grocery store of choice would be Signature Fry's. I am on the other hand, opposed to the development because of the traffic and the probability of students loitering and causing mischief within a small, confined area.

I have sent my concerns to Eric Molenaar, the Fireside Community Manager with the attachment. In my email to Eric, my thoughts are if, Vestar is going to invest in the Desert Ridge Community then Vestar should develop the full parcel, not just the area between 34th Street, Deer Valley, Mayo Blvd and of course, N Black Canyon Blvd.

Here are my concerns with pictures in the attachment:

- Pinnacle High School (PHS) only supplies enough student parking for seniors.
- PHS students are being dropped off and picked up by parents in the morning and afternoon.
- Parents of PHS students are coming off HWY 51 exit, Black Canyon Blvd making right-hand turns onto Mayo Blvd in the morning is overwhelming.
- Parents of PHS students picking up their sons & daughters in the afternoon (2:00pm- 2:45pm) are parking illegally on E Mayo Blvd between 34th St and N 36th Street (Copper View sub-division).
- Parents are parking illegally in the Copper View sub-division causing massive confusion on N 36th Way exiting onto Deer Valley. I spent close to 20 minutes trying to get onto Deer Valley heading east. A student was observed sitting on a wall in a neighbor yard.
- Students have been observed crossing into the Copper View area from Black Canyon Blvd, cutting across the water retention area onto N 36th Street where the parents are waiting to pick them up.
- If Vestar is granted the zoning change they should be held to add the following amenities to the project:
    - Be required to add a sidewalk from Black Canyon Blvd to the end of 34th Street.
    - Be required to add a color 6'- brick wall between the street across from the school property and the commercial pad, thus preventing vandalism or loitering behind the businesses. The wall should be extended a distance that extends the closest to a building lined with Black Canyon Blvd.
    - Mayo Blvd should be extended west beyond 36th Street to Deer Valley providing another exit for cars driving past the school.
    - The pie shape area between 36th Street and Deer Valley should be developed either

by Vestar or the school for extra parking, or a drop-off or pick up area.

For reference back in October 2022, I had an emergency health issue where I was taken to Abrazo Hospital across street from Paradise Valley Hugh School (PVHS). We tried to get into the parking lot, and it took 10-minutes because parents were picking up kids in front of the Medical Offices on Bell Road or driving into the multi-tiered parking structure. For reference I have included pictures of students leaving PVHS.

I will be at the meeting on October 3rd. Thanks for your time.

Regards,

Bill

William De Piazza
W & M Direct Sales and Marketing, LLC
21609 N 39th Terrace
Phoenix, AZ 85050

Business email: bill.depiazza@wmdirectsales-marketing.net
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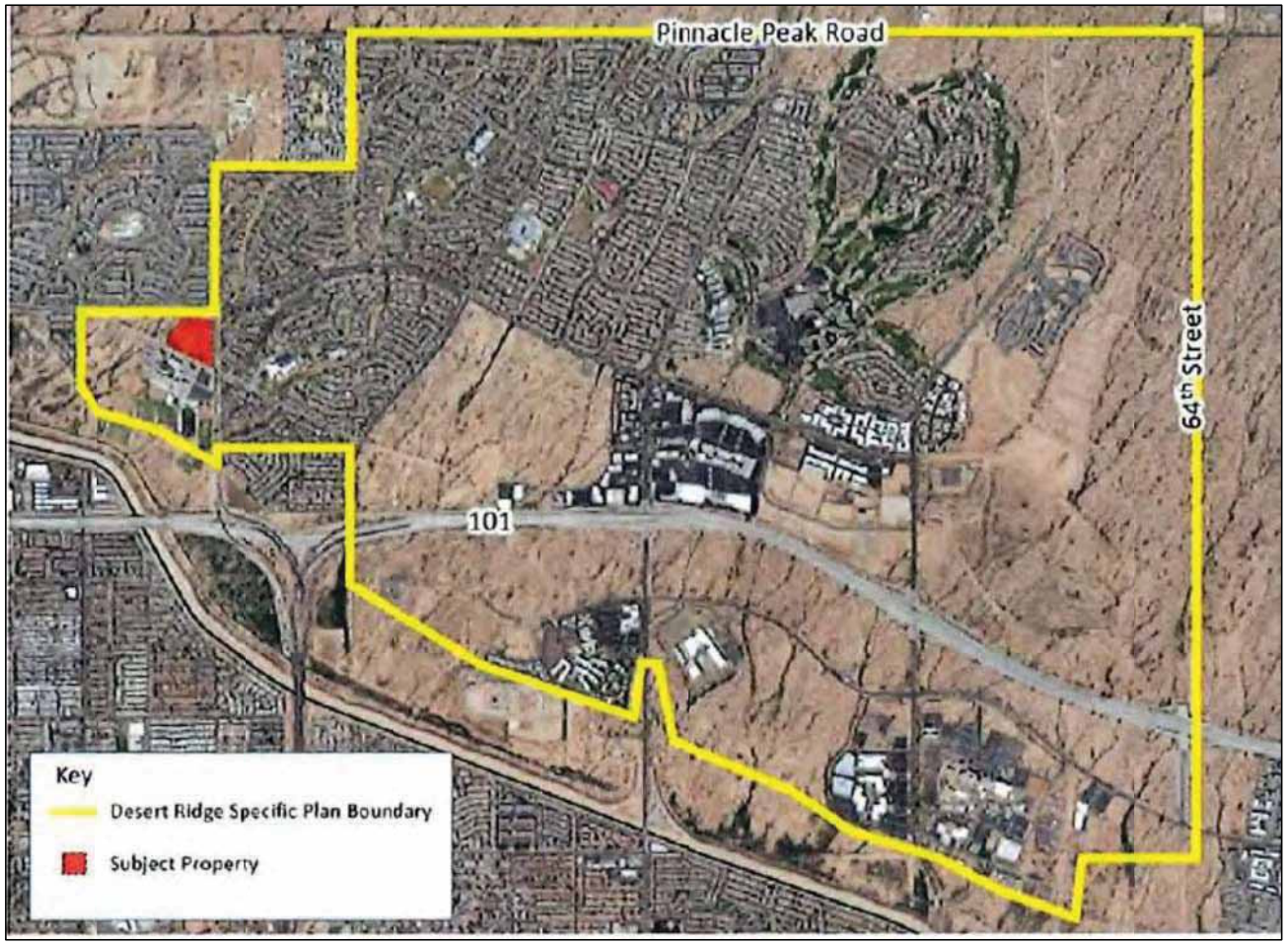


**Vestar is proposing a 20.52acre property as a retail shopping center called Black Mountain Village. The description is, "neighborhood grocery store with inline retail opportunities" with potential restaurants, with low impact.**

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**9/22/23 – submitted by Bill De Piazza (818-741-8758**

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**



2:15pm - N 36th Pl



2:15pm - N 36th Pl



2:15pm – E Mayo Blvd

Commentary: Pictures shows parents waiting to pick-up students after school on side streets and E Mayo Blvd

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**









2:30pm - Intersection Black Canyon Blvd & E Mayo Blvd looking westward. The subject property is on the right.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**







2:30pm - according to a security officer the senior student parking area is empty after 11:30. Parents are allowed to enter and park to pick up the students, but they prefer to park on the street or on the dirt property because its easier to leave. Apparently, there are only two exits both have long waiting lines to leave.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**





Students crossing E Mayo Blvd and Black Mountain Blvd to find their rides at 2:23pm





2:30pm E Cat Balue Drive off N 36th St – the cars leave via Cat Balue to Deer Valley which allows a right & left turns

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**



8:00am Mayo at Black Canyon



8:00am Mayo at Black Canyon



8:00am Mayo at Black Canyon

The above photos are cars turning off Black Canyon Blvd onto E Mayo Blvd dropping off children that are attending Fireside Elementary School. There is little traffic control, cars are frustrated waiting to turn onto Lone Cactus Drive at the risk of colliding with other cars or walking adult pedestrians in the cross walk. This situation also exist in the afternoon. Even though the street is lined with traffic signs that alert, “No Stopping Permitted”

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**

REFERENCE – PARADISE VALLEY HIGH SCHOOL located on Bell Road. Purpose of these pictures is to demonstrate how a high school in a mix use environment creates potential problems. The high school is across the street from a hospital and office buildings with commercial types of businesses on both sides of Bell Road. These pictures were taken between 2:15-2:30pm.







Bell Road and Medical Buildings & Hospital – NO RETAIL or RESTURANTS in this area between 38th Street & N 40th St

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**










Bell Road and Medical Buildings & Hospital – NO RETAIL or RESTURANTS in this area between 38th Street & N 40th St parents picking up students, park in both the garage and the outside parking lot for the hospital and medical bldg.

**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

**Resident of Fireside Votes AGAINST this change for the following concerns:**
**TRAFFIC JAMS, STUDENT LOITERING BEFORE AND AFTER SCHOOL**






Reference Paradise Valley HS 2:30pm – students going to retail businesses waiting for rides from parents

**Notice Desert Ridge Homeowners:**
Gammage & Burham, legal representation for Vestar Development, informing homeowners of the three amendment requests below as they are looking to **rezone a section of Superblock 12 from residential to commercial property.** If you wish to voice your opposition or support to the below rezoning amendment requests, please contact Desert View Village Planner Anthony Grande using his email address below as Mr. Grande is responsible for compiling the communications received for this case. Please also remember to include the case numbers within your email communications so that these are saved correctly. I have listed the scheduled public hearing meetings within this communication as an additional option to participate.

# REFERENCE PAGE_1 of 2

**Anthony Grande, Desert View Village Planner**
anthony.grande@phoenix.gov
**(602) 256-5648**

Please remember to include the case numbers listed here within your correspondence:
**Case No. SPA-DS1 V-2-23-2**
**Case No. CPA-DSTV-3-23-2**
**Case No. 1-39-23**

For any questions relating to the possible commercial development of this parcel, please contact:
Michelle Santoro, Senior Land Use Planner, Gammage & Burnham Law representing Vestar Development
msantoro@gblaw.com

**General Plan Amendment Request (Case No. SPA-DS1 V-2-23-2)**

The General Plan currently designates the Property for Residential 2-5 DU/AC. This amendment is to modify the designation to Commercial in order to allow for the development of a retail shopping center.

**A. Desert Ridge Specific Plan Amendment Request (Case No. CPA-DSTV-3-23-2)**

Development Parcel 12 is designated for residential uses in the Desert Ridge Specific Plan with a specific use list and development standards identified within the Plan. This amendment is a request to modify the development parcel regulations to allow for a commercial, retail development on the Property. Upon approval of the Specific Plan Amendment. Parcel 12.C will be created on the Property. The approximate 55.24-acre balance of vacant land at Superblock 12 will continue to be designated for residential development.

**B. Rezoning Request (Case No. 1-39-23)**

The current zoning of the Property is S-1 DRSP (approved R1-6 DRSP, R-2 DRSP), which would allow for the development of residential uses. This amendment is requested to modify the zoning to C-2 DRSP to allow for the development of a retail shopping center.

# REFERENCE PAGE_2 of 2

The following series of public hearings have been tentatively scheduled to allow the community the opportunity to learn more about these requests and make your opinions known.

**Desert View Village Planning Committee (For Recommendation)**
**Tuesday, October 3, 2023, at 6:30 pm**
*Meeting will be held at Paradise Valley Community Center (Multi-Purpose Room), 17402 North 40th Street.*

**Planning Commission**
**Thursday, November 2, 2023, at 6:00 pm**
*Meeting will be held at City of Phoenix Council Chambers (200 West Jefferson Street, Phoenix, AZ 85003) and virtually.*

**City Council**
**Wednesday, December 6, 2023, at 2:30 pm**
*Meeting will be held at City of Phoenix Council Chambers (200 West Jefferson Street, Phoenix, AZ 85003) and virtually.*

**From:** JG Ford
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 27, 2023 3:46:41 AM

---

Hi Mr. Grande,

As a home owner within Fireside at Desert Ridge, I am against this Re zoning and do not support it. Please do not allow this to happen.

Thank you,

Jay Ford

September 4, 2023

Anthony Grande
City of Phoenix Planning and Development Department
Zoning Section
200 W Washington Street, Second Floor
Phoenix AZ 85003

Reference:GPA-DSTV-2-23-2

Dear. Mr. Grande:

On behalf of the residents of Sky Crossing Community, noted in the attached petition, we are opposed to the proposed rezoning of the Parcel **212-38-023B.** In proposing the zoning amendment, the developers would like to change the use from residential (2-5 du per acre) to commercial. We believe this proposed change would result in unacceptable levels of risk to health and safety.

If you reasonably estimate 2-4 cars per household for traffic planning, you'd see an increase of 200-400 cars (if 2-4 cars per house, 5 du per acre, and 20 acres) from residential development. The commercial proposal suggests parking for 580 cars and contains 3 access/egress points just off Mayo immediately across from the high school with no provision for safe crossing or pedestrian/bike safety. Further the traffic in this area is already an issue (see enclosed photos). In speaking with the Phoenix Police Traffic Bureau, it is clear they have received numerous complaints about existing safety issues experienced at the intersection of Black Mountain and Deer Valley Roads. The proposed rezoning would only exacerbate these issues.

The explanation letter for the project describes that for community benefit, the project has the potential to "increase health" and "reduce transportation burdens" of area residents by creating a walkable/bikeable retail/grocery destination and "may reduce emissions from residents driving to Desert Ridge Marketplace." These statements are unproven and unsupported by the conceptual design, given the proposed rezoning contains no description of how the commercial center will cater to walking and biking. The commercial area has been designed to be reached by cars and commercial pad siting does not reflect a walkable/bikeable "village."

Additionally, it will certainly increase the emissions in the immediate area and this poses unaddressed air impacts for residential neighbors as well as the school. There is no traffic impact or air quality study mentioned. Further it will increase both light and sound pollution in the area. As such, the Sky Crossing neighbors that have signed the attached petition stand against the proposed rezoning and ask that the City reject the developer's application.

Sincerely,

Michael Coppola

847-609 9995

21810 N 31ST ST

PHOENIX AZ 85050

**STOP THE ZONING CHANGE ON PARCEL 212-38-023B**

The residents of Sky Crossing neighborhood are opposed to the proposed change in zoning from residential to commercial for the property at the southwest corner of Black Mountain and Deer Valley Roads (parcel 212-38-023B). We believe the proposed development by Vestar poses significant risks to safety in the form of traffic congestion, air, noise and light pollution.

The proposed development does not add to the community benefit, but rather detracts from it by eliminating open space, introducing added emissions around residential areas and schools, and significantly increasing congestion in an already busy intersection and school zone that is immediately adjacent to a high school. Additionally, the proposed business types are not a value add as they already exist within easy reach of our neighborhood.

We wish to preserve the quiet, calm, walkable and bikeable characteristic of our neighborhood, while also avoiding the impacts of light and noise pollution associated with commercial centers. The Black Mountain Village, as well as any other proposed commercial development on this site, will do the opposite.

If you wish to reach out directly to express your concerns you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address |
|---|---|---|
| Connie Rice | Connie Rice | 3232 E. Pike St Phoenix Az 85050 |
| Jim Rice | Jim Rice | 3232 E Pike St Phoenix Az 85050 |
| Lisa Chan | | 2952 E. Crest Ln Phx Az 85050 |
| Lesley Anderson | | 22413 N. 30th St Phx, AZ 85050 |
| Lindsay Austin | Lindsay Austin | 3524 E Crest Ln Phoenix, AZ 85050 |
| Matt Austin | M. A. | 3524 E Crest Ln Phx, AZ 85050 |
| Julia Gordon | JuliaBGordon | 22806 N 55th Street, Phx, AZ 85054 |
| WALTER Reynolds | | 21924 N 33rd Pl Phx AZ 35050 |
| Jenna Reynolds | | 21924 N 33rd Pl Phx AZ 35050 |
| Victoria Thomas | | 3277 E. Louise Dr. Phx, AZ 85050 |
| Rachel Lundeberg | Rachel Lundeberg | 22417 N 35th Pl Phoenix AZ 85050 |
| Ryan Honag | Ryan Honag | 22617 N 35th Pl phoenix AZ 85050 |
| Marlene Zytai | Marlene Zytai | 21918 N 36th St Phoenix AZ 85050 |
| Rachel Haug | Rachel Haug | 3232 E Tina Drive Phoenix, AZ 35050 |
| Mike Haug | Mike Haug | 3282 E Tina Dr Phx, As, 85050 |

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| Printed Name | Signature | Address |
|---|---|---|
| Anthony Ramos | [signature] | 22109 N 31st ST PHX AZ 85050 |
| Christopher Hanley | [signature] | 3118 E. Herrera Dr. Phoenix AZ 85050 |
| Vicki Hanley | [signature] | 3118 E. Herrera Dr PHX AZ 85050 |
| STEVE DUCKWORTH | [signature] | 3228 E. PIKE ST. PHOENIX. AZ |
| KATHY DUCKWORTH | [signature] | 3228 E. PIKE ST PHOENIX AZ. |
| Alan Walstad | [signature] | 3516 E Herrera Dr Phoenix AZ 85050 |
| James Casey | [signature] | 22128 N. 34th St Phoenix, AZ 85050 |
| James McDougall | [signature] | 22128 N 34th St Phoenix AZ 85050 |
| Stephanie Brewer | [signature] | 3407 E Sands Drive Phoenix 85050 |
| Deidre Perry | [signature] | 3319 E Tina Dr. Phoenix AZ 85050 |
| David Cohen | [signature] | 22466 N 30th St, Phoenix AZ 85050 |
| Melissa Schwan | [signature] | 3244 E. Los Gatos Drive Phoenix, AZ 85050 |
| Dennis Miller | [signature] | 2952 E Crest Ln Phoenix AZ 85050 |
| Gina Walstad | [signature] | 3516 E. Herrera Dr. Phoenix AZ 85050 |
| Adam Thomas | [signature] | 3277 E Louise Dr, Phoenix, AZ 85050 |

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| Printed Name | Signature | Address |
|---|---|---|
| Michael Otjen | | 3018 E. Bryce Lane, Phoenix AZ |
| Christina Otjen | | 3018 E. Bryce Lane Phoenix, AZ |
| Alexandra Otjen | | 3018 E. Bryce Lane Phoenix AZ |
| Gabriella Otjen | | 3018 E. Bryce Lane Phoenix AZ |
| Nicholas Otjen | | 3018 E. Bryce Lane Phoenix, AZ |
| Amit Mathur | | 3018 E Bryce Ln Phoenix AZ |
| Helana Dayle | | 22811 N 44th Place Phoenix AZ 85050 |
| Timothy Dayle | | 22811 N 44th Place Phoenix AZ 85050 |
| Layla Saikley | | 3658 E. Crest Ln Phoenix. 85050 |
| Darin Saikley | | 3658 E. Crest Ln Phoenix, 85050 |
| Anna Saikley | | 3658 E. Crest Ln. Phoenix 85050 |
| Kathy Nassar | | 2849 E. Sands Dr. Phx 85050 |
| Frank Nassar | | 2849 E. Sands Dr. Phx 85050 |
| Kim Adams | | 21831 N. 33rd St. Phx 85050 |
| Paul Adams | | 21831 N. 33rd St Phx 85050 |

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If you wish to reach out directly to express your concerns you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address |
|---|---|---|
| Michael Coppock | | 21810 N 31ST PHOENIX 85050 |
| Veronica TORRES | | 3327 E Robin Ln Phoenix AZ 85050 |
| Anne Waltz | | 3420 E. Louise Dr. Phx, AZ 85050 |
| JOHN WALTZ | | 3420 E. LOUISE DR. PHX, AZ 85050 |
| Carla Sexton | | 2941 E Sands Dr |
| STEVE WOZNIAK | | 22714 N. 30TH WAY |
| MELISSA WOZNIAK | | 22714 N 30TH WAY |
| Min Yoo | | 22613 N. 33rd Pl, Phoenix 85050 |
| Shin Cho | | 22613 N. 33rd Pl, Phoenix 85050 |
| Ryan Miller | | 21926 N 31st Pl Phoenix AZ 85050 |
| JOCELYN MILLER | | 21926 N 31st Pl Phoenix AZ 85050 |
| MICHAEL BOLDT | | 3436 E LOUISE DR PHX AZ 85050 |
| Suzanne Sawyer | | 21827 North 33rd Street, Phx, AZ 85050 |
| Megan Gagneur | | 3268 E Louise Dr Phoenix, AZ 85050 |
| Justin Gagneur | | 3268 E Louise Dr Phoenix, AZ 85050 |

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If you wish to reach out directly to express your concerns you can contact anthony.grande@phoenix.gov.

| Printed Name | Signature | Address |
|---|---|---|
| NATHAN FRIEDLAND | Nathan Friedland | 22007 N. 34th Way, Phoenix 85050 |
| ILENE FRIEDLANDS | Ilene Friedland | 22007 N 34TH Way Phoenix 85050 |
| SAM ZYTCER | Sam Zytcer | 21918 North 36th St. PHOENIX 85050 |
| PENNY FIELD | Penny Field | 2839 E Robin lane PHX 85050 |
| JOEL FIELD | Joel Field | 2839 E. Robin Ln Phx 85050 |
| JAMES FELTY | James Felty | 3925 E MONONA DR PHX 85050 |
| Jill Felty | Jill Felty | 3925 E. Monona Dr. Phx 85050 |
| VIKAS UPADHYAYA | Vikas | 3561 E TINA DR PHX 85050 |
| Xi Zhu. | | 3005 E Herrera Dr Phx 85050. |
| Shuo Yang | Shuo Yang | 3005 E Herrera Dr Phx 85050 |
| Keling Chen | | 22014 N 28th Pl, phx 85050 |
| Michelle Osborne | | 2908 E Bryce Ln, Phx 85050 |
| Rajesh Vaidya | | 3235 E Harlow Dr, Phx 85050 |
| Taylor Ungever | Taylor Ungever | 21810 N. 31st St. Phx. AZ 85050 |
| | | |

City of Phoenix Planning and Development Zoning Section
200 West Washington Street
2nd Floor
Phoenix, AZ 85003

Date: September 6th, 2023

Subject: Request City Zoning to **DENY** Rezoning Application for Black Mountain Village Project

Project: Black Mountain Village
Rezoning Case: GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23

**Desert View – City of Phoenix Planning and Zoning,**

In 2022, the Arizona Department of Housing identified shortages of over 270,000 housing units across our state. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks. Our well-established community has two schools that educate pre-school and elementary age children within four hundred yards of this proposed project. Families who walk their children to school and value the North Phoenix lifestyle live in this community for the long term. We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates.

When community leaders created the original master plan, they got it right the first time. We have an established need for housing in an already zoned housing parcel; why are we exhausting city resources on entertaining this project that simply does not fit within our community and creates considerable risk for our citizens. In November 2022, Arizona State University - Morrison Institute for Public Policy highlighted the complexity of housing zoning with City of Phoenix officials and reinforced ADOH findings of the real need for housing in our communities. We must simply look no further than two independent state institutions reinforcing the need for housing and the complexities of rezoning. While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, Vestar project and along Cave Creek Road, and HWY 51 south. In every direction we have an abundance of services of all commercial types within one mile. In addition, all these commercial properties have clearly defined real borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. The proposed project brings substantial and unnecessary risks to our community.

As residents living in this community, safety should always be our number one concern. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children under the age of five. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. Increasing transient traffic flow, especially off the high-speed HWY 51 into this area, greatly increases risks for residents, especially our younger children. Countless safety studies for many decades

show that increased traffic leads to increased incidents. Simply there is no compelling argument for this project and only increased risk.

I am requesting City of Phoenix Planning and Zoning to **DENY** this rezoning request and maintain the existing General plan based on the following data driven reasons.

- Identified need for housing across metro Phoenix.
- Safety of our youngest citizens considering two schools are within four hundred yards of the proposed project based on increased traffic to commercial property.
- Already abundant access to commercial services in all directions within one mile of proposed project..

City Planners got this right the first time in the General Plan. Schools, dog parks, walking trails, community soccer fields, and four large housing developments adjoin this property. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.
Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this application and rezoning request.

Treye Elzenga
Resident of Desert Ridge

**From:** Richards, Dan
**To:** Anthony M Grande
**Cc:** Council District 2 PCC
**Subject:** Case file for Black Mountain Village
**Date:** Thursday, September 28, 2023 4:56:53 PM
**Attachments:** image002.png
image003.png

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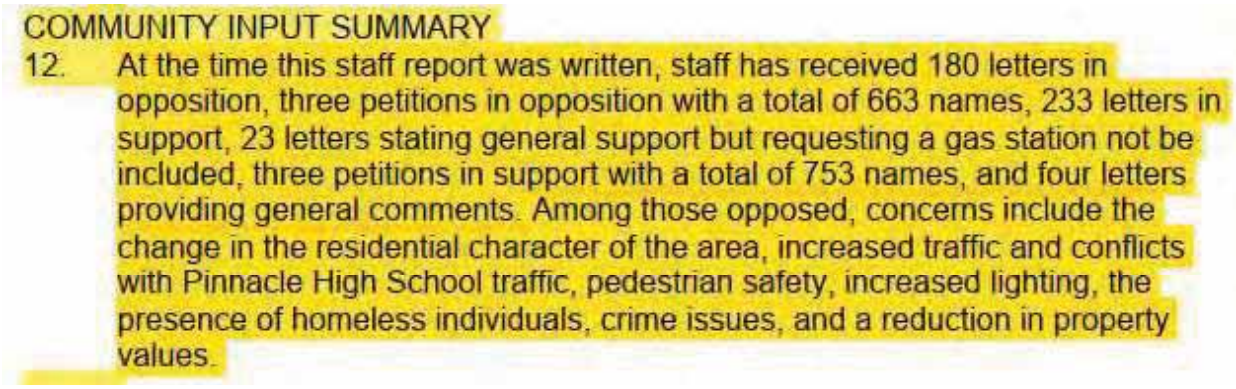
Hey Anthony,

I was forwarded the Z-39-23 Staff Report and wanted to address a couple of things:

- Quite a few people used the gblaw website to express their OPPOSITION, while the subject line is still stating NEW SUPPORT.
- Every village committee member needs to pay close attention to all of the SUPPORT NOTES. An overwhelming number of them expressed they support a SMALL grocery store and NO GAS STATION. In your COMMUNITY INPUT SUMMARY, you should add a line item mentioning that there are a number of letters stating general support but OPPOSE gas stations. Every one of these expressing both could just as easily been added to the opposition totals.
- The generic support letters printed and brought through Aviano are signature harvested. This is really sad to see. It's just a numbers game to them. People who oppose this development sent you well thought out letters, with some begging you to consider the ramifications this will have on our families and homes.



COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Please share this with the rest of the Desert View Planning Committee prior to next Tuesday.

Thanks,
Dan

---

**From:** Richards, Dan
**Sent:** Monday, September 18, 2023 1:20 PM
**To:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** RE: Compiling the case file for Black Mountain Village

Hi Sarah,

Thank you for your email, regarding this Village Planning Committee case file. Can you please confirm

that emails sent to Anthony are still going to be included in this case file as well? There are several people reaching out to neighbors and making sure they email Anthony and Councilman Waring prior to Sep 22. I will be collecting petitions later this week and will make sure to use the additional email you provided.

Thanks,
Dan

---

**From:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Sent:** Monday, September 18, 2023 11:43 AM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Cc:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** RE: Compiling the case file for Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

All correspondence received will be included in the case file. The packet will go out to the Village Planning Committee on Friday, the 22nd. Any correspondence received after Friday and before the VPC meeting will be sent to the committee via email.

While Anthony is out you can send correspondence to pdd.longrange@phoenix.gov.

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




---

**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, September 18, 2023 11:34 AM
**To:** Sarah Stockham <sarah.stockham@phoenix.gov>
**Subject:** Fwd: Compiling the case file for Black Mountain Village

---

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Friday, September 15, 2023 12:01:00 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Compiling the case file for Black Mountain Village

Hey Anthony,

There was a resident from Sky Crossing that mentioned they received an auto reply from your email stating that you will be out until September 25. You mentioned that we should make sure we got letters submitted to you prior to September 22 to ensure they will be added to the case file, prior to the Oct 3 Desert View Village Planning Committee meeting. These emails will still be included in this case file, right?

Thanks,

STRAND ASSOCIATES® [strand.com]

**Dan Richards**
Strand Associates, Inc.®
602.437.3733 ext. 6052
dan.richards@strand.com | www.strand.com [strand.com]

*Excellence in Engineering℠*

Wouter Roodenburg

Resident Fireside Desert Ridge

21507 N 39th Terrace

Phoenix, AZ 85050

CITY OF PHOENIX

SEP 27 2023

Planning & Development Department

City of Phoenix

Planning and Development Department & City Council

200 W. Washington Street, 2nd floor

Phoenix, AZ 85003

RE: SWC of Deer Valley Drive and Black Mountain Parkway; Minor General Plan and Major Specific Plan amendment request.

To whom it may concern:

I'm writing to you as a concerned resident impacted by the rezoning requests GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

Upon reading the Letter of Explanation provide to you by the attorneys of Gammage & Burnham (GBlaw), dated July 16th, 2023 (rev July 10th, 2023), I feel that you should also have the other perspective to the great questions you submitted regarding this proposal.

First and foremost, GBlaw informs you at the end of their letter that *"Vestar has received positive feedback from the **Desert Ridge Community Association**. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated. "*

This statement was completely misleading and unfounded. When we confronted the Desert Ridge Community Association about this statement during their monthly meeting, they claimed that they are "just concerned with applying the CC&R's of the community and cannot be supporting either side of this proposal". Who did GBlaw quote here and in what capacity? It cannot be further from the truth.

Why did the DRCA not run this by the communities it represents? Was this the basis for your committee to decided to move forward? Did the committee assumed that the support was already there based on that statement?

A lot of people do NOT agree with this proposal, it was started under wrong pretenses and now the community has to spend our time fighting this proposal. This should have been stopped at the start

based on the guidelines – which I will highlight later on – of the specific plan and the conflict the site has near 2 schools, affecting the safety of kids going to school. It is NOT in line with the Phoenix General plan to create more residents walking somewhere, NOR do any of the fast food restaurants add to residents getting together, other than queuing up behind each other at all the drive throughs. It will ruin our community and if this passes then developers will continue to expand and try the same thing on other locations. Please stop this now, stick to the plan.

Please bear in mind that there has been zero efforts from any organization to ask our communities what we would like or need. Before this proposal, every resident was under the impression that we have a very detailed specific plan for Desert Ridge which currently perfectly describes what the community will look like once it's finished. That is what people bought into and paid a premium to live in this area.

What you will notice in subsequent events is the fact that GBlaw has started campaigning for support **AFTER** the first public meeting. Our community was getting ads (appendix 2) that created an impression of an innocent small neighborhood grocery store for people to quickly click on, not being informed of the consequences or full plans. Why did GBlaw give you the impression during the letter of explanation that community support already existed?

Giving the push back that you have seen, how much value can be placed on any other answer provided in that letter, other then GBlaw hiding the real intentions of this developer. This developer wants to make it 20 acres and put on a 50,000-100,000 sqft grocery store, fast food restaurants, gas stations, more traffic in our area. It shows complete disregard for our great community and it also conflicts with a lot of the design principles of our specific plan on many levels. Equally deceptive was the highlighting of existing traffic issues at the Desert Ridge Marketplace. Their solution: move all the traffic issues closer to 2 schools full of kids walking to school? Unacceptable.

**What are the alternatives?**

There are no compromises to the current proposal. We (those who voted NO on our petition) do not want 20 acres of commercial on that land. As a planning committee and city council, you should stick to the existing great and specific plan for Desert Ridge. This plan shows these superblock being Low Density Residential.

Perhaps you consider new stipulations in the plan for the next residential builder to take on the unintended traffic issues that have been created over time and possibly create a new drop off route for the highschool using 32nd street and increase the schools parking lots.(Appendix 8).

Or using the Vision Zero plan, approved by the council to use "Safe Route to School" grants to make our drop off areas safer.

Another consideration, which is already mentioned in our community plan, would be building a Library and/or Park and Ride parking lots. That would be a huge benefit to this community, especially considering the fact that is right next to 2 schools. These things make sense.

Ultimately, if people want more choice in grocery stores, then there are pre-approved zones available very closeby. City North also has room for an additional grocery store and currently hosts (a real!) neighborhood Sprouts convenience store. There is is land available on 56th and the freeway also. Plenty of alternatives and good enough to host their proposal, without ruining our neighborhood.

**Further details in response to original the Letter of Explanation.**

I want to continue with my response to address the way these attorneys chose to answer your questions, downplaying the impact it would have and leaving out important details that you should consider and be aware of. They are experts to provide you only with details that they've learned helps getting approvals from you and put the wheels in motion.

They described it as "low impact" commercial development. How do they determine this? They claim there is no final plan. Once approved they can do what they want. AND they're proposing this to be next to an elementary and high school and in the middle of a quit community, which is unacceptable because of the dangers they're introducing to the school and kids. Half-truths are being told.

I would like to select a few of your questions and provide another perspective and have included appendices to clarify my comments.

**Questions Selected:**

*Q3; How many potential housing units would be created or lost by approving and implementing the proposed amendment?*

GBlaw response states : "The benefit of bringing much needed commercial to this area far outweighs the minimal loss of housing from the proposed amendments"

**My Response**: They fail to mention that there are pre-approved commercial zones are only 1 block north of the proposed site along Pinnacle Peak and leave out the fact that City North still has 50% land available, which is adjacent to Desert Ridge marketplace. Why would they need to amend our residential master plan for 20 acres to insert a commercial development when bigger lots are available?
(See Appendix 1)

*Q4: Is there a need for the proposed use(s) or density(ies) in the requested location?*

GBlaw response states: "unintended consequences of creating the large and hugely successful Desert Ridge Marketplace and surrounding retail uses is that the intensity of those uses has led to traffic congestions and parking issues."

**My Response**: There was never any research done or input requested from residents regarding the impact of the marketplace, nor were we asked what our needs are. This proposal is purely economical and not driven by an identified need. My response would have been that I can confirm traffic congestion caused by drive through restaurants and those will remain and new ones will be created by their proposal.

Their responses continue to emphasis the current traffic issues but their proposal will bring exponential more traffic to our neighborhood due to new (non resident) people now choosing to come off the 51 at Black Mountain blvd to get their groceries that previously went to the marketplace. Children are walking home from Elementary School and the High School are being put at unnecessary risk.

If I was asked for what this community needs, it would be more recreational parks, a promised library, preserve the land for High School expansion requirements to accommodate more students, parking and

a safer route to school and drop off areas around the school. That is what we need, not light, air, noise pollution and gas station or any other shop next to a high school and elementary school. People are also very concerned about the crimes that go along with such a commercial center.

*Q5: What impact would the proposal amendment have on adjacent or nearby land?*

GBLaw states: "The addition of quick service food and retail options at this location will provide a safe alternative to the students at nearby Pinnacle High School before school, after school and during the lunch hour. The Applicant met with Pinnacle High School Principal Chad Smith, who indicated that the proposal development would potentially reduce the number of off-campus trips by car"

**My Response**: The impact will be bad. More traffic, More pollution, More smells, More homeless people on corners, More cars idling, More noises and light pollution into the night.

PLUS Every parent knows that putting temptation in front of teenagers, they will jump on the occasion to skip school, find a way to buy alcohol and cigarettes and create a hangout for these teenagers that will lead to all sorts of trouble, fights and crimes. The school is a closed campus school, so only seniors that are already driving themselves might be interested, but it also highlights their commercial interests in this area and trying to capture this captive audience and provide bad fast food and other bad choices. Nothing safe about their proposal that will benefit High school students.

Secondly, I would highly recommend that you independently meet with the Principal of Pinnacle High School and Fireside Elementary School and they will paint you an entirely different picture and **strongly oppose this development.** Don't take my word for it. Please have someone verify this statement as this was another technique to give you the impression that they reached out with concerned parties and only shared what they wanted to hear. Not their full version and misrepresentation of their opinion. Parents have brought this up with the Principal during various meetings at the start of the school year.

*Q6: How will the proposed amendment affect traffic generation and the transportation system?*

GBlaw states; "Black mountain blvd and Deer Valley drive are both major arterials adjacent to the property. As such, Black mountain village is proposed at an appropriate location"

**My Response**: Notice how short this answer is compared to all the other answers. They are not even directly addressing the core of your question. Great avoiding technique of the hot potato.

See Appendix 1 – the traffic is terrible at the moment, during drop off and pickup times, during rush hour, as drivers trying to avoid the 101 and 51 take Deer Valley and they use all of our community road to take short cuts and therefor causing people speeding on mayo blvd and 40th street to get to where they need to go. With the attraction of gas stations, fast food and grocery stores, more (non resident) people will start taking this route.

*Q8: Community Benefits; How does the request address the community's unique opportunities and challenges related to prosperity, health and the environment? See pages 18-26 in the Phoenix General Plan*

GBlaw States: One of the visions discussed in the PlanPhx 2015 General Plan, is to make Phoenix a "Connected Oasis." Put another way, residents have expressed a desire for the City to have more places at which citizens can connect with one another. This new shopping center in the Desert Ridge area will provide such a place. Moreover, the addition of a retail shopping center that can more conveniently serve the western portion of Desert Ridge will reduce transportation burdens on residents to reach grocery and other retail opportunities; potentially increase the health of Desert Ridge residents by providing a destination to which they can walk or bike and reduce the emissions from residents driving to Desert Ridge Marketplace which can lead to a healthier environment. A reduction is transportation burdens, increased opportunities for exercise and a cleaner environment lead to an overall increase in health and prosperity.

**My Response**: This is pure nonsense as there has ***NOT*** been any survey done about what we want and need or desire. And if they claim this, it can only been hearsay from a few residents close to this project or overheard in an HOA board meeting. Not even our HOA's have done such a survey to gather input from their residents. **GBLaw only started to gather signatures around September, whilst the letter is dated July 1st.**

However, if you know anything about Aviano, Sky Crossing and my community Fireside, then you know **this community is already very connected to their neighbors**, we have long time residents that have seen their kids grow up and go through each of the 3 schools in the area as well as many community events that are organized by paid community directors every month where we all connect with each other. Firework displays paid for by HOA's. Our Halloween celebrations are known throughout Phoenix and we have to block off our streets to accommodate everyone safely.

The proposal is not promoting any of the things they advertise, nor will any of their proposed commercial properties promote any new healthy activities due to the nature of the Gas station, Fast food restaurants and none of the 100,000 sqft grocery stores. They are expecting increased traffic for their tenants to be successful.

Other examples to promote these great goals outlined in your General Plan, are libraries and park areas for our families that will allow coaches to run their practices and young families to have play areas.

*Q9: How will the proposed amendment affect the character and image of the adjacent area, neighborhood, and village?*

GBlaw states: "The proposed amendments will advance the land use principles in the Desert View Village Character Plan and the Desert Ridge Specific Plan. The Desert View Village Character Area Plan has several principles that are supported by the proposed amendments. The first is a land use principle that suggests that new development in or near residential areas should be compatible with existing uses and consistent with adopted plans. Next is a design principle that seeks to protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance. Finally, the last principle is design-related and requires

impact-mitigating features when new nonresidential uses abut existing residential uses or are adjacent to arterial streets or freeway corridors."

**My Response**: These design principles should simply state –

1) **DO NOT BUILD COMMERCIAL PROPERTIES NEAR HIGH AND ELEMENTARY SCHOOLS DUE TO KNOW RISK AND SAFETY ISSUES THESE TYPES OF PROJECTS BRING**, especially if there are pre-approved commercial zones already available in the same vicinity. The buffering that is mentioned is a small walk for anybody, so claiming the design being "away" from the public school is just putting lipstick on a pig.
2) **DO NOT BUILD COMMERCIAL PROPERTIES IN THE MIDDLE OF 3 RESPECTABLE COMMUNITIES DUE TO THE TRAFFIC AND CRIMES THESE TYPES OF PROJECTS BRING.** The grocery will be giving access to alcohol and tabacco near the schools. The gas stations will bring homeless people
3) **THERE NO IMPACT MITIGATING FEATURES INCLUDED FOR NON RESIDENTIAL USES.** In fact, the viability of this commercial proposal is counting on non residents to start visiting this area.

It will also affect the image of Pinnacle High School, which is putting a lot of effort into increasing their image and provide superior education and is seeing increased enrollment numbers. This include the fact that schools are graded on their students attendance and Tardiness. Having this development next door will most certainly impact their school standings today.

*Q10. Additional comments as appropriate*

GBlaw states: Vestar has received positive feedback from the Desert Ridge Community Association. As the Site Plan has evolved, the applicant and Vestar have met with the Association in order to keep them informed and updated on the project. The continuous question that has been asked throughout this outreach is "When will you start construction?" The eagerness of this community to have shopping alternatives, grocery in particular, simply cannot be overstated.

**My Response:** These additional comments are possibly based on the opinion of 1 person within the Desert ridge HOA board. There will be no evidence to support these statements. In fact, every HOA meeting GBlaw has attended after the initial public hearing, has been met with more opposition. There is ZERO EAGERNESS by this community, demonstrated by all the emails you have been receiving on this proposal and further strengthened by the votes on our petition and people that have or will be speaking at the public meetings. (Appendix 5)

But first and foremost, the opposition to this proposal underlines that this proposal might be a classic bait-and-switch and they assumed this would slide under radar of this community. They were wrong.

**PETITIONS / Social Media / Advertising:**

In response to various ads and website activity by Vestar and GBlaw, our community has setup our own website ( https://defenddesertridge.godaddysites.com/ ) and our Petition on Change.org and Hand written signature petitions to make sure that we are not undercut by this corporations tactics to show support. Residents cannot match their corporate budget and social media skills, but we hope that you see that efforts were made on our side and that it should be weighed more.

ALL of their activity to back up their statements, are DATED AFTER their "Explanation Letter", thus the statements and references made to our community's eagerness for this, has been vastly overstated.

We have since also seen various ads show up on our Facebook and other social media platforms ( Appendix 2) that paint a "dream" appealing to a random public that this is a neighborhood grocer, when the fact is that it could be 50,000-100,000 sqft grocer. This is never mentioned anywhere. A gas station is never mentioned anywhere. The audience they target could be outside of Desert Ridge.

Other ads lead to a petition on Change.org, which in turn has a link back to the GBlaw website in order to submit support emails. (Appendix 3 & 4)

- There is NO Validation where these emails are coming from.
- There is NO Validation whether any of the submissions are coming from automated software
- There is NO Validation – if they were real people – where they live and even part of desert ridge
- They're sharing very little information about the full scope of the project.

**IN CONCLUSION**

I'm completely blown away by the amount of effort that these attorneys and developers put behind their proposals in order to ruin neighborhoods, endanger school areas, and negatively impact sought after communities for their profits.

There is no eagerness in this community and online petitions and handwritten signatures underline that this proposal was based on misinformation and not substantiated by any research of community needs.

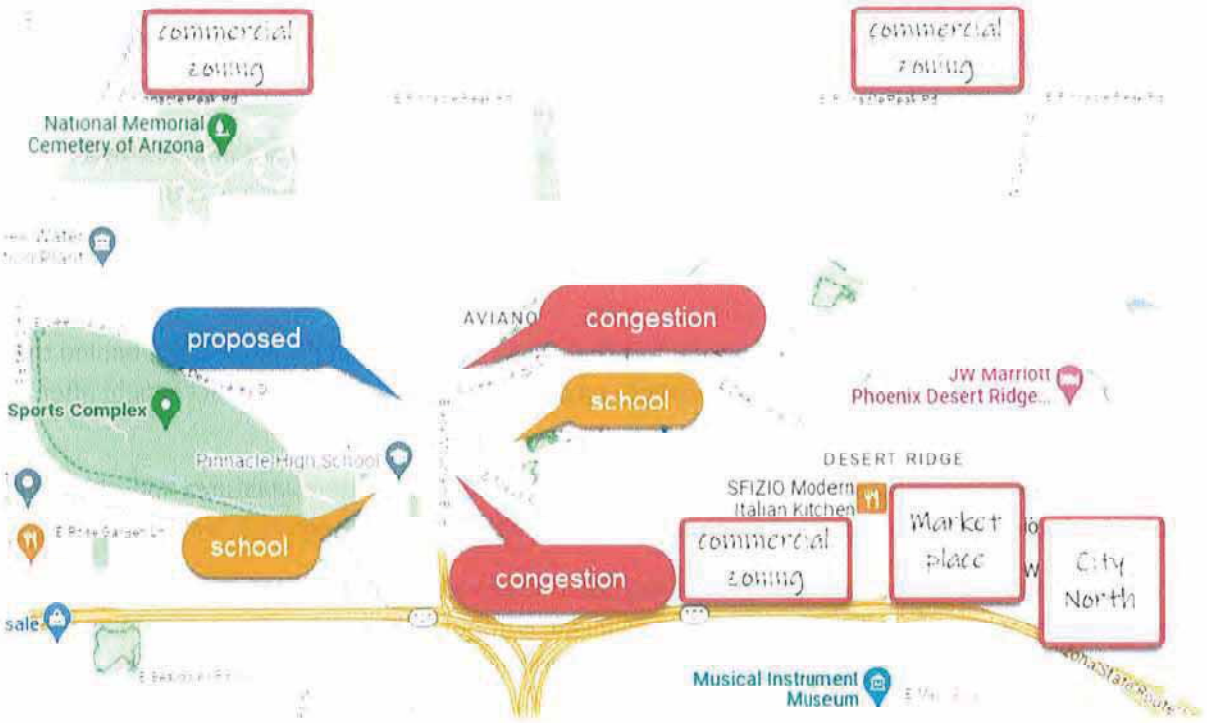
I sincerely hope that the City Planner, City Planning Committee and City Council will see this development for what it is and oppose the zoning change, **without compromise**. There is nothing that will be accepted by this community, other than the current zoning.

Please decline the entire proposal in all its forms and keep the residential zoning as it is, or pro-actively work with our community directly to find a more valuable use for this land around Pinnacle high school and near our 3 communities and stop any incoming future proposals immediately.

Sincerely,

Wouter Roodenburg

APPENDIX 1: TRAFFIC CONGESTION and COMMERCIAL ZONING



APPENDIX 2 – FACEBOOK ADS

They are misrepresenting the full plan of this proposal in order to get people to vote for this.



APPENDIX 3 GBlaw submission form and petition Link

## Why this petition matters

Started by New Grocer

A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

This is the last chance our community has for the development of a convenient neighborhood grocery-anchored shopping center. We believe that such a development will bring numerous benefits to our neighborhood and enhance the quality of life for all residents.

A well-planned and community-oriented development of this kind will also add significant value to our neighborhood without compromising its unique character.

Please **follow this link** to let city leaders know you support more grocery options.

www.gblaw.com




Support Submission

Submit Your Support for Vestar's Black Mountain Village / Superblock 12 Proposal

Please complete the form below to submit a comment regarding your support for Vestar's proposal to develop the 20.5 acres of Property located at the southwest corner of Deer Valley Drive and Black Mountain Parkway as a retail shopping center called Black Mountain Village.

**Name**

First

Last

**Email**

Enter Email

Confirm Email

Address - Neighborhood - Optional

Support Comments

APPENDIX 4 – Gblaw petition: BRING NEW GROCER petition (per 9/19/23)

https://www.change.org/p/help-bring-a-new-grocer-to-desert-ridge-please-sign-our-petition

This was started in September, a full 2 months after the letter of explanation was send.

# Help Bring A New Grocer To Desert Ridge. Please Sign Our Petition.




Started September 1, 2023

220 Signatures

500 Next Goal

Support now

## Sign this petition

Defend Desert Ridge

I'm signing because... (optional)

Display my name and comment on this petition

Sign this petition

## Why this petition matters

Started by New Grocer

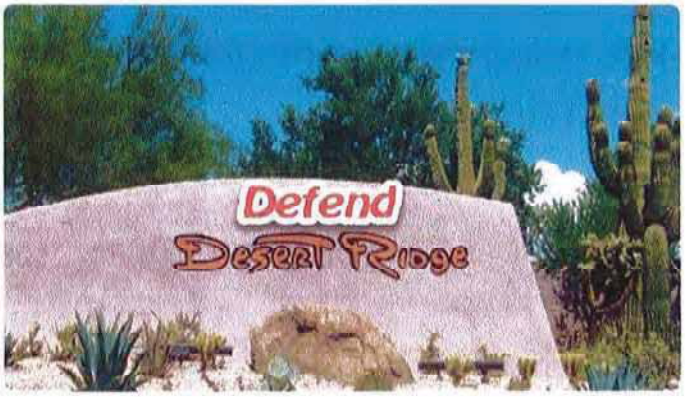
A neighborhood grocery-anchored shopping center near Deer Valley Road and Black Mountain Blvd. would provide us with convenient access to fresh and affordable food options. Having a neighborhood shopping center will provide alternative local dining options and reduce the need to travel longer distances to fulfill our grocery needs.

APPENDIX 5 – RESIDENTS PETITION : Oppose Commercial rezoning in Desert Ridge

https://www.change.org/p/oppose-commercial-rezoning-in-desert-ridge

So far we have TWICE the support to oppose the proposal, excluding written signatures.

# Oppose Commercial rezoning in Desert Ridge




Started September 13, 2023

408 Signatures

500 Next Goal

402 people signed this week

Oppose Commercial rezoning in Desert Ridge

Share on Facebook

Send an email to friends

Send a message via WhatsApp

Tweet to your followers

Copy link

## Why this petition matters

Started by Defend Desert Ridge

Oppose the rezoning request at Black Mountain Blvd / Deer Valley. It is currently zoned residential as part of our Master Plan but a developer is looking to make it Commercial, so that they can put in a new grocer and other big box retailers, fast food restaurants and gas station and other types of shops right near Fireside Elementary and Pinnacle High school and in the middle of your community. This provides liquor and cigarettes near children. Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. Anthony.Grande@phoenix.gov is the city planner assigned to the case in case you have further questions.

APPENDIX 6 Desert Ridge Specific Plan – Current Plan around 3 acre neighborhood centers

NOTE: I thought it would be helpful to include these chapters around the original intent of neighborhood convenience commercial.

1) Convenience commercial NOT more then 3 acres max
2) Neighborhood convenience store can be 5000 sqft max (see site design) NOT 100,000
3) Away from Arterial streets
4) No Drive Through
5) Only Beer/Wine allowed

*Neighborhood Unit Concept as the Basis for Community Design*

One of the principal problems of our sprawling western cities is the lack of connection residents feel to each other, and any sense of identification with the population at large. Desert Ridge is structured to build in a strong sense of identification and orientation.

Each neighborhood superblock generally consists of one square mile of residential uses. At the heart of most superblocks is a neighborhood park, an elementary school and no more than 10,000 square feet, excluding child care facilities, of neighborhood convenience commercial uses on a minimum of one acre and maximum of three acres. The convenience commercial uses are intended to be very limited in size, yet provide a range of necessary goods and services. They will be located internal to superblocks, at least 600 feet from arterial streets, so as to be accessible only from the internal collector road system and from a pedestrian path system. This location will present an opportunity to reduce the number of potential automobile trips taken for convenience shopping purposes. Potential neighborhood convenience centers are illustrated on Figures 7 and Figure 8. *1

The relationship between the convenience commercial, elementary school and neighborhood park uses will require special attention to inherent conflicts between and among these uses (e.g. school children and park users with vehicular traffic). As a rule, the convenience center will be located a minimum of 300 feet from any school uses. There should be no commercial development located adjacent to elementary schools. Possible relationships between these uses are illustrated on Figures 9 and Figure 10. *1

A total of 18 neighborhood convenience commercial acres, or a maximum of 90,000 square feet of gross leasable area, excluding child care facilities, for all of Desert Ridge outside of the Village Center will be allowed subject to the criteria and standards in Chapter 6. This criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development. *1

Depending on each residential development, a neighborhood could include a small community center, a swimming pool, tennis courts and other recreational facilities. These recreational facilities may be located in all superblocks. These facilities may be developed in conjunction with local subdivision associations. Child care facilities, however, will be located in all but three of the smallest superblocks. Each neighborhood is designed to be developed independently, encouraging individual character and identity; a range of housing densities is included in each neighborhood, allowing for a healthy economic mix. Provisions should be made for housing for the elderly and retired persons, as well as persons living in assisted care facilities. *1

The neighborhoods are bounded and served by major arterial boulevards, with collector streets accessed from the boulevards occurring at no less than one quarter mile intervals. The local streets will loop through residential areas creating a neighborhood character. No shortcuts between arterials through the neighborhoods will be found, discouraging any traffic other than local.

The majority of residences will be within a five to ten minute walk of the local park, elementary school and neighborhood convenience commercial uses in most superblocks. A system of pedestrian/bicycle paths along the wash corridors will meander through most neighborhoods, providing direct linkage to the neighborhood center, encouraging walking and reducing dependence on the automobile for local trips. Children will, in most cases, be able to walk to their elementary school on paths within wash corridors without ever having to cross an arterial street. Each neighborhood will feel pedestrian oriented, encouraging a sense of community among residents. *1

## C.3 Convenience Commercial Uses

### C.3.A General

Most residential superblocks have neighborhood convenience commercial centers. These centers are planned to be located in proximity to the elementary school, and neighborhood park within each superblock as presented in Chapter 5. These centers are located internal to superblocks at least 600 feet from an arterial street, so as to be accessible only from the internal collector residential loop road system and from the pedestrian trail system within the wash corridors. This presents an opportunity to create a self-sustaining community within a superblock thereby reducing the number of potential automobile trips taken for convenience shopping purposes.

The neighborhood convenience commercial centers are very limited in size. They are intended to serve only the superblock in which they are located and are not intended to serve a population outside the superblock boundary. The maximum total acreage for neighborhood retail uses, including buildings, parking, landscaping, and any other items related to the existence of the neighborhood retail use, shall be three (3) net acres, while the minimum acreage will be one (1) net acre.

**C.3.B.2 Modified City of Phoenix Regulations Imposed by this Specific Plan.**

a. Minimum Lots Size/Maximum Lot Size

The minimum lot size shall be one (1) acre exclusive of street rights-of-way. The maximum lot size shall be three (3) acres exclusive of street rights-of-way.

b. Maximum Building Area

Maximum of 10,000 square feet of gross leasable floor area per superblock, exclusive of floor area required for one child care facility per superblock (in other words, the child care facility may be in addition to the 10,000 square feet of gross leasable area); no more than 7,500 square feet of gross leasable floor area per superblock devoted to convenience market retail uses. The convenience parcel must be landscaped similar to the surrounding area until development of the parcel occurs. *2

c. Permitted Uses:

Only the following uses are permitted in this district:

- Child Care Center
- Dry Cleaner/Laundry outlet, not plants +2
- Convenience Market (selling and display space for beer and wine shall be limited to a maximum of 15% of total selling space) +2
- Delicatessen or other sales of prepared food limited to maximum of 1,000 square feet exclusive of outdoor dining areas *2
- Bakery, retail sales +2
- Beer and wine sales only, no hard liquor sales
- Beauty/Barber Salon
- Video tape rentals as part of convenience market.
- Florist
- Pharmacy
- Shoe Repair
- Booksellers and Rentals, except adult bookstores +2
- Candy Shops/Confectioneries, retail sales +2
- Gift Shops/Novelties/Stationers, retail sales +2
- Hobby Goods Stores +2

- Ice Cream Shops **+2**
- Picture Framing, custom **+2**
- Residential Office **+9**
- Travel Bureau **+2**
- The Boys and Girls Club **+10**

d. Prohibited Uses:

Other than the uses listed above as permitted uses, all uses are expressly prohibited including the following:

- Mechanical or electronic video games or arcade - type devices for amusement purposes.
- Drive-through uses
- Sales of package liquor other than beer or wine.

e. Maximum Building Height: 1 story not to exceed 20 feet

f. Minimum Building, Parking Lot, and Setbacks: 25 feet away from any property line and/or right-of-way line. **-2**

g. Parking requirements: One stall per 300 square feet gross building floor area, or per City Ordinance. **+2**

h. Signage

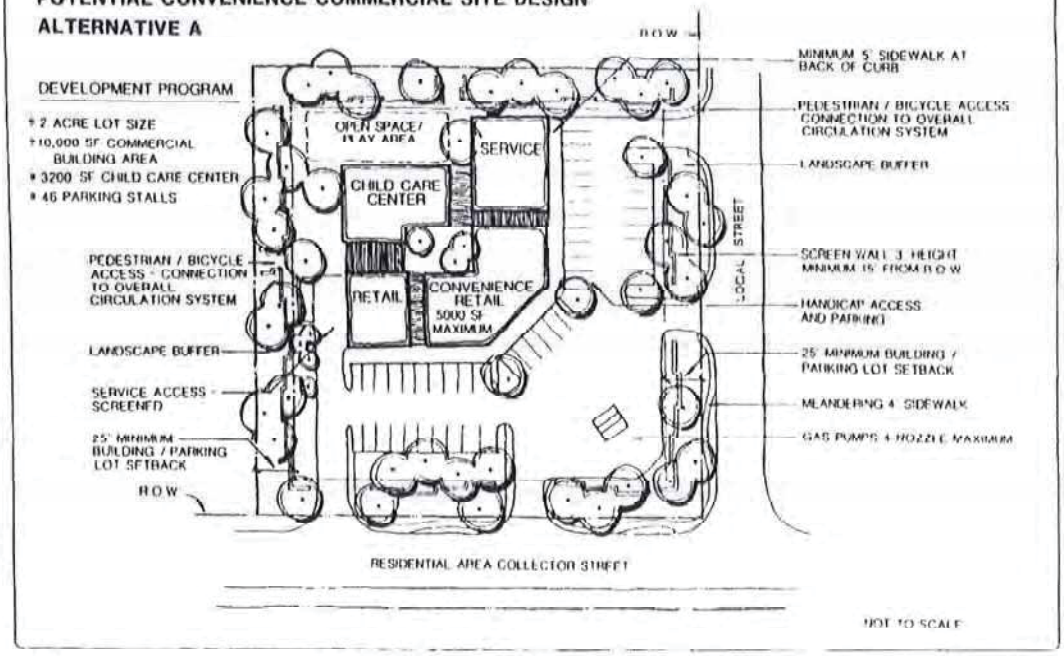
1. Temporary signage

   Signage will be developed during a subsequent planning stage. See Appendices

2. Permanent Signage

   Signage will be developed during a subsequent planning stage. See Appendices.

## POTENTIAL CONVENIENCE COMMERCIAL SITE DESIGN
## ALTERNATIVE A




DESERT RIDGE NORTHEAST HOUSTON PARTNERS

BRW

Appendix 7 – Desert Ridge Specific Plan – Public Facility Plan

This chapter describes the provisions for public facilities like Ride-and-Go and Libraries

These are currently in the planning and would increase our sense of community.
What if a Planning Commission would decide to put library next to 2 schools for kids to go to.
What a great concept and it fits right into the goal of bringing a neighborhood together.

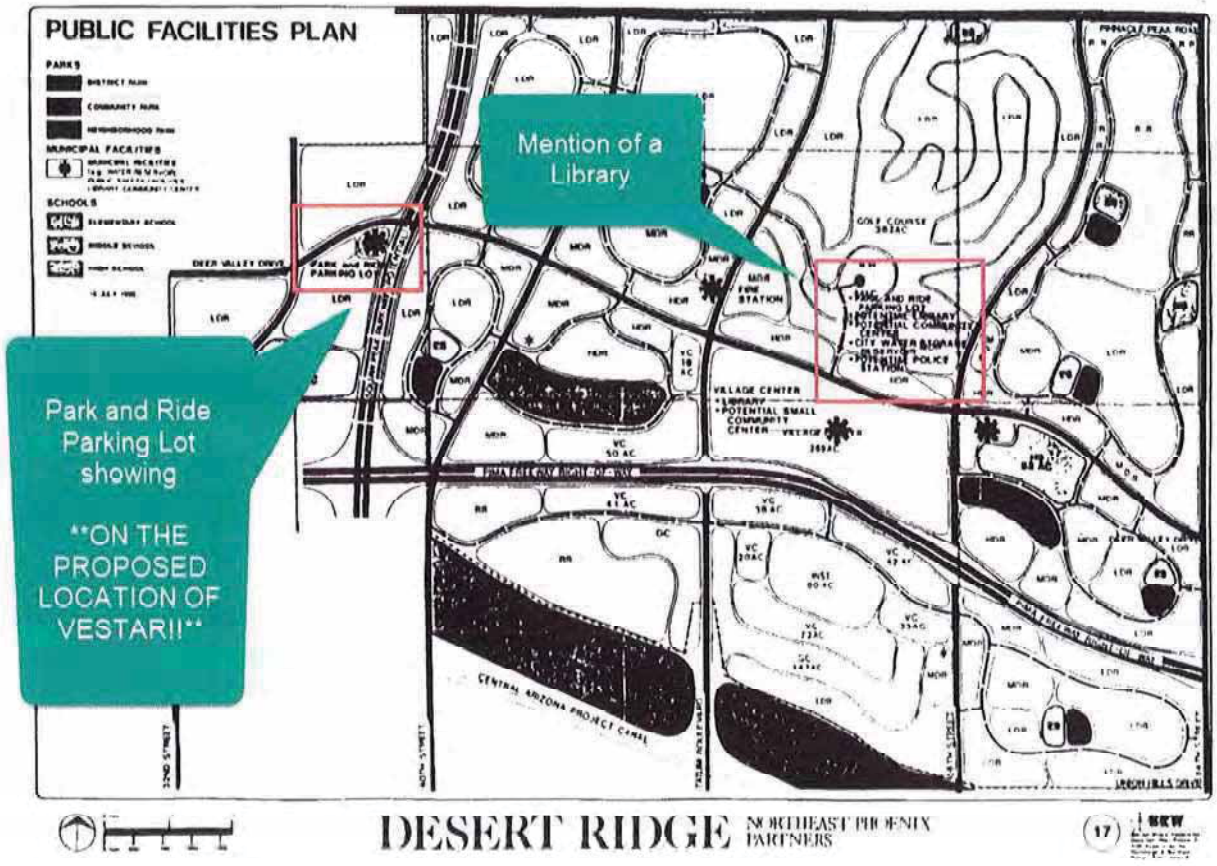
Also – please note that in this version of the plan, a Park and Ride parking lot is showing on the proposed site. Why wouldn't we want to do that and execute the plan.

## F. PUBLIC FACILITIES PLAN

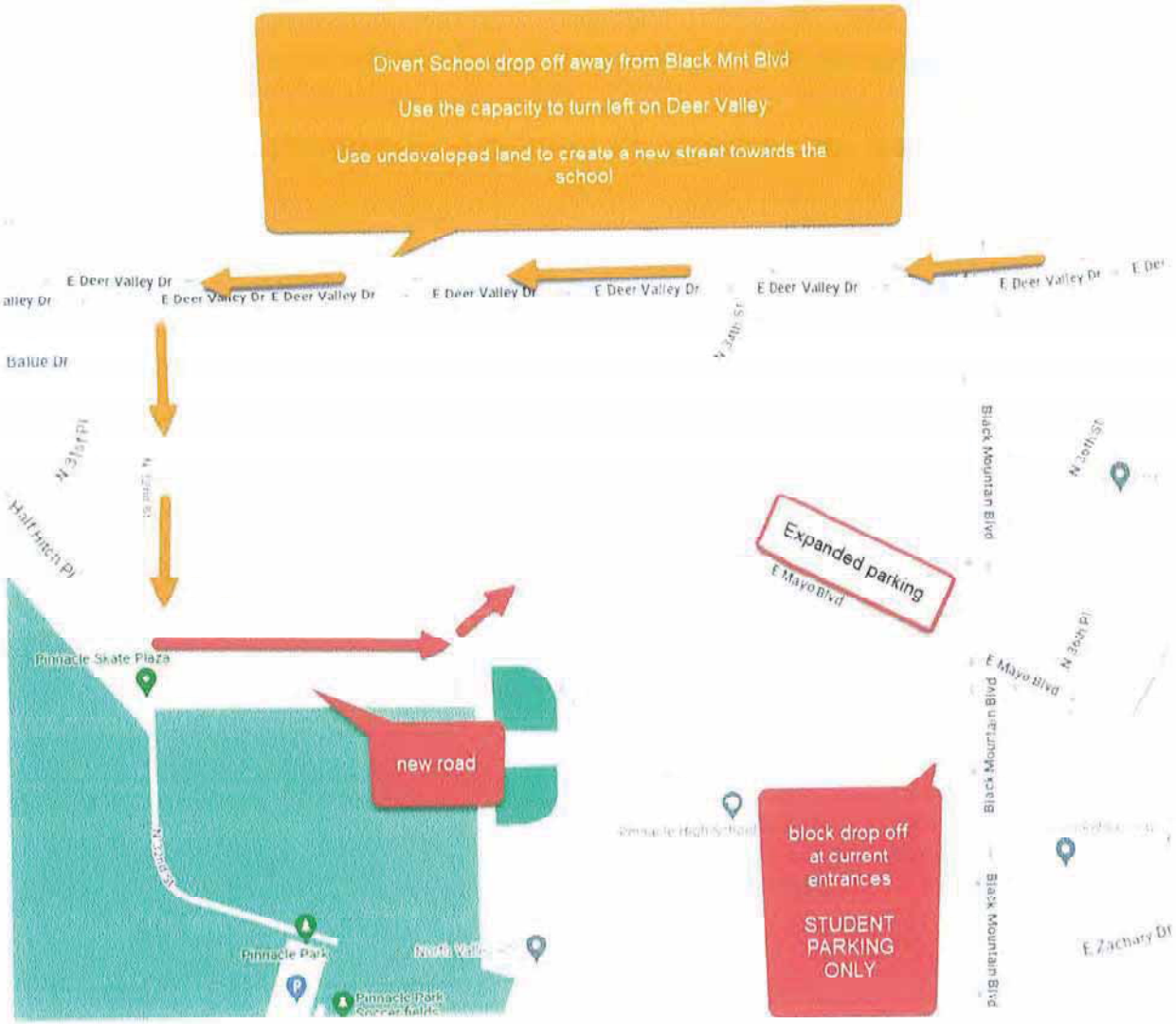
At buildout, Desert Ridge is a planned community for over 59,000 residents and 20,000 employees. Public facilities are an essential element for the planning and development of a large master planned community such as Desert Ridge. The following public facilities have been located within Desert Ridge using the approved planning criteria of each responsible government agency, department and school district.

- Parks
- Library
- Fire Station
- Community Center
- Public Schools

The locations of these facilities are illustrated on Figure 17, *Public Facilities Plan*.



Appendix 8 – New Drop off Route



**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 3:04:05 PM

---

| **Name** |
| --- |
| tammy nyne |
| **Email** |
| tknyne@aol.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| No - another grocery store is absolutely unnecessary and will eat into the margins of the existing store at Desert Ridge. No liquor stores either. |

**From:** Richards, Dan
**To:** Anthony M Grande
**Subject:** RE: Case file for Black Mountain Village
**Date:** Friday, September 29, 2023 9:20:11 AM
**Attachments:** image003.png

Hey Anthony,

I just realized this morning that I didn't read through my message that I sent you at the end of the day, yesterday. I updated my previous email, with edits in red. You already have a breakdown of 23 general supports stating NO GAS. What I'd like people to pay attention to is there are many people asking for a small grocer. That means they OPPOSE large grocers, which is exactly what Vestar is pushing to add. I would suggest a tally of all general supporters that used the words Small Grocery, or Sprouts, or Trader Joes. These are not supporters of a Fry's or Safeway with an attached gas station.

-Dan

**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Friday, September 29, 2023 8:04 AM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** RE: Case file for Black Mountain Village

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Dan, I will share this email with the committee.

**Anthony Grande, AICP**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

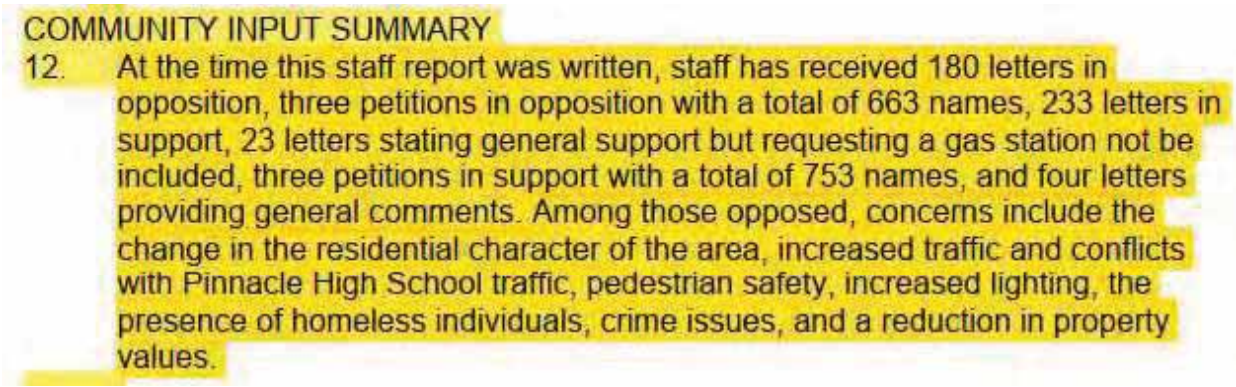
PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Thursday, September 28, 2023 4:56 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** Case file for Black Mountain Village

Hey Anthony,

I was forwarded the Z-39-23 Staff Report and wanted to address a couple of things:

- Quite a few people used the gblaw website to express their OPPOSITION, while the subject line is still stating NEW SUPPORT.
- Every village committee member needs to pay close attention to all of the SUPPORT NOTES. An overwhelming number of them expressed they support a SMALL grocery store and NO GAS STATION. In your COMMUNITY INPUT SUMMARY, you should add a line item mentioning that there are a number of letters stating general support but OPPOSE large grocers and gas stations. Every one of these expressing both could just as easily been added to the opposition totals.
- The generic support letters printed and brought through Aviano are signature harvested. This is really sad to see. It's just a numbers game to them. People who oppose this development sent you well thought out letters, with some begging you to consider the ramifications this will have on our families and homes.



COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Please share this with the rest of the Desert View Planning Committee prior to next Tuesday.

Thanks,
Dan

*Excellence in Engineering*SM

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 9:19:41 PM

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**Name**

Ellen Busch

**Email**

ellencita2@me.com

**Support Comments**

Maybe a Trader Joe's. Most of the supermarkets are all owned by the same companies and they offer bad service and no competition since they are all the same parent company. It is deceptive to use the square footage of the market as your rubric. Additionally the fact that Vestar has a large portfolio of business takeovers is not comforting. I vote a strong "No." I vote small business

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 9:14:14 AM

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**Name**

Jennifer Moeckel

**Email**

Donot@email.me

**Address / Neighborhood (Optional)**

Tatum Village

**Support Comments**

I was on board with this plan until I learned about the fuel station accessory. That makes it perfectly clear that it's going to be either Safeway or Fry's which isn't needed in this area; we already have both within driving distance.

When I took the phone survey, it was indicated that the store would be a small, niche-type store leading me (and my husband who also took the survey) to believe it would be a Trader Joe's, Sprouts, or similar. I think it's pretty sheisty of you to lead people to believe the plan includes one of those specialty type stores when all along you planned to build a Safeway or Fry's. If that's the case, I change my answer to no, thank you.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:19:33 PM

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| **Name** |
| --- |
| Marci Payne |
| **Email** |
| azpaynes@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22710 N. 39th Ter. |
| **Support Comments** |
| No, not a good place for commercial development. The traffic is a nightmare at that intersection, would be great if Vestat would donate it to the high school for parking! I had 2 kids go through Pinnacle and not being able to Fri e to school until their senior year is bull! |

**From:** Nikki Branstiter
**To:** Michelle Santoro
**Subject:** New development near black mtn and deer valley
**Date:** Saturday, September 30, 2023 4:05:31 PM

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I do NOT think it is a good idea to put shopping in this area. It is already too congested. Also kids will be parking in your lots. We don't need more people in this area shopping it is already too congested. A store north of their near Tatum rd and pinnacle peak road would be a better idea and would not disrupt the flow of traffic.

| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | Anthony M Grande |
| **Cc:** | PDD Desert View VPC; PDD Long Range Planning; Council District 2 PCC |
| **Subject:** | Road Safety Action Plan - aka "Vision Zero" / Pedestrian Safety initiatives and programs |
| **Date:** | Monday, October 2, 2023 11:11:12 AM |
| **Attachments:** | Vision_Zero_Road_Safety_Action_Plan.pdf |

Anthony,
In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2, I would like to submit some of my research regarding Pedestrian Safety.
It seems this topic has not received any attention in the staff report for the committees to consider. This is pertinent because the commercial proposal will target to increase traffic in this area significantly with the addition of a big box grocery store.
A grocery store that is bigger than the one currently in the village core where all of the commercial development was originally planned.

Why would the report not inform the recipients and committee members that a significant increase in traffic and higher risks are being introduce to an area where we have an elementary school and a high school.
The staff report seems to focus on some of the links to existing city general plans, but it does not point out that there is an increased risk for pedestrian and bicycle fatalities.
It is not evident from the findings and stipulations that the developer or the city planner is concerned about this and implement effective solutions to ensure it will not cause casualties amongst school going kids.

Attached is a copy of the city's Road Safety Action Plan (Vision Zero). Our community has participated in this survey and help support this initiative.
Focus area 3 (pages 46) is dealing specifically with Safe Routes to Schools and actions are proposed to address the rise in fatalities.

Stipulations listed are referring to pathways within the development, but none of them are addressing the need for improved pedestrian and bicycle safety measures on the arterial roads of black mountain boulevard, Deer Valley and Mayo blvd as the existing measures are just not enough for this developer to guarantee their safety. (NOTE: The new HAWK crossing on Mayo is a measure, but does nothing to increase the safety of school going students that walk out of the community to school).

As the sole focus of this commercial proposal is to increase traffic to these establishments for locals but especially non-residents, would it be possible to provide a statement that could help clarify why the increased risk to pedestrian / bicycle safety is not clearly mentioned in the findings of the staff report, but only references in the report are to the phoenix general plan, the monarch butterfly, the archaeological plan and other plans.
Perhaps it's possible to update the report to outline this big issue and perhaps specifically mention what this proposal is going to address (or not). Currently there are no references to Vision Zero and their objectives around school zone safety and I'm wondering if there is any input from the Office of Pedestrian Safety.

Other research that I would like to be considered are the following reports

- references to Safe Routes to School programs and funding opportunities from the Pedestrian Safety Fund.
- Other references are in the Pedestrian Safety Action Plan (2017 Update)
- Pedestrian safety reports : (CLICK HERE [azdot.gov]) There were 302 pedestrian fatalities during 2022, a 16.2% increase from 260 in 2021. Forty-eight bicyclists died in crashes during 2022 compared to 45 in 2021. Bicycle-related fatalities have risen each year since 2018.
- Any input from the office of pedestrian safety. Vision zero references that Phoenix was at the forefront of cities to establish the Office of Pedestrian Safety as a resource hub that educates residents on a variety of traffic safety issues through community engagement, and promotes increased driver, pedestrian, and bicyclist awareness, especially around school zones and residential neighborhoods.
- Pedestrian Safety | Arizona Governor's Office of Highway Safety (az.gov) [gohs.az.gov] / key statistics on Children and traffic related casualties : 2017 Data: Children (dot.gov) [crashstats.nhtsa.dot.gov]
- Arizona Department of (azdot.gov) [azdot.gov] ; ADOT traffic safety for school area guidelines. Pages 14-16

Kind regards,
Wouter Roodenburg

**From:** ks
**To:** Anthony M Grande
**Subject:** Re: Black Mountain Blvd & Deer Valley Drive
**Date:** Monday, October 2, 2023 1:33:57 PM

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Mr. Grande:

We plan on attending the meeting but probably not speak at it so we are putting our comments here regarding the rezoning of Black Mt Blvd and Deer Valley:

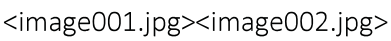
We live a mile from this intersection and go through it several times on a daily basis. We are AGAINST the rezoning of this corner! We are especially against a gas station. We bought here knowing this to be a residential area and it is busy enough with a large high school there. There are many discussions about this on Nextdoor and 95% of the people in this area are also AGAINST it.

Thank you.

Edward & Kristin Simko
Desert Ridge NW

> On Oct 2, 2023, at 10:49 AM, Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> Hello,
>
> I see that you inquired with the Council District 2 office about the upcoming meeting regarding the rezoning proposal at Black Mountain Blvd and Deer Valley Drive. There is a Village Planning Committee meeting tomorrow (October 3) at 6:30pm at the Paradise Valley Community Center. The proposal in question is items 5 through 7 on the agenda. Please see the agenda for the meeting at the link below. You may submit written comments before the meeting by emailing them to me. Any comments received will be provided to the committee members ahead of the meeting. You may also attend the meeting and register to speak on the item during the public hearing.
>
> https://www.phoenix.gov/cityclerksite/PublicMeetings/2301003004.pdf
>
> Please let me know if you have any further questions.
>
> Thank you,
> Anthony
>
> **Anthony Grande, AICP**
> Planner II – Village Planner
> City of Phoenix
> Planning & Development Department
> Long Range Planning

Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003



**From:** Anthony M Grande
**To:** Anthony M Grande
**Subject:** FW: We vote no!
**Date:** Monday, October 2, 2023 11:06:49 AM

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From: Taylor Ungerer <taylorungerer3@gmail.com>
Sent: Saturday, September 30, 2023 9:28 AM
To: Michelle Santoro <msantoro@gblaw.com>
Subject: We vote no!

As you can see, most of our community is against this rezoning. It makes no sense for the area. 40th and Deer Valley makes sense. DV & BM does not!

| | |
|---|---|
| **From:** | Ryan Waddington |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning Interest of Superblock 12 |
| **Date:** | Monday, October 2, 2023 10:13:23 AM |

RE: Case No. SPA-DS1 V-2-23-2, Case No. CPA-DSTV-3-23-2 and Case No. 1-39-23.

To Whom It May Concern,

I am writing to express my deep concern regarding the proposed new commercial development in close proximity to our homes in the Fireside neighborhood of Desert Ridge.

While I understand the importance of progress and economic growth, I believe it's crucial to consider the potential impacts of such a development on our community. As a resident in close proximity to this proposed project, I have experienced firsthand the unique charm and tranquility that our neighborhood offers. I have also witnessed the increase in traffic congestion and noise resulting from the addition of the on/off ramp of the 51. I am worried that this new commercial project will lead to further increases in noise levels, traffic congestion, and significant alterations to the overall character of our surroundings.

The transformation of Black Mountain and Mayo Boulevard from quiet neighborhood streets to major thoroughfares has been concerning. They have become racing zones at times, driven by individuals who seem to disregard our neighborhood's well-being, the safety of our children, and even our overall quality of life due to the escalating traffic noise. Given the proximity of Pinnacle High School and Fireside Elementary School, it is only a matter of time before unfortunate accidents occur due to the surge in traffic and the lack of infrastructure to manage this increase safely.

Moreover, I am concerned about the potential increase in crime that often accompanies large commercial developments. Studies have shown that areas with concentrated commercial spaces can attract a higher incidence of criminal activity, posing a threat to the safety and security of our community. As a neighborhood that has prided itself on its safety and tight-knit nature, introducing a large commercial establishment nearby could undermine the peace we currently enjoy.

I kindly ask that you prioritize the well-being and opinions of the individuals who call this area home. Our collective voice should play a pivotal role in shaping any developments that could impact our neighborhood's identity and quality of life.

Thank you for your time and consideration to this matter.

Ryan Waddington

Sent from my iPhone.

| | |
|---|---|
| **From:** | NA NA |
| **To:** | Anthony M Grande; Adam Grant; Council District 3 PCC; Council District 2 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Council District 1 PCC; Mayor Gallego |
| **Cc:** | candysfamily@cox.net; candyhuether1@gmail.com |
| **Subject:** | Stop the Rezoning change on Parcel 212-38-0238B Black Mountain village |
| **Date:** | Monday, October 2, 2023 7:09:01 PM |
| **Attachments:** | Rezoning Black Mtn Blvd.pdf |

RE: Case Number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23
Please read my letter to help preserve our residential land. Can you assist in any way? You time is very much appreciated.

Good Evening Mr Chairman and Members of the Desert View Village Planning Meeting. My name is Candy Huether and I live at 21712 N 36th st in Firesides Copper view neighborhood. My backyard backs up to the wash on Black mountain blvd. We signed documents that the land across the street was zoned residential, we also paid a lot premium and was told that our view fence was the perimeter fence for desert ridge and we could not touch it or put in a block wall. We also signed these such documents that said no more than 3 acres for commercial conveniences with the ONE exception of Kinder care and the office next to it. Early on in living here we had such a problem with all the high schoolers parking up and down the street that we had to initiate no parking signs not because we could not park in front of our house but because of the safety for my family. You see every day the local drug dealer would pull in an set up shop right in front of my house or across the street on the corner. I witnessed many fights till one day the knives came out and someone got hurt. We have also had an instance of homeless in the wash. Can you imagine putting in this huge grocery store, fast food, gas right next to the high school and in my backyard? Well you can bet the drug dealer will come back and let me tell you that Arizona ranks 13th for human trafficking in the nation, children account for half of all sex trafficking as young as 9 yrs of age. You can bet those traffickers will be there watching every move those high schoolers make,easy prey, from the time they walk out those doors till they cross the street and follow them home. Did you know that the traffickers biggest intimidation threat and why the victims stay is telling the victims that they

are going to harm their family, well now we just made it even easier for them to know exactly where they live with little effort. And we really need this when we have 9 grocery stores within a 4 mile radius, not to mention 2 within 2 miles for modern conveniences and 12 gas stations within a 3 mile radius and 2 within 2 miles, oh yah but we wont need gas because we can ride our bike or walk in 100+ degree weather to pick up our milk and ice cream! I wonder how many people actually do that now at desert ridge, I bet there is a LOT. And yet what about the land just 2 miles up the road already zoned for commercial? Let's put the kids at risk, devalue homeowners property, increase crime, vandalism, light and smoke pollution and just ignore that property already zoned, all for the all mighty dollar!! Opps I let the cat out of the bag. Please let's just call it what it is. Wait but I forgot the best part there are no traffic issues according to Mr. Andersen (Sky crossing meeting notes) since school opens and closes at different times,I guess the stores will be closed during those times and the fast food, and during rush hour when Black mtn blvd is grid lock, morning and evening, see I don't know this because Im blind looking through my view fence and not being able to get to work, I guess he hasn't been by yet so lets give him the benefit of the doubt, but reality is its grid lock during rush hour. Not to mention on my street in front of MY house we call it 36th speedway because all the parents rush through to dump their kids off because its grid lock out there. So now lets add more to it because those drivers trying to get home are going to want to avoid that 99,000 square foot store, plus fast food and gas just like they avoid desert ridge and loop through our neighboorhood, the traffic through this neighborhood will never stop. Lets just talk a little of what we have seen at desert ridge at In and out in the last year. According to my High schooler everyone knows In and Out is the hang out for the high schoolers,and that's where all the fights happen. So now let's put fast food right next to the school so we can see the crime like on 5.30.23 Kevin Durkin was there late night with his high school

friends having burgers. They saw another group touch his car so they asked them why mess with the car only to be pumeled in the face with brass knuckles, knocked his teeth out leaving $15,000 worth of damage and emotional scars for life. July 6th Lockdown because of a possible shooting when teenagers got into a verbal fight and one pulled out a device that made a loud sound and smoke. And 4 years ago my daughter and friends where accosted by another girl saying she gave them a dirty look. All these instances are backed up by police reports. Lets look at the current homeless ness, that I just know about, 32nd and unions hills starbucks currently everyday is kicking Homeless people out because they do drugs in the bathroom, vandalize it and sleep in there lobby. And at my work I have been chased many times in the early morning by the homeless guys on crack that live in the wash and under the freeway, they break down the fences cause lots of damage, the city knows about all the issues with them at Costco and under the freeway at cave creek and beardsley rd.
All this to build on an already zoned residential area, with zoned commercial right up the street. Please save our children from what's to come. You know they all are going there after school since it's so close. Do we really need more stores right next to a high school? Thank you for your time

| | |
|---|---|
| **From:** | Zach S. |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition to proposed development near Pinnade High School |
| **Date:** | Tuesday, October 3, 2023 10:03:40 AM |

Anthony,

My name is Zachary Stahmer and I am strongly opposed to the proposed commercial development near Pinnacle High School (Case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 ). I currently have a child who attends Pinnacle and I believe any development there is detrimental to their and other student's safety as well as to the entire surrounding area.

First and foremost, the proposed development greatly increases the risk factor for both the high school students as well as the nearby elementary schools. The increase in traffic would put a strain on the already overburdened primary and secondary roads in that area. Many students walk to Pinnacle both before and after school and the additional traffic would put them at risk. Each day, there is a line of cars on Deer Valley Rd, Black Mountain Blvd, and Mayo Blvd that stretches for many blocks and people parking in areas they shouldn't as well as doing dangerous U-turns. Already this school year, there have been at least two near misses with drivers not paying attention and almost hitting students. Adding more drivers to the areas will only increase the chances of a fatal accident.

Right now, there is a huge amount of traffic before and after school, making even casual conveyance through the area very difficult. Now if you add in delivery semis, inattentive shoppers, and additional school traffic, it will only make the congestion worse.

The amount of traffic in the area will only increase as the new housing development on Cave Creek Rd. will add thousands of residents to the area, many of whom will send their high school kids to Pinnacle, thus making the traffic situation even worse and increasing the risk to our kids.

Secondly, the area is currently a mix of residential and leisure use with Reach 11 and a dog park nearby. Adding stores would only decrease the family-centered nature of the area while adding more concrete and decreasing any open space. The heat island effect will only get worse as you add more concrete and buildings to the area. Desert Ridge Mall is only 2 miles away and has room for additional retail stores. There are additional approved commercial lots on Pinnacle Peak Rd and Cave Creek Rd. Adding another grocery store and gas station to this particular corner will not improve people's lives but detract from their ability to enjoy the land and open space in that area.

Adding commercial space just north of Pinnacle High School puts our kids at greater risk for a benefit that doesn't exist. That is why I strongly oppose the potential development of that land. For once, let's leave some open space so we can enjoy nature. For once, let's not pave over the desert to build another strip mall. For once, let's say no to a developer so we can leave things better for our kids. For once, let's put our kid's safety ahead of unneeded retail development.

Thank you for your attention to this matter,

Zachary Stahmer

| | |
|---|---|
| **From:** | Ellen Stewart |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Development near Pinnacle High School |
| **Date:** | Tuesday, October 3, 2023 11:01:42 AM |

My name is Ellen Stewart and I am strongly opposed to the proposed commercial development near Pinnacle High School (Case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 ). I currently have a grandchild who attends Pinnacle and I believe any development there is detrimental to their and other student's safety as well as to the entire surrounding area.
First and foremost, the proposed development greatly increases the risk factor for both the high school students as well as the nearby elementary schools. The increase in traffic would put a strain on the already overburdened primary and secondary roads in that area. Many students walk to Pinnacle both before and after school and the additional traffic would put them at risk. Each day, there is a line of cars on Deer Valley Rd, Black Mountain Blvd, and Mayo Blvd that stretches for many blocks and people parking in areas they shouldn't as well as doing dangerous U-turns. Already this school year, there have been at least two near misses with drivers not paying attention and almost hitting students. Adding more drivers to the areas will only increase the chances of a fatal accident.
Right now, there is a huge amount of traffic before and after school, making even casual conveyance through the area very difficult. Now if you add in delivery semis, inattentive shoppers, and additional school traffic, it will only make the congestion worse.

The amount of traffic in the area will only increase as the new housing development on Cave Creek Rd. will add thousands of residents to the area, many of whom will send their high school kids to Pinnacle, thus making the traffic situation even worse and increasing the risk to our kids.

Secondly, the area is currently a mix of residential and leisure use with Reach 11 and a dog park nearby. Adding stores would only decrease the family-centered nature of the area while adding more concrete and decreasing any open space. The heat island effect will only get worse as you add more concrete and buildings to the area. Desert Ridge Mall is only 2 miles away and has room for additional retail stores. There are additional approved commercial lots on Pinnacle Peak Rd and Cave Creek Rd. Adding another grocery store and gas station to this particular corner will not improve people's lives but detract from their ability to enjoy the land and open space in that area.
Adding commercial space just north of Pinnacle High School puts our kids at greater risk for a benefit that doesn't exist. That is why I strongly oppose the potential development of that land. For once, let's leave some open space so we can enjoy nature. For once, let's not pave over the desert to build another strip mall. For once, let's say no to a developer so we can leave things better for our kids. For once, let's put our kid's safety ahead of unneeded retail development.

Thank you for your attention to this matter,

Ellen Stewart

| | |
|---|---|
| **From:** | Anju Baluja |
| **To:** | Anthony M Grande |
| **Subject:** | We Do Not Want Back Mountain Village |
| **Date:** | Tuesday, October 3, 2023 2:51:57 PM |

Dear Mr. Grande -

I am writing in reference to case numbers GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 (I hope those are right!)

I am a resident of the Fireside community, and have lived here since 2010 when my boys were just 1 and 2 years old. I now have one son at Pinnacle High School and 2 more that will start there next year. And I am opposed to the development that Vestar is proposing for the land at Black Mountain and Deer Valley.

We purchased our home here because it offers a quiet solitude in the middle of the daily chaotic lives we all lead. We purchased our home knowing how many grocery stores were in the area, we purchased our home knowing that we could comfortably walk and bike around the area because it is all residential, we purchased our home knowing that our kids could safely walk to their schools, and we purchased our home because this whole area was supposed to be residential.

We do not want the additional noise pollution, light pollution, and traffic from cars and delivery trucks that will come with a commercial development in that area. And why is it even under consideration next to a public high school? The safety and traffic issues for our children alone should take this location out of consideration.

I understand that Vestar's current plans call for a grocery store and a gas station as well as other storefronts. I just read an article in the Phoenix Business Journal regarding the rezoning, and in the article, Ryan Ash, vice president of development for Vestar, says that "the site plan is also subject to change over time". I read that to mean that once the rezoning is approved, they can change what the commitments are, which is exactly why residents are opposed to this project.

I also believe that Vestar has been gathering support for this proposal by conveniently omitting the discussion of a gas station. "Do you want another grocery store in the area?" - sure, that sounds harmless enough. Until you add in that there will also be a gas station and a drive-thru coffee shop, and access to the school becomes more and more difficult.

I ask that the city vote 'no' on rezoning this land.

Thank you for your time -

Anju Baluja

CITY OF PHOENIX

**DESERT VIEW VILLAGE PLANNING COMMITTEE**

OCT 0 3 2023

Planning & Development Department

My name is Paul Dunn, and I am a resident of Desert Ridge. I live a few blocks from what Vestar has promoted as a "**low-impact commercial development**" that would feature a "**neighborhood grocery store.**"

**VESTAR'S SITE PLAN**

Vestar's latest Site Plan, filed on September 22nd, features a **96,582 square foot grocery store pad**. This is almost **40,000 square feet larger** than the pad square footage of the Albertsons store at Desert Ridge Marketplace. **Obviously**, Vestar never intended their project to be a "smaller retail center" with a Sprouts or Trader Joe's as the "neighborhood grocery store."

Vestar's initial communique acknowledged that their "neighborhood grocery store" would also have a "**Fuel Station.**" Whether called a Fuel Station or a **Gas** Station, this ancillary service would be a significant source of air, light, and soil pollution. It would also seriously depress the values of nearby homes.

**TRAFFIC IMPACT**

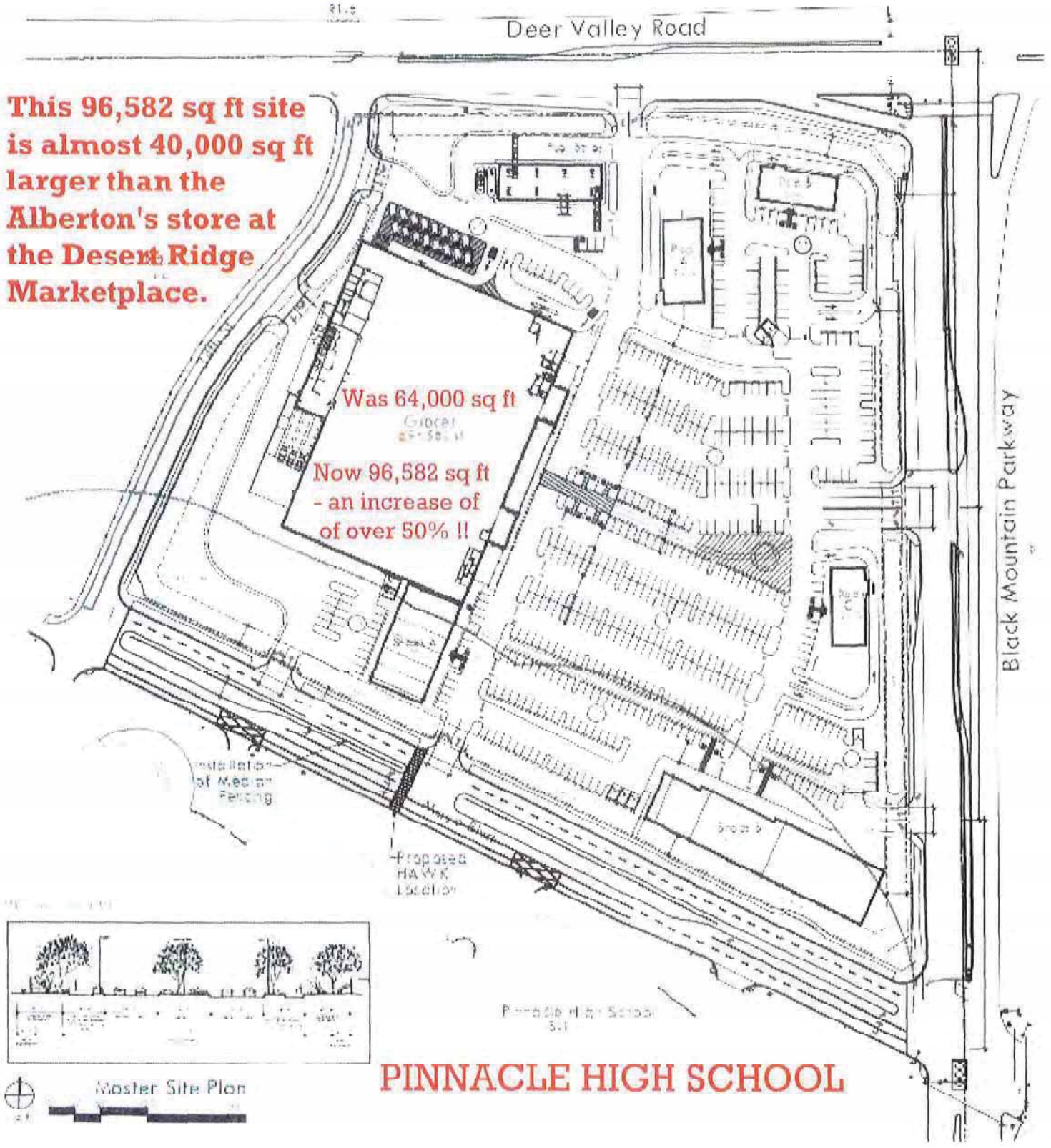
The Traffic Impact Analysis commissioned by Vestar acknowledges the current traffic problems at the proposed development site. In addition to documenting that the site would include a "Grocery **Supermarket**," the Analysis also documents the project would have almost 20,000 square feet of fast-food restaurants with drive-through windows and eight (8) access points. Vestar's proposed development would indisputably exacerbate the undeniable chaotic traffic problems occurring during school hours.

**SUMMARY**

It is patently obvious that Vestar's proposed development is NOT a "LOW" IMPACT Commercial Development. It is a MAJOR IMPACT Commercial Development designed to line Vestar's corporate pocketbook.

As Abraham Lincoln once stated, "You can fool some of the people all of the time, and all of the people some of the time. But you cannot fool all of the people all of the time." I choose to believe this Committee will not be fooled into rubber-stamping an ill-advised Staff Report approving Vestar's re-zoning request.

**VESTAR MASTER SITE PLAN REVISION (9/22/2023)**
**Increasing "Grocer" pad size from 64,000 to 96,582 sq ft**




C:\Users\Paul\OneDrive\Documents\Vestar updated 96,582 sq ft plan.docx

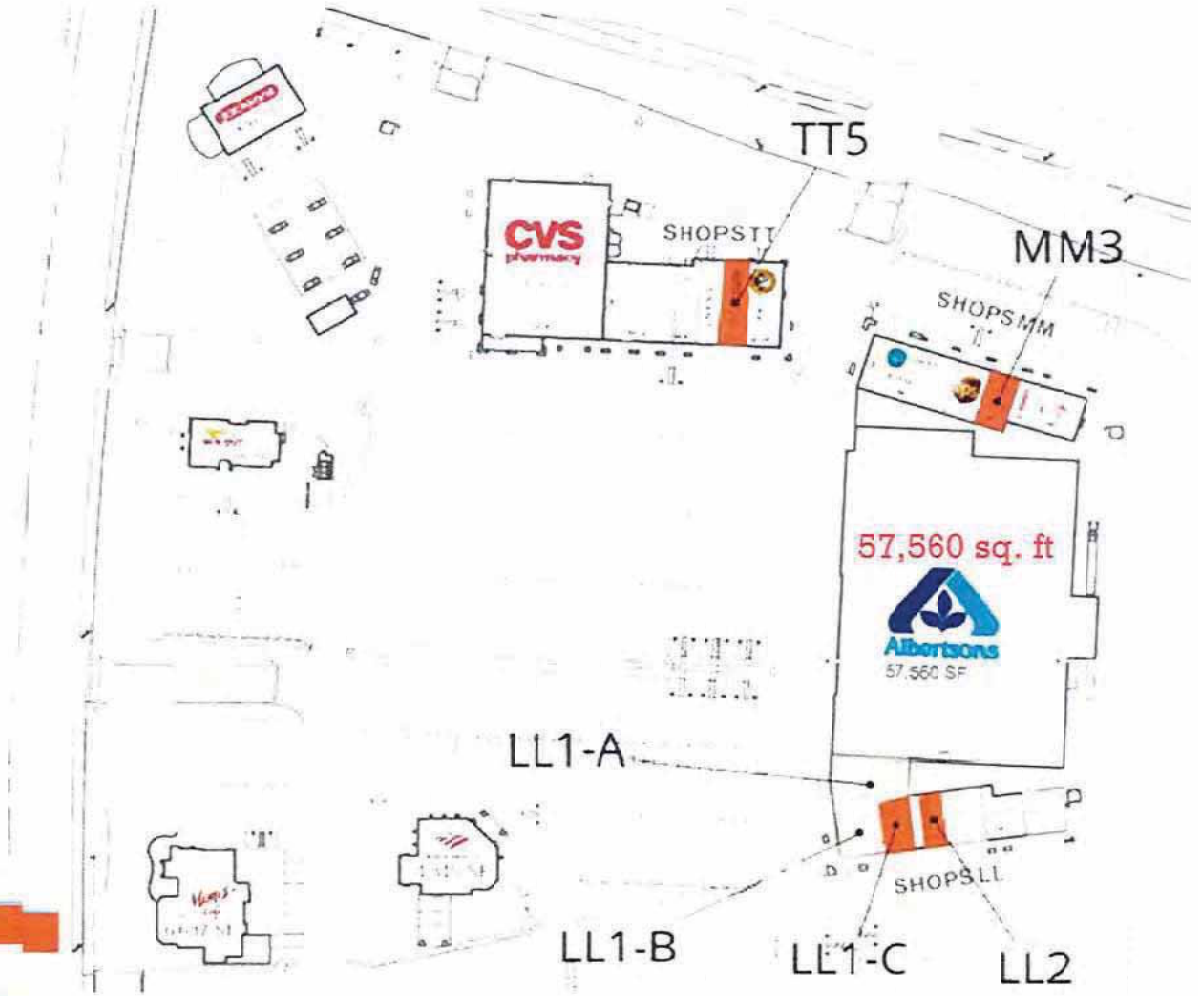
# SHOPS AND PADS - DESERT RIDGE MARKETPLACE

21001 N Tatum Blvd Phoenix, AZ 85054

Vestar's latest site revision filed with the Phoenix Planning & Development Dept. on September 22, 2023 features a 96,582 sq ft site for a grocery store.

This latest site revision for a "Grocer" is almost 40,000 sq ft larger than the Albertson store at Desert Ridge Market Place.

It appears Vestar never intended their Black Mountain Village to be a "smaller retail center" with a "neighborhood grocery store."




LEGEND

Available

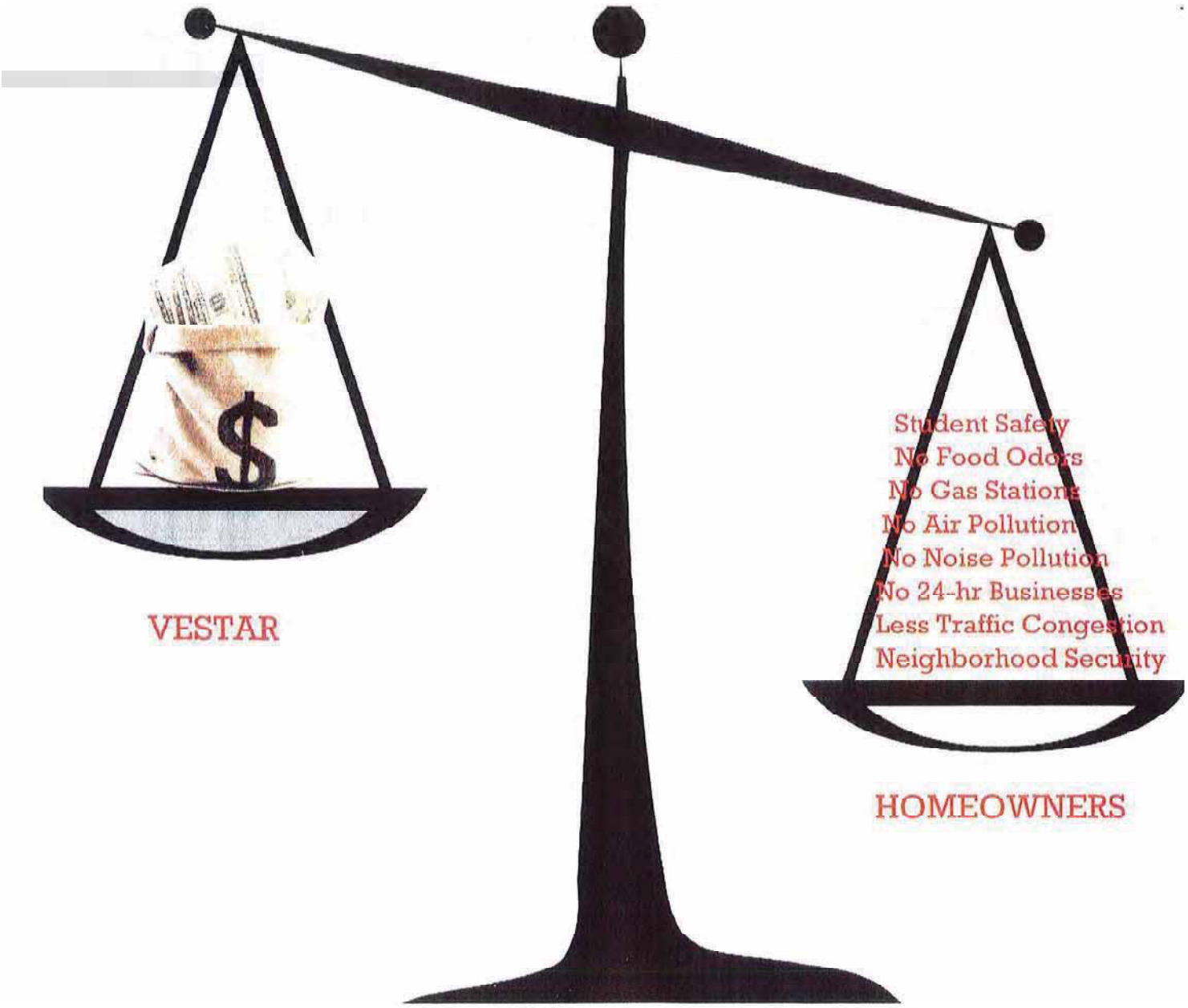
[illegible]

WESTERN RETAIL ADVISORS

WESTERN RETAIL ADVISORS
2555 E Camelback Rd, Suite 200, Phoenix AZ, 85016
602.778.3747 | w-retail.com

# VOTE "NO" ON VESTAR'S REZONING REQUEST

## The Scales of Justice Favor The Homeowners




VESTAR

HOMEOWNERS

| | |
|---|---|
| **From:** | Chris Knapp |
| **To:** | Anthony M Grande |
| **Subject:** | Re-zoning at Black MTN and Deer Valley |
| **Date:** | Wednesday, October 4, 2023 6:59:22 AM |

Hi Anthony -

I attended the meeting at PV Community Center last night. I am a young professional home owner with a young family that lives in Sky Crossing. Re-zoning this land from residential to commercial has got to be a joke. It is a very, very bad idea and as many speakers mentioned and would lead to more traffic, noise, pollution, crime, etc to our community. The attorneys and spokespersons for Vestor are clearly lying to people to stating that there is a possibility of a higher end shopping center which could include a possible AJs, Trader Joe's, Whole Foods, Sprouts, however the proposal is for a store the size of 99,000 sq ft?! We all know there that none of those stores are that size. That is the size of many Walmart and Target. I know they said neither would go there, but also that they can not control who would rent the space. We all know it would most likely be a mega Fry's or Walmart as those two stores have options with an accompanying gas station. Also, them stating that there aren't enough options for grocery shopping or gas is a such a joke. Desert Ridge Marketplace has both an Albertsons and Target for food and so does Sprouts at High Street, there are plenty of options. There are also plenty of other options a short way from Tatum and 101. I often shop at Desert Ridge, but also go to Costco on Beardsley and plenty of other places on Bell Rd just a short drive away. Don't be lazy! Phoenix is not a walking city like NYC where you are from. people here have cars and drive significant distances daily whether to work or other community activity. Everything that was presented by Vestor and their reps are complete lies and over exaggations. The school is also over capacity and we often have students parking in our neighborhood and walking across Deer Valley to school. The students often crowd our streets and leave trash every day when school is in session. Not to mention, if there is already land zoned for commercial north of this area, why the heck does this have to go there? Also, Hi Street, which has been under construction/development for about 20 years has yet to be completed. Why not worry about completing other project like this first. You guys are a joke for considering the re-zoning and the proposed project. Keep it residential!

Chris Knapp

**From:** Bill Smith
**To:** Anthony M Grande
**Subject:** RE: Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar
**Date:** Thursday, October 5, 2023 7:53:01 AM

Good Morning Anthony,

Thank you for conducting a well organized meeting Tuesday evening and for all the work you folks have to deal with when bringing large groups of minds together.

I didn't speak last evening knowing so many others were anxious to share their viewpoints which many pointed out similar concerns I've written to you about already.

Something that came to mind when I had heard the applicant mention there was a lack of grocery markets within a specific proximity of Desert Ridge Market Place was over the years; members in our HOA spoke about how back when Desert Ridge was originally planned *Albertsons agreed to lease with stipulation;* no other grocery stores would be allowed to do business within a specific distance within and around Desert Ridge for a period of 25 years. Some might say this has nothing to do with any decisions made beyond the original master plans and it's design, but I wonder.

As I stated below in my previous opposition email below I agree any additional need for a grocery chain close to desert ridge only makes sense if we choose a location designated commercial without changing any exiting residential zoning.

I really hope the City someday will build access roads along the 101 so that vehicles can enter Super blocks 8 or 12 from access roads which would take some stress off existing Tatum. I can already see 56$^{th}$ street becoming over taxed with vehicle use now that we are building so much in that vicinity over the next 5 years.

*Regardless of how people feel about this application the process and the management demonstrated so far has been above and beyond.*

Thanks for the opportunity to be a part of the process.

Bill Smith

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**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Tuesday, September 5, 2023 3:13 PM
**To:** Bill Smith <billbreakaleg@outlook.com>
**Subject:** RE: Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,
Anthony

**Anthony Grande, AICP**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

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**From:** Bill Smith <billbreakaleg@outlook.com>
**Sent:** Tuesday, September 5, 2023 6:50 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** Application No: GPA-DSTV-2-23-2 - Rezoning Request by Vestar

September 5, 2023

Greetings,

I'm writing you today regarding a rezoning request made here by Vestar application No. **GPA-DSTV-2-23-2** and some comments heard by residents resulting from a recent HOA board meeting held by Desert Ridge Community Association.

My name is William Smith and I am a resident of Regalia Bear Subdivision which is located just off Tatum Blvd and North of Marriott Drive in Desert Ridge for 13.5 years. Formally a resident in Vista Norte located at Dynamite and 57th Streets for 14 years. I've been a resident in Arizona since 1969 and have lived the majority of my life in North Scottsdale / North Phoenix 25 miles or more from downtown.

When my wife and I moved to Desert Ridge I began participating in many of the community

HOA meetings assisting mostly on the Awareness Committee. I believe it's important we continue to live in a safe and healthy community. The many challenges I've witnessed over the past 13.5 years have been noise pollution, traffic congestion and bottle neck due to lack of arteries (roads), vandalism and crimes committed by an increase number of teenagers.

Noise pollution continues from above with fly overs; also truck deliveries made during overnight or early morning hours are heard by vehicles creating those loud safety warning beeps when backing up. With the increase of home deliveries since the pandemic we've seen an more delays within our Desert Ridge community and about. Thankfully a great deal of the air traffic above was reduced after our Desert Ridge community associates worked with the aviation department to reverse a decision that was made several years ago that allowed commercial places to fly directly over Desert Ridge using a new flight path. We still have a few non commercial planes and helicopters that don't always follow the appropriate flight path, but we are thankful the majority of commercial planes are no longer constantly flying low overhead. In addition, we reported to the Marriott about the noise issue from trucks backing up that could be heard for a mile in the silence of the early morning hours and that has stopped. Our voices are being heard!

As far as vehicle noise issues we continue to hear traffic due to the type of road surface and proximity of both Tatum Blvd and Marriot Drive. Everyone is racing to be first coming in both directions cutting through our community because as we all know there aren't enough arteries (roads) that allow traffic to flow around the heart of Desert Ridge. Traffic on Tatum Blvd has met it's maximum capacity 5 years ago and its only getting worse. ***Deer Valley road is starting to show signs of stress unless we start now and think forward***.

Let's talk a little about Desert Ridge planning and how Vestar was originally involved in the design and planning of this community. I believe just 13.5 years ago when we moved here I heard mention Desert Ridge was just over 40 percent built out. Since then we seem to continue cramming more and more condos, apartments, schools, single family homes in addition to the huge development along the 101 from 56$^{th}$ to Tatum Blvd. There seems to be this need to fill up every inch of both Super Blocks along the 101 from 56$^{th}$ through to Black Canyon Blvd. We all know growth brings congestion and headaches.

Listening to representation by Vestar at community planning meetings they talk about building another marketplace in an area of Desert Ridge that is zoned **low** residential. I'm writing you here today to provide my opinion about why we ***shouldn't*** change this residential parcel as this application suggest to commercial and that we should consider looking for a location that has better access to the 101 and has the ability to get vehicles in and out of the area from all four directions without impeding traffic and causing delays. For the past 8 years or so all I've brought up to anyone that would listen that the City of Phoenix must work on a plan that will open up more arteries (roads) that allow traffic to flow more around Desert

Ridge Market Place and through our community as well.

***We can not continue to build both up and out; allowing thousands of more residents, merchants, delivery vehicles and visitors to move about and not have additional access roads and arteries (roads) that will provide additional alternatives to Tatum Blvd and Deer Valley Road.***

Everyone knows it will be expensive and we need it; an access road along the 101 that will allow traffic to access both super blocks from 56th street to as far as Cave Creek Road if we have too. The idea is to take excess traffic away from Tatum Blvd and Deer Valley Road when everyone is either trying to get to and from their residence in Desert Ridge, pass through it to get home in Tatum Ranch or visit Desert Ridge Market Place to enjoy all the shops, restaurants and planned activities Vestar an their business partners plan throughout the year. Additional roads that could help the flow of traffic could be at 40th street, Black Mountain Blvd, 56th street and any additional roads developed during the super block expansion phases which should include access roads along the 101 freeway. **We can't even head east or west using Black Mountain Blvd at the 101 to help avoid using Tatum Blvd at the 101?**

We understand change is necessary and some people believe we need more growth and there is no stopping it. However, the reason Desert Ridge has lasted as long as it has being in the spotlight a community most desirable for its amenities and location is because we live in a place beyond the boundaries of the City. ***A place between Rural and the big City life; simply a suburban experience like no other.***

If we allow another marketplace with a gas station at the location of Southwest Corner of Black Mountain Boulevard and Deer Valley Drive we are going to have big disappointment with additional traffic, noise, crime, vandalism not only during the day, ***but all night as well.*** We don't want or need any more attention drawn to close to existing residential community during the overnight hours. If you have to rezone **which I'm not for**, bring in medical therapy centers, Dental, Vision, Day Care Centers, Animal Veterinarians businesses that will bring value to the investment and more in line with education and health without attracting any negative impact we currently have going on at Desert Ridge Market Place and our Community City Parks by individuals that hang out in groups in public places with no regard for others property. There is so much open space in super block there where the fitness center is and the hotels are located that if Vestar thinks Desert Ridge needs another grocery store well go big and ***put a Walmart there along the 101***; build the access road along the 101 and make it easy to visit the store without impeding any more traffic delays on Tatum Blvd and Deer Valley Road and push the traffic away from our beautiful neighborhoods.

***Final thoughts that come to mind you can all think about …***

Observation #1 – The traffic gets so bad moving North and South on Tatum sometimes it takes 3 minutes just to exit out of my subdivision from Williams Drive onto Tatum. The traffic gets backed up so bad the distance on Tatum between Deer Valley and the 101 one can spend 6 minutes waiting for lights going in any direction. When there is construction, emergency vehicles or an accident forget being on time for any scheduled appointment. **This is not right**!

Observation #2 – Recently in the past 4 years after the completion of this new condos and new single family subdivisions we noticed in addition to Vestar bringing live entertainment along with Sip and Stroll attractions among other big events, that traffic delays have now extended everywhere including Tatum Blvd to 56th street going North or South along Deer Valley road. Drivers are in such a big hurry they speed illegally North on 56th to Pinnacle and in addition there is so much traffic during rush hours on Deer Valley from 56th all the way to Cave Creek and beyond due to the 101 bottlenecks experienced when approaching the 51 freeway from either direction. Drivers are not only using Deer Valley, but they are using Pinnacle Peak from Scottsdale all the way to Cave Creek Road to escape the 101 traffic debacle during rush hours.

Observation #3 -

Recently we've seen a huge increase in teenagers committing crimes and they seem to like hanging out at Desert Ridge Marketplace. This was brought up at our meetings and Vestar did speak out regarding our community concerns about the lack of security and care anyone we would expect to be responsible for managing issues of this nature. Concerns about Target, Albertsons, In&Out Burger and Panda Express have been going on for as long as I can remember brought up at Community gatherings with our neighbors for coffee and other meetings. It's been on the news this summer about a gang of teenagers sucker punching a teenager from another group causing 15,000 worth of dental work needed. Teenagers hang out at Target and act like the sports department is there personal playground. Teens stealing a cell phone right out of another teenagers hand who was picking up a take out order from Panda Express and too often homeless people coming up to you for money in front of and in the parking lot of Albertsons. These attractions that are enticing young people to party drink and get high not only occur in the marketplace, now we are seeing these young people come into the neighborhoods within Desert Ridge causing quite a bit of damage. Our Cashman park has been vandalized at least 3 times within the last couple years that I've heard about.

**Conclusion**:

Please consider another location for this grocery store and gas station to be developed. Lets choose a location away from existing residential and try to develop existing locations already designated residential and take the idea of bringing another grocery store and gas station to already designated commercial zones.

We don't need any **24 hour a day business** on Deer Valley and Black Mountain Blvd. We already have Desert Ridge Market place a gas station on the intersection at Tatum Blvd and Deer Valley Road. Take this proposed plan and build on 20.5 acres closer to the 101 and Black Mountain Blvd. Even if you were to propose moving this development to 40th Street and Deer Valley Road my suggestion would be to insure there are enough roads leading away from Tatum and Deer Valley for vehicles to maneuver towards the 101 without impacting the already congested traffic flow on Tatum and Deer Valley.

We should consider bringing in a large super center like Walmart along the 101 in the super block between Tatum and Black Mountain Blvd's. Get the City of Phoenix and the Army Core of Engineers to build functional access roads and lets see how well traffic flows around Desert Ridge. Spread things out a bit, petition for business to build on one of the two corners on the north side of Pinnacle Peak Road.

Leave the corner next to the high school open for **residential** or if you really think businesses deserve to come in an take over that property; like I said before consider those businesses that would help families with their children's education, day care, health services (mental health services), vision and dental care along with considering Veterinarian services.

Look I could write a book on how if think about all this push for growth here in Desert Ridge, but I'm sure in the end people that have the most funding will win. In the past whenever there was a decision made about something that didn't entirely make good sense and I would later bring up my thoughts I was told where were you when during the planning stages and why didn't you speak up then. Well I decided maybe its time I did.

Thanks so much for the opportunity to speak my thought and for listening.

As Ever,

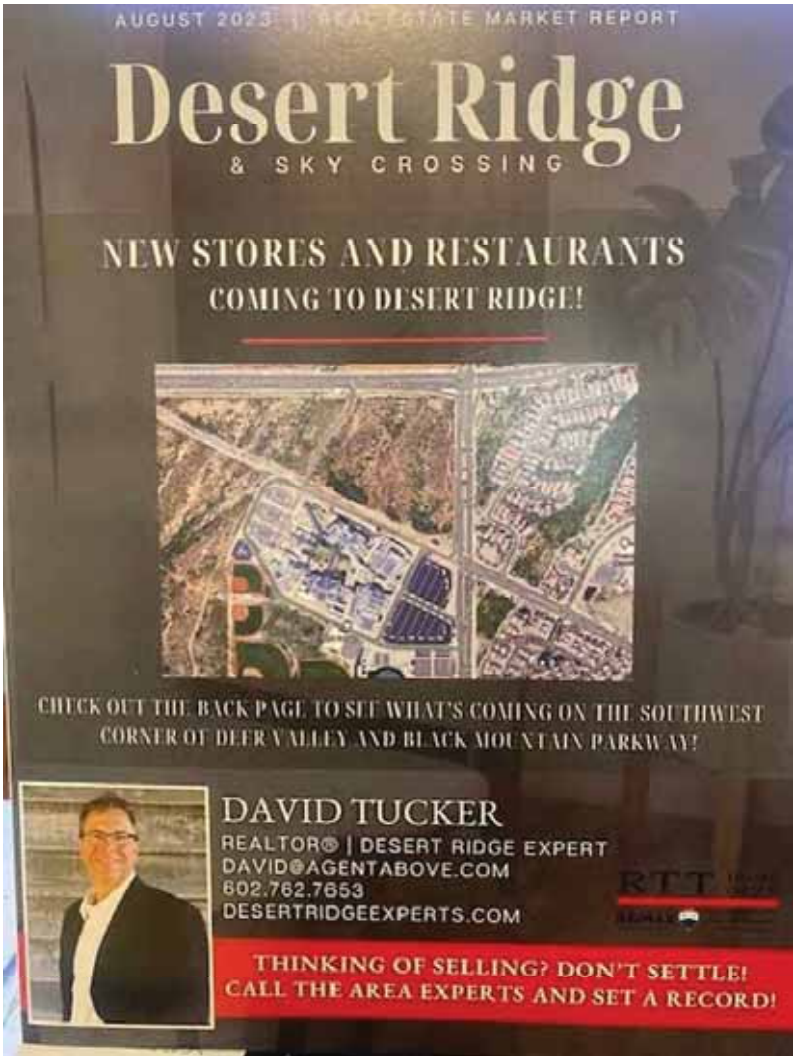
Bill Smith

| | |
|---|---|
| **From:** | Chad Modra |
| **To:** | msantoro@gblaw.com; Anthony M Grande |
| **Subject:** | Black Mountain Village project opposition |
| **Date:** | Friday, October 6, 2023 11:45:56 AM |
| **Attachments:** | image.png |

Ms. Santoro and Mr. Grande,
I am writing to object to the "proposed" Black Mountain Village development project on the southwest corner of Black Mountain Boulevard and Deer Valley Road. I included quotes around proposed as the neighborhoods surrounding the development area have already received marketing brochures (see included brochure picture) asserting that the project is already approved. This is insulting to the community and runs contrary to due process for allowing the project to move forward. How can an advertisement be published with the assertion that the development is already finalized when the public meeting has yet to be held? This is reckless, misleading and at the very least false advertising.
Besides the already congested intersection of Black Mountain Blvd and Deer Valley Road, developing every last available space in this area into commercial properties is unnecessary and unwanted by the community. This proposal is less than two miles away from an extremely congested shopping and entertainment area, Desert Ridge, which contains many of the same features and elements for shopping and convenience that this development will have.
Creating this development so close to Pinnacle High School is likely to cause unwanted issues with teenagers and congestion which are currently on the rise at Desert Ridge. We've had numerous violence and gun related incidents at Desert Ridge and this development will only spread those to a location both close to the high school and further embedded into the surrounding housing communities.
We don't need this and don't need to develop every last square inch of desert. The land was originally zoned to exclude this kind of development for a reason. This development needs to be stopped.

A concerned citizen.

Chad Modra
3713 E Cat Balue Drive
Phoenix, AZ 85050


AUGUST 2023 | REAL ESTATE MARKET REPORT
Desert Ridge
& SKY CROSSING
NEW STORES AND RESTAURANTS
COMING TO DESERT RIDGE!
CHECK OUT THE BACK PAGE TO SEE WHAT'S COMING ON THE SOUTHWEST CORNER OF DEER VALLEY AND BLACK MOUNTAIN PARKWAY!
DAVID TUCKER
REALTOR® | DESERT RIDGE EXPERT
DAVID@AGENTABOVE.COM
602.762.7653
DESERTRIDGEEXPERTS.COM
THINKING OF SELLING? DON'T SETTLE!
CALL THE AREA EXPERTS AND SET A RECORD!

**From:** Beth Salem
**To:** Anthony M Grande
**Subject:** Black mountain development
**Date:** Saturday, October 14, 2023 12:15:25 AM

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Please do not allow the rezoning on black mountain and deer valley road near pinnacle high school. When buying our home we loved that the location was far enough from anything commercial. We urge you to please help not allow this to happen. Thank you, Buthaina ans Robert Salem, Sky Crissing community members.

Sent from my iPhone

**From:** Debbie Bolde
**To:** Council District 2 PCC
**Cc:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 SW Black Mountain & Deer Valley
**Date:** Tuesday, October 17, 2023 12:43:25 PM

Dear Councilman Waring, we are writing you in reference to the rezoning request of the above parcel from residential to C2 Commercial. We live in Sky Crossing and we are within 600 feet of this development. We are opposed to any commercial development for the following reasons;

1. When we purchased our property three years ago with the understanding that this was a residential super block under the Desert Ridge Master Plan, this means no large commercial developments except in designated areas and the common core on Tatumn blvd. This ensures a quiet, low traffic ,low vehicle emissions and low light environment. After 6pm weekdays there is a significant reduction in noise and traffic, however this will not be the case if this is a commercial development.
2. We have plenty of Gas Stations, Grocery stores and Fast Food Restaurants on cave Creek and Tatumn blvd. Further more, with the decline in Gasoline Vehicles and increase in Electric Vehicles, Gas stations are becoming less in less demand and could present a potential hazard to surrounding neighborhoods. Our air quality would be adversely affected by the Gas station alone, people live here.
3. I would like to see it to remain residential or for the city to find a way to preserve it, such as a park and offer additional parking for Pinnacle High School. A commercial development like this provides a haven for homeless, drug trafficking, sex trafficking and other crimes, because it is difficult to know who belongs in the area and who doesn't. This is not good for PHS or the neighboring communities.

In the best interests of this community and High School, we ask that you vote against this rezoning request.

Sincerely Mike & Debbie Bolde
3436 E Louise Drive
Phoenix Az 85050

## Racelle Escolar

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, October 17, 2023 4:44 PM
**To:** Anthony M Grande
**Cc:** Racelle Escolar; PDD Planning Commission
**Subject:** Case Nos: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village - opposition
**Attachments:** Supporters with conflicting comments.pdf; Grocery Store Flyer.pdf

Good afternoon, Planning Commission,

My name is Dan Richards, and I am one of a growing number of residents that lives near the intersection of Deer Valley and Black Mountain Boulevard, opposed to the Black Mountain Village project that Vestar is currently trying to push through the rezoning process. This growing number of residents that are opposing this development feel Vestar and their attorney, Gammage and Burnham, are intentionally misleading our neighbors with false hopes, to gain their support. They are intentionally spreading lies to get people to sign their ONLINE petitions. I would be very interested to know how many of these people that have signed their ONLINE petition live outside of the Desert Ridge area.

I have thoroughly examined the Staff files that were submitted to the Desert View Village Planning Committee, prior to the Oct 3 meeting, and wanted to share some thoughts that should be seen by everyone on the planning commission.

From the Z-39-23 Staff Report, the Community Input summary mentioned the following:
**At the time of the staff report was written, staff received 180 letters in Opposition, three petitions in opposition with a total of 663 names, 233 letters in in support, 23 stating general support but requesting a gas station not to be included, three petitions in support with a total of 753 names, and four letters providing general comments.**

Attached is a file of comments that were all taken from the 233 letters that are considered supporters. You will find 99 comments from the 233 letters of support ( 42% of supporters ) that should not be considered support for what Vestar is currently proposing. These people were all sold the illusion that this development is going to be a small, boutique type grocery store development. The current iteration of the proposal, showing a 99,000sf grocery store and gas station combo, was established prior to Gammage and Burnham, and Vestar, promoting Trader Joes as a potential tenant through their online survey. It's simply not true, and unethical for them to continue to promote this as an option. We all know there are only a couple options that have gas stations attached to a grocery store. Trader Joes, Sprouts, and Whole Foods are not options. They knew this but continued to promote all three to generate buzz for their project.

I humbly ask the planning commission to please take into consideration all the young families that moved into this part of Desert Ridge to be away from the Commercial portion of this master planned community. We do not want this close to our homes. We did our due diligence prior to building where we built. Please keep this residential corridor zoned as it was planned.

Thank you for your consideration,

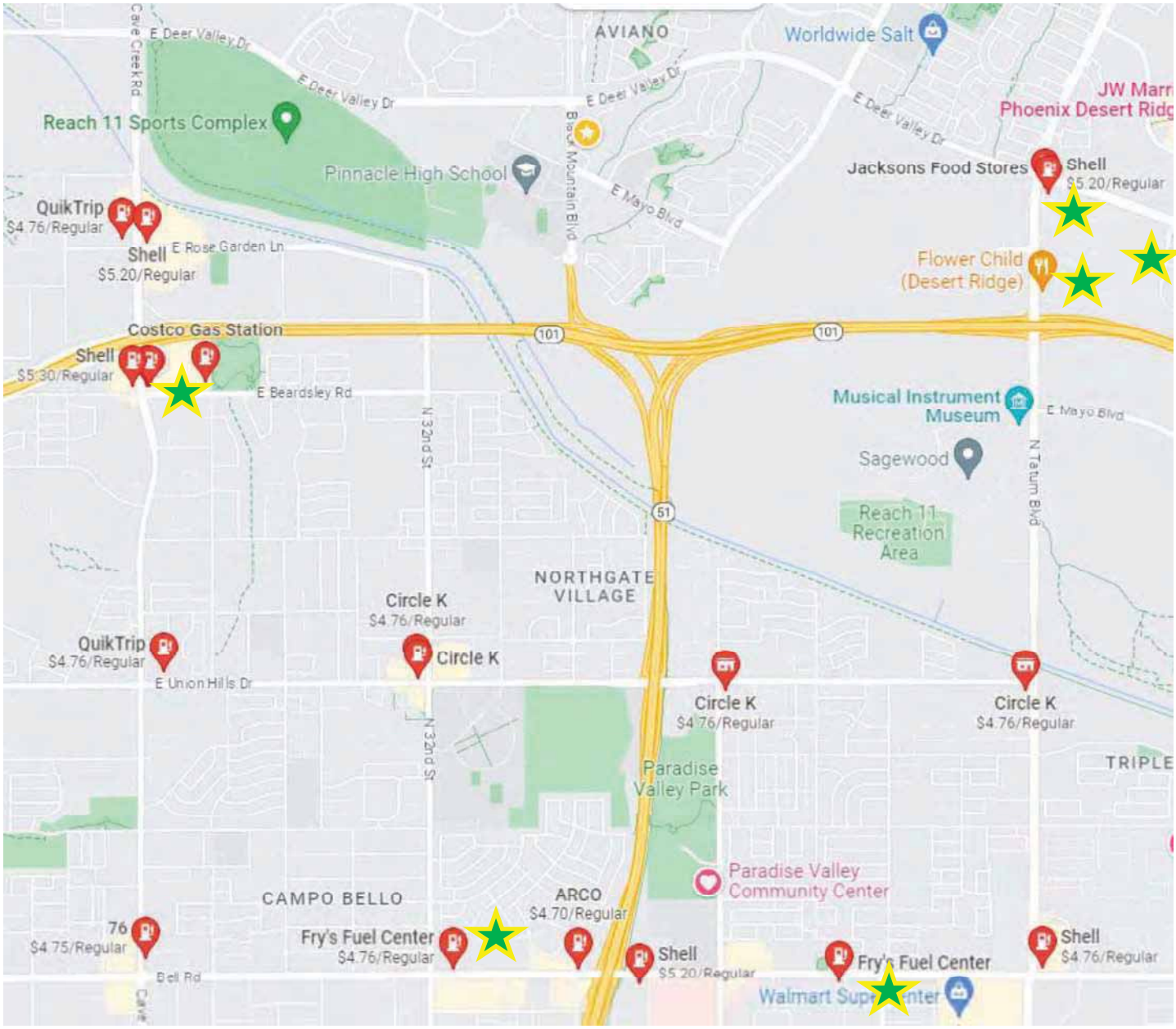
Dan Richards

# DESERT RIDGE IS NOT LACKING GAS AND GROCERY OPTIONS!

**12 gas station within a 3-mile radius** of future development location.
**18 gas stations shown within a 4-mile radius** of future development location.

**Grocery Stores within a 4-mile radius include:**

- Costco
- Walmart
- Target
- Sprouts Market Express
- 2 Fry's
- 2 Albertson's
- Food City




Grocery stores within 3-mile radius.

**People listed as supporters had the following comments:**

1. Small grocery store
2. I am against gas stations and drive-thru fast food
3. I would STRONGLY prefer there was no gas station
4. No gas station.
5. Grocery must be smaller, neighborhood store. Frys would not fit.
6. We moved here because it was quiet, we do not want to see it turn into another corner of concrete and loitering.
7. Please consider prohibiting gas
8. I would love a small grocery store and no gas station
9. Neighborhood grocer but no gas station please
10. No gas station, small grocery store, ie Trader Joes, Whole Foods
11. Neighborhood grocer but no gas station please
12. No gas station
13. It would be great to have a Trader Joes or Spouts.
14. We would love to see something smaller scale
15. This might cause too many traffic problems for the surrounding area
16. Site should focus on a smaller, high-quality grocer.
17. While I love the concept, I do oppose the gas station idea
18. I'm not opposed to a smaller shopping mall. I would be opposed to a gas station.
19. I absolutely hate the idea of a gas station being part of this project.
20. *I am in the mortgage lender world. If a gas station is placed at the very northern edge of the parcel, it would render the homes on the other side of Deer Valley unlendable for certain mortgage products, which seems incredibly unfair to the folks who bought homes here 3 years ago.*
21. We have had a big increase in homelessness in north Phoenix. This will increase homeless presence.
22. Small grocery stores typically don't attract homeless.
23. Small grocery store like Trader Joes. Traffic is already so bad. Don't need a big retail store there. And No gas station .
24. Support the project, minus the gas station.
25. Small grocery store. Would rather not have gas station
26. No Walmart. An AJ'S or Trader Joes
27. I support the zoning change to a small commercial to allow a small grocery store
28. Would very much welcome Trader Joes or Sprouts. We don't need fast food.
29. I would ask the planning committee to not support a gas station.
30. I would love a Trader Joes of similar grocery store. Not a gas station.
31. Some serious traffic mitigation would need to take place. It's already a disaster
32. Please add a Trader Joes
33. We would support Trader Joes
34. Do traffic studies to assess impact to BMB. Change the entrances and egress points.
35. I realize the location is not ideal.
36. Trader Joes please.

37. Please bring a Sprouts
38. *Hey Gammage and Burnham - these silly Facebook groups are not a good idea. Creating a Facebook group to drum up support for the project makes your law firm look absolutely desperate , pathetic, and borderline deceptive. Please discontinue this type of advertising.*
39. Hoping for boutique style.
40. I do not want gas station on deer valley
41. I would love a Trader Joes
42. It's a busy corner already with the high school
43. Whole Foods or Trader Joes would kill here.
44. Trader Joes and Sprouts would be great.
45. I'd love a grocery store but no gas station.
46. Trader Joes please!!!!!1
47. Hopefully Vestar will attract Trader Joes
48. Trader Joes
49. Would like to see a Trader Joes
50. Please bring Trader Joes
51. Would greatly appreciate a grocery store like Sprouts
52. Trader Joes would be a perfect size store for this location
53. We need a Trader Joes!
54. NO to a gas station
55. Sprouts or Whole Foods would be great!
56. It would be very beneficial to build a Trader Joes.
57. Trader Joes would be great!
58. It would be good to have a Trader Joes at Desert Ridge
59. Sprouts Please!
60. Would love to see a Trader Joes or a Sprouts at this location.
61. I would love to see a Trader Joes there.
62. Trader Joes
63. I prefer a smaller grocery store like Trader Joes over a larger store like Fry's.
64. I am opposed to having a gas station
65. Trader Joes!!! We need one in our area
66. Would love to have a Sprouts nearby. Second choice Sprouts
67. scrap the gas station idea
68. Trader Joes would be great
69. Would love a Trader Joes or Whole Foods. Perfect size.
70. A neighborhood Sprouts of Trader Joes would be wonderful
71. I would like a Trader Joes or a Sprouts
72. Trader Joes would be great.
73. Trader Joes!
74. I vote Whole Foods and Trader Joes
75. Would love a Trader Joes
76. Huge NO for gas of any kind. Yes to Trader Joes
77. I would love to see Trader Joes
78. Trader Joes Please!

79. This area needs a Sprouts!
80. Trader Joes Please!
81. Please make it a Trader Joes
82. Support mini grocer like Trader Joes or Sprouts
83. Trader Joes would kill it up in this neighborhood.
84. Trader Joes
85. Prefer Sprouts or Trader Joes
86. Give us Trader Joes and Whole Foods
87. My support is contingent on 3 things:
    a. Grocer is Sprouts, Whole Foods or AJs
    b. No gas station
    c. Lighting plan similar to Gainey Ranch
88. Trader Joes!!!!
89. Trader Joes please
90. We'd like a Whole Foods or Sprouts.
91. I would be interested in a Trader Joes
92. Please only specialty like Trader Joes Whole Foods Sprouts. Please NOT Fry's or Safeway!!! No fuel station please!!!!
93. I would love to see Trader Joes or something similar
94. I would strongly support C-1 with no gas station or fast food
95. The current proposal isnt' aligned with the "feeling" of the immediate surrounding neighborhood, which is quieter, more residential, and further from the Desert Ridge core.
96. I strongly support Trader Joes store
97. Trader Joes. I'm all in. Sprouts for sure.
98. I would support a Trader Joes or Whole Foods.
99. Support a Sprouts

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received 180 letters in opposition, three petitions in opposition with a total of 663 names, 233 letters in support, 23 letters stating general support but requesting a gas station not be included, three petitions in support with a total of 753 names, and four letters providing general comments. Among those opposed, concerns include the change in the residential character of the area, increased traffic and conflicts with Pinnacle High School traffic, pedestrian safety, increased lighting, the presence of homeless individuals, crime issues, and a reduction in property values.

Of the 233 letters in support of this project, 99 letters expressed comments that would not align with the support of what Vestar is proposing!

The correct numbers are:

- 279 letters of opposition
- 134 letters of support
- **68% letters oppose this project!**

| | |
|---|---|
| **From:** | V H |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | deny application GPA-DSTV-2-23-2 |
| **Date:** | Tuesday, October 17, 2023 10:03:55 AM |

As a resident of Sky Crossing, I ask that you **DENY** the application GPA-DSTV-2-23-2, Southwest corner of Black Mountain Boulevard and Deer Valley Drive, Z-39-23-2.

Please listen to the residents who have made a strong case against this rezoning. The few letters that were in favor of the rezone were generic and wanted a small grocery store, not the 100,000 sf proposed large store with a gas station.

We already have multiple grocery stores within a few miles as several homeowners have proved. We also have gas stations and every other commercial and retail option within a mile or two. We do NOT need more of the same and the troubles the rezoning will bring.

I am asking for the team to **DENY** the rezoning out of respect for the homeowners and residents that will be directly impacted by this potential monstrosity.

Please review the documents and sound arguments residents have made opposing the rezoning.

This is an emotional issue as you can imagine. I ask that you acknowledge this, respect resident requests, and **DENY** the rezoning request.

Thank you,
Vicki

| | |
|---|---|
| **From:** | Greg Nelson |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Superblock 12 Opposition |
| **Date:** | Wednesday, October 18, 2023 6:19:12 PM |

RE:

Case numbers

GPA-DSTV-2-23-2

GPA-DSTV-3-23-2

Z-39-23-2

Mr. Anthony Grande,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us within a 5 mile radius of this location.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

## Racelle Escolar

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Thursday, October 19, 2023 11:00 AM
**To:** PDD Planning Commission; Council District 2 PCC; Anthony M Grande
**Subject:** Oppose Black Mountain Village

Dear Members

Vestar's proposed zoning change to the parcel at the corner of Deer Valley and Black Mountain Roods is not consistent with the PlanPHX interim report. On page 24 of the report participants and I quote "Love the large master planned communities in North Phoenix." The proposed zoning flies in the face of this master planned community and is not consistent with the Desert Ridge Specific Plan. In fact the developer's own statement is that this is Major Amendment to the DRSP.

Vote no to this rezoning proposal.

Mike Coppola

**Racelle Escolar**

---

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Thursday, October 19, 2023 10:32 AM
**To:** PDD Planning Commission; Council District 2 PCC; anthony.grands@phoenix.gov
**Subject:** Black Mountain Village Proposal - OPPOSED

Dear Members:

I am a resident of Sky Crossing and oppose the proposed rezoning for the parcel at the corner of Deer Valley and Black Mountain roads.

The traffic impact study from October 2022 and the updated from 2023 as prepared by Civtech has undersized the grocery store by 20,000 sq ft as compared to the developers own conceptual site plan. The analysis appears to omit any impact of future traffic flow exiting the 51 Northbound at Black Mountain to access the proposed gas station. The traffic study further indicates the intersection of Deer Valley and Black Mountain to today have a Level of Service (LOS) of an “F”. The applicants stated desire to move traffic from Desert Ridge Marketplace to this corner will only further exacerbate the existing traffic issue.

Vote no to this proposal

Mike Coppola

| | |
|---|---|
| **From:** | Sue |
| **To:** | Anthony M Grande |
| **Subject:** | Zone change from Residential to commercial at Deer Valley & Black Mountain Boulevard |
| **Date:** | Thursday, October 19, 2023 10:26:44 AM |

We are AGAINST changing the zone from Residential to commercial.
We do not want more traffic, noise, & light pollution. We bought this house with the understanding that this area across the street from us was to remain Residential.

Suzanne Sayegh
21827 North 33rd Street, Phoenix 85050
Sent from my iPhone

## Racelle Escolar

**From:** paul dunn <paul@dunn.ws>
**Sent:** Friday, October 20, 2023 8:42 AM
**To:** Racelle Escolar; Anthony M Grande; Council District 2 PCC
**Cc:** PDD Planning Commission
**Subject:** Memorandum to Phoenix Planning Commission re Vestar Rezoning Request.
**Attachments:** Memorandum to Phoenix Planning Commission re Vestar Rezoning Request.pdf

Ms. Escolar / Anthony Grande / Councilman Waring -

Attached in PDF format is a three-page Memorandum I have prepared in opposition to Vestar's rezoning and plan amendment requests. I will appreciate your distributing this Memorandum to those individuals responsible for making decisions on this issue. I will also appreciate your acknowledging receipt of this Memorandum. Thank you.

Paul J. Dunn - Attorney at Law
3752 E. Covey Lane
Phoenix, AZ 85050
(928) 778-1988
paul@dunn.ws
https://urldefense.com/v3/__http://www.ArizonaEstateAndTrustLaw.com__;!!LkjWUF49MRd51_ry!bFIFTKTnqBYSL7sZYQgC9Q_WXLHBh70l-UceRm0CrMdvfrpAFUBFl9tANIGO2axjSuQTbNgCtLWMZOSdqcaYRIk$

# MEMORANDUM

**TO**: Phoenix Planning Commission (via Racelle Escolar)

**FR**: Paul J. Dunn (Desert Ridge Resident at 3752 E. Covey Lane)

**CC**: Anthony M. Grande, AICP (Phoenix Planning & Development Department)
**CC**: James Waring (District 2 Councilman)

**DT**: October 20, 2023

**RE**: Vestar Rezoning and Plan Amendment Requests for Desert Ridge Superblock 12

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The purpose of this Memorandum is to address two significant issues regarding Vestar's commercial rezoning proposal:

**Issue 1**: Vestar's misinformation campaign touting a "neighborhood grocery store."

**Issue 2**: Existing traffic problems at proposed site across from Pinnacle High School

## ISSUE 1 – VESTAR'S MISINFORMATION CAMPAIGN

I live a few blocks from what Vestar has promoted as a "low-impact commercial development" that would feature a "neighborhood grocery store." However, nothing could be further from the truth.

### Vestar's Site Plan

On September 22nd, Vestar filed a Site Plan for their "neighborhood grocery store" that features a 96,582 square foot grocery store pad. This grocery store pad is almost **40,000 square feet larger** than the pad square footage of the Albertsons store at Desert Ridge Marketplace. Obviously, Vestar never intended their project to be a "smaller retail center" with a Sprouts or Trader Joe's as the "neighborhood grocery store."

Vestar's initial communique acknowledged that their "neighborhood grocery store" would also have a "Fuel Station." Whether called a Fuel Station or a Gas Station, this ancillary service would be a significant source of air, light, and soil pollution. Moreover, numerous studies shown that homes in the vicinity of gas stations suffer depressed values.

### Grocery Supermarket

The Traffic Impact Analysis commissioned by Vestar confirms that Vestar's proposal includes a Grocery "Supermarket", over 40,000 square feet of commercial shops, and almost 20,000 square feet of fast-food restaurants with drive-through windows.

The plan also includes eight traffic access points to handle the traffic generated by these businesses. It is readily evident that this would **not** be a "low impact" development!

**Issue One Summary**
How can anyone honestly describe grocery stores, gas stations, and fast food restaurants with drive through windows as "low impact" uses? It is patently obvious that Vestar's proposed development is not a "Low" Impact Commercial Development. It is a Major Impact Commercial Development designed to line Vestar's corporate pocketbook at the expense of the surrounding residential neighborhood and adjacent high school.

## ISSUE 2 – TRAFFIC PROBLEMS AT PROPOSED SITE

**Vestar's Traffic Impact Analysis**
It is indisputable that the area affected by Vestar's proposal already has a traffic problem. The 366-page October 2022 Traffic Impact Analysis commissioned by Vestar acknowledges this existing problem. Please note the following excerpt from that Analysis:

> *The results of the existing conditions analysis indicate that all study intersections operate with acceptable levels of service (LOS D or better) with the exception of the northbound approach at the intersection of Black Mountain Boulevard & Deer Valley Drive and the northbound and southbound left at the intersection of Aviano Way & Deer Valley Drive.*

**Omitted Traffic Analytics**
This Analysis does not analyze the traffic impact of the nearby Garden Communities 882-unit apartment complex currently underway at the northeast corner of Tatum Blvd and Deer Valley. It also does not analyze the impact of the planned development of the 410-acre parcel at the southeastern corner of Deer Valley and 40th Street purchased by Taylor Morrison and Pulte Homes for a 1,200-lot master planned community. Because the west boundary of this parcel directly abuts Mayo Blvd, traffic from this planned community would likely use Mayo Blvd for ingress and egress. The vehicular traffic entering and exiting the proposed site would cause a substantial increase in 40th Street and Deer Valley traffic.

**Increased Traffic at Proposed Site**
The Executive Summary of the Traffic Impact Analysis reads as follows:

> *The Black Mountain Village proposes to rezone approximately 16-acres of undeveloped land from existing R-2 (residential) to C-2 (commercial) to consist of approximately 76,200 square feet (SF) of grocery supermarket [increased to 96,582 square feet on September 22, 2023] 41,500-SF of various commercial shops each under 40,000 SF, and 19,700-SF of fast-food restaurants with drive through window.*

**Issue Two Summary**
Each of the operations described in the Traffic Impact Analysis would result in increased traffic entering the proposed site from all four bordering streets. That increased traffic would include gas tankers and delivery trucks. This increased traffic would be in addition to the traffic already generated by 2,600 students and their parents entering and exiting the Pinnacle High School twice daily during the school year. Even now there are not enough traffic lanes on Mayo Blvd to efficiently handle the vehicular traffic entering and exiting the high school parking lots. Vestar's proposed development would exacerbate the chaotic traffic problems already occurring during school hours.

**Legal and Equitable Considerations:**
In relevant part, Section 102 of the Phoenix Zoning Ordinance reads, "Zoning determinations must be "… equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the City."

Any approval of Vestar's requested zoning and plan amendments would be inequitable. It would disrespect the adversely impacted residents of Desert Ridge who purchased their homes justifiably believing they would never border a commercial development. These homeowners should not have their legitimate expectations sacrificed on an altar of money.

**Conclusion:**
The wording and spirit of the applicable Phoenix Zoning Ordinance require that Vestar's requested Zoning Change and the General and Specific Plan Amendments be denied.

**From:** Paul Bierbusse
**To:** Anthony M Grande
**Subject:** RE: Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School
**Date:** Monday, October 23, 2023 9:45:40 AM

Good morning Anthony,

I wanted to follow-up on the rezoning case below. Due to travel my wife and I were unable to attend the open community meeting held regarding this rezoning but understand conversations continue. As you continue to secure feedback from the community, I wanted to reiterate our stance with respect to the rezoning.

We understand that development may be needed on this parcel – but we continue to object to any rezoning that would permit the construction of a gas station on this parcel. Many stations maintain hours of operations well outside normal commercial business hours – either being open 24 hours or opening very early / closing very late that would make its impact on the neighboring community detrimental. While not thrilled about this parcel being rezoned, with reasonable accommodations, as noted below, we could be supportive of limited development.

Thank you for enabling to continue to be on record on this important matter.

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

---

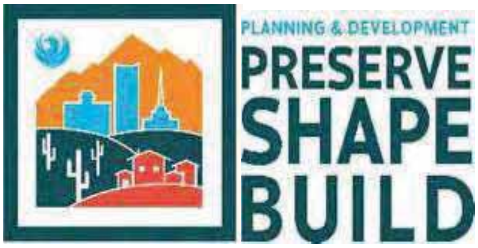
**From:** Anthony M Grande <anthony.grande@phoenix.gov>
**Sent:** Monday, August 14, 2023 6:52 PM
**To:** Paul Bierbusse <Paul.Bierbusse1@ey.com>
**Subject:** RE: Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School

Good afternoon.

Thank you for your comment on this case. This email will be added to the case file and provided to the Village Planning Committee members prior to the hearing date.

Thanks,
Anthony

**Anthony Grande**
Planner II – Village Planner
City of Phoenix
Planning & Development Department
Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003




**From:** Paul Bierbusse <Paul.Bierbusse1@ey.com>
**Sent:** Monday, August 14, 2023 5:05 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Cc:** Council District 2 PCC <council.district.2@phoenix.gov>; marybierbusse@gmail.com
**Subject:** Input re: requested rezoning E. Deer Valley Dr/Black Mountain Blvd near Pinnacle High School

To: Anthony Grande, Planner, City of Phoenix Planning & Development Department
Cc: Mr. Jim Warring, Councilman – District 2, City of Phoenix

Good morning gentlemen,

My wife, Mary, and I recently purchased a home in the Sky Crossing neighborhood immediately north of the proposed rezoning on E. Deer Valley Drive and Black Mountain Boulevard near Pinnacle High School (Desert View Village GPA-DSTV-2-23-2). We are excited to become active members of the community and have been impressed by how the City of Phoenix has thoughtfully managed development. We understand that the proposed rezoning transitions the parcel from residential to commercial, and while we don't object to the rezoning of the parcel we do have a number of significant concerns.

First, we understand that proposed development plans include the construction of a gas station on part of the parcel – we would like to express our strongest reservations as to the inclusion of a gas station within the final plan given the traffic it is likely to draw, the likely extended hours of operations including intrusive late-night lighting in the area, and the environmental impact. There are nearby stations located both at E. Deer Valley Drive/Cave Creek and at E. Deer Valley Drive/Tatum which should more than suffice to address local demand.

Second, the area already deals with significant traffic challenges associated with ingress/egress to Pinnacle High School. Any rezoning and associated development should be coordinated with the traffic needs of the high school both to mitigate impact to overall traffic flow and to enhance safety in a high traffic area. As development continues north of our community, confident that the AZ-51 access point will only see increased traffic volume – plans should be made to address not only existing traffic due to the high school but increased traffic due to the proposed redevelopment.

Third, we have been made aware of increased random acts of violence associated with late night hours at Desert Ridge Marketplace and we don't wish to see those issues brought closer to our community. Should the rezoning be approved, we would ask that conditions be placed on the hours

of operations for tenants to minimize late night traffic to the property (preferably no later than 9pm) and that coordination be pursued with the City of Phoenix Police Department to ensure appropriate police resources are dedicated to the area.

We understand the importance of continued development across Phoenix and believe that reasonable accommodations can be made that both permit development while addressing resident concerns. Thank you for providing us the opportunity to voice our concerns.

Warmest regards,

Paul & Mary Bierbusse
2922 E. Robin Lane
Phoenix, AZ 85050

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| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Racelle Escolar |
| **Cc:** | Council District 2 PCC; PDD Planning Commission; Anthony M Grande |
| **Subject:** | My comments for the Nov. 2 Hearing on Vestar"s Rezoning and Plan Amendment Proposals |
| **Date:** | Tuesday, October 24, 2023 10:32:14 AM |

Vestar wants approximately 20 acres of Superblock 12 in Desert Ridge rezoned from an R-2 residential designation to a C-2 commercial designation. With this rezoning would come an opportunity for them to develop a shopping center comprised of the following:1) a supermarket, 2) a gas station/fuel pumps, 3) several fast-food restaurants with drive-through windows, 4) over 40,000 square feet of retail space, and 5) a city bus stop. There are many troubling issues associated with Vestar's proposal. However, the most disturbing is their intent to locate their commercial development on land adjacent to Pinnacle High School and just a short block from Fireside Elementary School. If we are to put the health and safety of our children first, it is ludicrous to think that a commercial development such as Vestar's would be appropriate for this location.

To All Concerned:

With Vestar's desire to build a supermarket and several fast-food restaurants by Pinnacle High School comes concern for the health of our teenagers. It's apparent that both grocery stores and fast-food restaurants sell an inordinate amount of junk food. It's also apparent that teenagers don't always make good decisions about what they eat and drink. Unfortunately, junk food is often their preferred choice. Medical studies have shown that long-term consumption of junk food can lead to serious health issues such as cardiovascular disease, high cholesterol, liver disease, and obesity. Obviously, our teens aren't concerned about this, but we must be. A first step toward controlling this junk food phase would be to stop commercial developments, such as Vestar's, from building right next to our schools.

Vestar's proposal also includes the installation of fuel pumps on site. Whether you call them fuel pumps or gas stations, they are still one of the most significant environmental pollutants. They emit fumes from fueling, fumes from overspills, and fumes from tank vents. Even an idling car engine spews hydrocarbons into the air. Our young people are vulnerable to so many pollutants when they walk to school, participate in outdoor sports, or enjoy outside neighborhood activities. Why would we want to exacerbate pollution problems or create health issues by allowing fuel pumps in our neighborhood? We have a large gas station just minutes away at the Desert Ridge Marketplace. We don't need one here.

Recent studies suggest there is a strong relationship between crime and commercial land use. We have already had instances of vandalism and crime here in Desert Ridge. A development such as Vestar's - with a supermarket selling beer, wine, and liquor - would compound the problem. Any commercial development is certain to attract individuals seeking handouts, looking for shelter or simply wanting a place to "hang out." These situations can quickly escalate to serious criminal activity. We want our children to grow up in a healthy, secure environment. A commercial development in our neighborhood would negate any hope of that.

Please vote NO to Vestar's proposals.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050
928-925-4893

## Racelle Escolar

**From:** Jost, Kevin <kevin.jost@molsoncoors.com>
**Sent:** Tuesday, October 24, 2023 9:50 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Case Nos: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

Hello,
I currently live in the Sky Crossing neighborhood near Black Mountain Blvd and have also lived in Fireside as well as Aviano.

**I DO NOT support the Black Mountain Village project**.

Thanks,
Kevin

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## Racelle Escolar

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Wednesday, October 25, 2023 12:09 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village
**Attachments:** 09192023 opp.pdf; opposition.pdf

Dear Planning Commissioners and Council Members,

I write to supplement my letter of August 23, 2023 , and email of September 19, 2023, copies of which are attached for ease of reference.

The requested amendments and rezoning should be denied. Vestar's proposal to install no less than three drive-through food and coffee operations [Vestar Updated Conceptual Site Plan], at a location where they are currently prohibited, is antithetical to general plan core values and principals, a radical departure from existing planning, and will destroy the residential character of the area. The Planning Commission and City Council should take the advice of the Desert View Village Planning Committee and deny all three requests related to the proposed Black Mountain Village.

**Failure to build low-impact conveniences does not justify imposition of prohibited drive-through fast food and coffee operations.**

Staff Report Z-39-23-2 (Sept. 16, 2023), contends that because "most retail superblocks have been developed without any convenience retail . . . this proposal fills a gap." The staff report overlooks the fact that, under the Desert Ridge Specific Plan ("DRSP"), drive-through uses are specifically prohibited from neighborhood conveniences:

> d. **Prohibited Uses**: Other than the uses listed above as permitted uses, **all uses are expressly prohibited including the following:** ● Mechanical or electronic video games or arcade - type devices for amusement purposes. ● **Drive-through uses** ● Sales of package liquor other than beer or wine [Desert Ridge Specific Plan, 6.C.3.B.2.d @ p. 6-8 (emphasis supplied)].

DRSP acknowledges that **"[t]his criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.**" [DRSP 5. C.1, @p. 5-5 (emphasis supplied)]. There is no logic whereby failure to build the allowed low-impact conveniences can justify imposing prohibited drive-through operations on a residential community.

Drive-through operations do nothing to connect people and places, celebrate diverse communities, or promote non-vehicular transportation. In its explanatory letters, Vestar does not discuss how drive-through operations are in any way compatible with core values or the existing plans or uses, and the staff reports do not specifically address this question.

**Connection of SR 51 to Black Mountain Boulevard as an arterial street does not justify putting drive-through operations in the middle of a residential area.**

The General Plan, the DRSP and the Land Use Principles of the Desert View Village Planning Committee Character Plan all specify that the residential uses planned for Deer Valley Road should be left in place.

The General Plan Map ( https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00473.pdf ) shows extensive commercial development on nearby Bell Road and, to a lesser extent, Union Hills Drive. A substantial parcel is designated commercial at the intersection of Pinnacle Peak and Cave Creek Roads, which will easily provide shopping options for residents at the western part of Desert Ridge. Residents to the east have easy access to shopping at Mayo Boulevard and Pinnacle Peak Roads near their intersections with Scottsdale Road. To the north, substantial commercial parcels are designated along Happy Valley Road.

One of the Land Use Principles of the Desert View Village Planning Committee Character Plan is to "[e]ncourage properties and **neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.** (Cave Creek Road, **Deer Valley Road**)" [Desert View Village Character Plan, 022218 DESERT VIEW Character Plan.indd (phoenix.gov) , @ p. 12, (parenthetical in original, emphasis supplied], accessed 10/22/2023].

DRSP recognized that SR51 could one day connect on "a projected arterial street alignment" (DRSP 5.D.1.A @ p. 5-13). The plan made it clear that the designation of arterial streets does not justify disturbing the residential character of neighborhoods through which they pass : "[t]he arterial street system is designed to carry all through project traffic, as well as traffic destined for the Village Center **without impact to the neighborhood" [**DRSP 5. D.1.B @ p. 5-14) (emphasis supplied)].

The Future Land Use Map incorporated in the Final Environmental Assessment for Black Mountain Boulevard, approved by the City of Pheonix and the State of Arizona, does not include any commercial development in the area of Black Mountain Boulevard south of Pinnacle Peak Road [Black Mountain Boulevard Final Environmental Assessment, fig 6 @ p. 13 (104448.pdf (phoenix.gov) , accessed 10/25/23)]. The environmental assessment specifically noted that "[i]n undeveloped areas north of PHS [Pinnacle High School], Phoenix and ASLD plans indicate future residential development occurring" [id., @ p. 14]. Facilitating new commercial development along Deer Valley Road was not among the purposes and needs identified in the assessment.

**Conclusion**

Vestar's proposal not only does extreme violence to the Desert Ridge Specific Plan, it also seeks to undermine the General Plan. The City carefully designated commercial centers to the north of Desert Ridge to facilitate the needs of residents as construction continues in that direction. Vestar's obvious aim is to discourage commercial development to the north by capturing traffic as close as possible to the terminus of SR 51.

For these and all the other reasons stated in my previous communications, and by so many of my neighbors, I urge you to deny Vestar's request for amendments of the City of Phoenix General Plan and Desert Ridge Specific Plan, and to deny rezoning of the parcel in question.

Respectfully,

James W. Tuffin
21214 N. 36th Pl
Phoenix, AZ 85050
(516) 359-6420
james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

| | |
|---|---|
| **From:** | Rita Hachem |
| **To:** | Anthony M Grande |
| **Subject:** | Oppose Commercial rezoning in Desert Ridge |
| **Date:** | Thursday, October 26, 2023 1:19:20 PM |

Hey,

I just signed the petition "Oppose Commercial rezoning in Desert Ridge" and wanted to see if you could help by adding your name.

Our goal is to reach 1,000 signatures and we need more support. You can read more and sign the petition here:

https://chng.it/FN8MFHjT52 [chng.it]

Thanks!
Rita Hachem Barakat
21606 n 36th street

**From:** MIke Dillon
**To:** Anthony M Grande
**Subject:** Commercial Re zoning next to Pinnacle HS
**Date:** Thursday, October 26, 2023 11:10:47 PM

---

I live in Fireside just a couple of blocks away and want nothing to do with commercial buildings on that corner next to the school. That area is zoned residential and is used by a lot of high school students making it even more unsafe to place businesses right there. Anything there would be a horrible idea.

Mike Dillon
Fireside resident

Sent from my iPhone

**From:** Johnson, Kimberly A.
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** OPPOSED to rezoning at Black Mtn Blvd/E Deer Valley
**Date:** Thursday, October 26, 2023 12:29:15 PM
**Attachments:** image001.png

---

To Whom It May Concern,

I would like it to be known that I am strongly opposed to the proposed rezoning of the residential area at the corner of Black Mountain Boulevard and E Deer Valley Drive. This area is already way too busy to add more congestion due to commercial development. Any new commercial development needs to be located two miles to the North at Black Mountain Boulevard and Pinnacle Peal – which is ALREADY zoned commercial.
My home is located a mile to the East of this intersection and my kids have already graduated from Pinnacle so either way this will not directly affect me, but I know this proposal is NOT a good idea.
Thank you.

Desert Ridge resident since 1997,
Kimberly Johnson

Kimberly A. Johnson, RPh (She. Her. Hers) | Clinical Pharmacist-Lead, Formulary Management, CVS Caremark
**p** 480-797-4669
9501 E. Shea Blvd, Mail Code 150, Scottsdale, AZ 85260-0613




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**From:** Pascale Levin
**To:** Anthony M Grande
**Subject:** No vote for the proposed development next to pinnacle high school
**Date:** Thursday, October 26, 2023 1:36:45 PM

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I do not think that this proposed commercial property is a good idea. It's bad for the school it's bad for the area. I totally agree that it should not go through. Put the commercial properties to the west off of Cave Creek Road. That would be a better area it's still close for the neighborhood. Still profitable for the companybut does not interfere with the neighborhood. That neighborhood is way too crazy in terms of traffic. You're just gonna be adding more traffic off that 51 next to the high school you will see more accidents in that area.
Sent from my iPhone

**From:** Carefree Builders
**To:** Anthony M Grande
**Subject:** We do not want refine
**Date:** Thursday, October 26, 2023 6:26:43 PM

---

Hello Anthony ,

We live is SkyCrossing
And are opposed to this rezoning..
please put me on recorded of that.

# Best Regards,

Mike Paluscio,

602.499.5955
Carefree Builders LLC
100 Easy St. #5607
Carefree, AZ 85377
ROC: 342992

**From:** Frank Soldano
**To:** Anthony M Grande
**Cc:** Frank Soldano
**Subject:** Rezoning next to Pinnacle High
**Date:** Thursday, October 26, 2023 7:33:35 PM

---

Mr Grande,

As an Aviano resident since 2008, I want to clearly communicate my opposition to the proposed rezoning near Pinnacle High. The intersection is already heavily traveled and frequently congested. Adding a shopping center would make that situation much worse. Also, this is a residential area with similar shopping options only a short distance away. An additional shopping center in the middle of the residential area is not needed and is not consistent with the rest of the area. The current zoning should be maintained.

Frank A. Soldano
3927 E Crest Ln
Phoenix, AZ 85050
Fnksoldano@yahoo.com

Sent from my iPhone

Frank A. Soldano
Cell phone - 480-258-7144
fnksoldano@yahoo.com

Sent from my iPhone

**From:** Denise Von Linsowe
**To:** Anthony M Grande
**Subject:** Oppose rezoning area near PHS
**Date:** Thursday, October 26, 2023 8:35:24 PM

---

I am writing to state my firm opposition to rezoining the area near Pinnacle high school to commercial. I currently have a junior there and will have 2 more kids there next year. There are plenty of other areas to build a gas station and whatever else. Keep the area by Pinnacle residential for our kids' safety!!!

Sincerely.

Denise Von Linsowe
2207 E Heston Dr

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android [aka.ms]

## Racelle Escolar

**From:** abbottcorp@comcast.net
**Sent:** Friday, October 27, 2023 11:31 AM
**To:** abbottcorp@comcast.net
**Subject:** Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

October 27, 2023

RE: Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

To Whom It May Concern:

As a resident of Sky Crossing Community and a concerned citizen, this is to request a denial of the above application to rezone.

The area of concern is currently zoned for residential, primarily because it is bordered by Pinnacle High School, and in close proximity to Sky Crossing, Fireside, and Aviano residential subdivisions. This area is already impacted by heavy traffic, especially during school hours. All neighborhoods are within seven minutes to shopping at Desert Ridge, including grocery and service station, as well as five minutes away from retail and service stations near Cave Creek Rd. and Rose Garden Ln. Costco is ten minutes away. The argument by developers that this development is needed does not hold water.

Additionally, the aforementioned neighborhoods will be negatively impacted by undesirable elements, such as unwanted foot traffic and panhandlers migrating from the intersection of SR101 and Cave Creek Rd., five minutes away.

It is my understanding that the majority of residents in the area are against the proposed rezoning effort. With this in mind, it is a sensible decision that this rezone application be denied forthwith.

Yours truly,

Robert W. Abbott
Sky Crossing Resident

## Racelle Escolar

**From:** V H <vickihanley19@gmail.com>
**Sent:** Friday, October 27, 2023 9:09 AM
**To:** Council District 2 PCC; PDD Planning Commission
**Subject:** AGAINST - GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

As a resident of Sky Crossing, I am against the rezoning of the southwest parcel on the corner of Black Mountain and Deer Valley north of Pinnacle high school.

## Racelle Escolar

**From:** V H <vickihanley19@gmail.com>
**Sent:** Friday, October 27, 2023 9:13 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** DENY- GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

As a resident who will be directly affected by this proposed rezoning, I ask that the request be denied. I live in Sky Crossing and purchased my home knowing there would not be any retail, gas stations, or grocery stores across the street.

Deny black mount village.

We DO NOT want the traffic, pollution, vandalism, trash, noise, light, homelessness, or smell that this rezoning and subsequent development would bring.

**From:** martin harris
**To:** Anthony M Grande
**Subject:** Rezoning at pinnacle high school
**Date:** Friday, October 27, 2023 6:52:06 AM

---

We do not want commercial buildings right next to the high school.  Is there a petition for us to sign

Martin Harris

Sent from my T-Mobile 5G Device
Get Outlook for Android [aka.ms]

## Racelle Escolar

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Friday, October 27, 2023 7:41 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Planning Commissioners and Council Members,

I wish to correct an inadvertent error in the below email. I misquoted the Staff Report Z-39-23-2 (Sept. 16, 2023) as saying "most *retail* superblocks have been developed without any convenience retail . . . ". I should have typed: "most *residential* superblocks have been developed without any convenience retail . . . "

I apologize for any inconvenience and thank you for considering this matter.

---

**From:** James Tuffin
**Sent:** Wednesday, October 25, 2023 12:09 PM
**To:** pdd.planningcomm@phoenix.gov; Council District 2 PCC <council.district.2@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Black Mountain Village

Dear Planning Commissioners and Council Members,

I write to supplement my letter of August 23, 2023 , and email of September 19, 2023, copies of which are attached for ease of reference.

The requested amendments and rezoning should be denied. Vestar's proposal to install no less than three drive-through food and coffee operations [Vestar Updated Conceptual Site Plan], at a location where they are currently prohibited, is antithetical to general plan core values and principals, a radical departure from existing planning, and will destroy the residential character of the area. The Planning Commission and City Council should take the advice of the Desert View Village Planning Committee and deny all three requests related to the proposed Black Mountain Village.

**Failure to build low-impact conveniences does not justify imposition of prohibited drive-through fast food and coffee operations.**

Staff Report Z-39-23-2 (Sept. 16, 2023), contends that because "most retail superblocks have been developed without any convenience retail . . . this proposal fills a gap." The staff report overlooks the fact that, under the Desert Ridge Specific Plan ("DRSP"), drive-through uses are specifically prohibited from neighborhood conveniences:

> d. **Prohibited Uses**: Other than the uses listed above as permitted uses, **all uses are expressly prohibited including the following:** ● Mechanical or electronic video games or arcade - type devices for amusement purposes. ● **Drive-through uses** ● Sales of package liquor other than beer or wine [Desert Ridge Specific Plan, 6.C.3.B.2.d @ p. 6-8 (emphasis supplied)].

DRSP acknowledges that **"[t]his criteria will minimize the adverse environmental impact on the residential neighborhoods typically associated with commercial development.**" [DRSP 5. C.1, @p. 5-5 (emphasis supplied)]. There is no logic whereby failure to build the allowed low-impact conveniences can justify imposing prohibited drive-through operations on a residential community.

Drive-through operations do nothing to connect people and places, celebrate diverse communities, or promote non-vehicular transportation. In its explanatory letters, Vestar does not discuss how drive-through operations are in any way compatible with core values or the existing plans or uses, and the staff reports do not specifically address this question.

**Connection of SR 51 to Black Mountain Boulevard as an arterial street does not justify putting drive-through operations in the middle of a residential area.**

The General Plan, the DRSP and the Land Use Principles of the Desert View Village Planning Committee Character Plan all specify that the residential uses planned for Deer Valley Road should be left in place.

The General Plan Map ( https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00473.pdf ) shows extensive commercial development on nearby Bell Road and, to a lesser extent, Union Hills Drive. A substantial parcel is designated commercial at the intersection of Pinnacle Peak and Cave Creek Roads, which will easily provide shopping options for residents at the western part of Desert Ridge. Residents to the east have easy access to shopping at Mayo Boulevard and Pinnacle Peak Roads near their intersections with Scottsdale Road. To the north, substantial commercial parcels are designated along Happy Valley Road.

One of the Land Use Principles of the Desert View Village Planning Committee Character Plan is to "[e]ncourage properties and **neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development.** (Cave Creek Road, **Deer Valley Road**)" [Desert View Village Character Plan, 022218 DESERT VIEW Character Plan.indd (phoenix.gov) , @ p. 12, (parenthetical in original, emphasis supplied], accessed 10/22/2023].

DRSP recognized that SR51 could one day connect on "a projected arterial street alignment" (DRSP 5.D.1.A @ p. 5-13). The plan made it clear that the designation of arterial streets does not justify disturbing the residential character of neighborhoods through which they pass : "[t]he arterial street system is designed to carry all through project traffic, as well as traffic destined for the Village Center **without impact to the neighborhood" [**DRSP 5. D.1.B @ p. 5-14) (emphasis supplied)].

The Future Land Use Map incorporated in the Final Environmental Assessment for Black Mountain Boulevard, approved by the City of Pheonix and the State of Arizona, does not include any commercial development in the area of Black Mountain Boulevard south of Pinnacle Peak Road [Black Mountain Boulevard Final Environmental Assessment, fig 6 @ p. 13 (104448.pdf (phoenix.gov) , accessed 10/25/23)]. The environmental assessment specifically noted that "[i]n undeveloped areas north of PHS [Pinnacle High School], Phoenix and ASLD plans indicate future residential development occurring" [id., @ p. 14]. Facilitating new commercial development along Deer Valley Road was not among the purposes and needs identified in the assessment.

**Conclusion**

Vestar's proposal not only does extreme violence to the Desert Ridge Specific Plan, it also seeks to undermine the General Plan. The City carefully designated commercial centers to the north of Desert Ridge to facilitate the needs of residents as construction continues in that direction. Vestar's obvious aim is to discourage commercial development to the north by capturing traffic as close as possible to the terminus of SR 51.

For these and all the other reasons stated in my previous communications, and by so many of my neighbors, I urge you to deny Vestar's request for amendments of the City of Phoenix General Plan and Desert Ridge Specific Plan, and to deny rezoning of the parcel in question.

Respectfully,

James W. Tuffin
21214 N. 36th Pl
Phoenix, AZ 85050
(516) 359-6420
james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

## Racelle Escolar

**From:** bridget brown <bridget.brown77@gmail.com>
**Sent:** Saturday, October 28, 2023 2:44 PM
**To:** PDD Planning Commission; Anthony M Grande; Council District 2 PCC
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

City of Phoenix,

I have lived in the Fireside community for over 10 years and chose to buy because of the safe neighborhood Fireside provides me and my kids.

I do NOT want Black Mountain Village built! I'm sure you've heard it all, but my biggest concern is it will turn into a homeless encampment and lots of drug use just as Desert Ridge Marketplace has become over the last couple years. The "zombies" I see high as a kite near Tatum and Deer Valley are extremely sad and scary. Black Mountain Village will become this in due time if it is built.

We need to keep our kids safe! I didn't move here to fight against big corporations who just care about making money!

Sincerely,
Bridget Brown

## Racelle Escolar

**From:** Chris Hanley <c3hanley@gmail.com>
**Sent:** Saturday, October 28, 2023 1:03 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

My name is Chris Hanley and I live in the Sky Crossing community. I moved into this neighborhood in March 2020 and am the original owner of my home.

I understand there is a zoning hearing for the parcel of land on Deer Valley, West of Pinnacle High School. I also understand that a commercial developer wishes to buy the land to develop a shopping center and needs the land to be rezoned from residential to commercial.

I am opposed to this rezoning.

Sky Crossing is a new neighborhood. Many of us bought here in the last few years with the knowledge of the open land to our south being other homes, not a grocery store, gas station, and other retail. This isn't an old neighborhood where things have changed over the decades, we're less than 5 years into this.

As you know, Deer Valley is a 3 lane road in each direction. It is heavily travelled. The high school contributes to the traffic load at certain times of day. WIth Black Mountain as a feeder onto SR 51, there is high traffic already.

While I understand how that would appeal to a commercial developer, the community is highly concerned about the added traffic and congestion a shopping center would bring. In addition, the shopping center would add light pollution and added noise pollution.

As you also know, shopping centers draw in pan handling, the homeless, and additional trash. We don't need that in a family community, next to a high school and close to Sky Crossing Elementary.

Cave creek road to our West has 2 gas stations on it (north of the 101) and plenty of retail. We have an Albertsons at Tatum and Deer Valley, with a gas station, and again lots of retail at Desert Ridge. There is also a Safeway and Frys north of us at Tatum and Cave Creek. We don't need any more grocery stores and there are plenty of gas stations.

Please do not approve the rezoning. Thank you for your consideration on this matter and please reach out if you desire to discuss.

Thank you,
Chris Hanley
c3hanley@gmail.com

## Racelle Escolar

**From:** Nathan Friedland <nlfriedland@gmail.com>
**Sent:** Saturday, October 28, 2023 10:32 AM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

Good Day:

My wife and I live directly north of the subject parcel, and from our home in Sky Crossing we currently can see Pinnacle High School and can hear the sporting events as they occur in their sports field.

We are pleased that the Village Planning Commission rejected the Vestar proposed development.

We are not against change, and we are not against progressive and positive development in our area. What we are against is the current proposal as has been submitted by Vestar.

The key factors in our rejection of their proposal is as follows:

1. The size of the proposed grocery is in the area of 100,000 square feet. This is enormous and is nearly twice the size of the Albertsons' Grocery Store at Desert Ridge - approximately 2 miles away from this parcel plus this store is only 58,000 square feet. It would make more sense to have a grocery store similar in size; i.e. 50,000 to 60,000 square feet. I would venture to guess that most residents of our area would be open to a grocery of this size vs a Mega store that Vestar is trying to force upon us.

Additionally with the pending consolidation of Fry's and Safeway/Albertsons, the need for such a large behemoth is absurd.

2. We are adamantly opposed to a gas station for this parcel. There are plenty of gas stations in the area and an additional location is not needed. Problems with a gas station are as follows:

a. Excessive Noise as drivers rev their engines and race out of the station
b. Air pollution from the exhaust systems of vehicles
c. Underground soil pollution from leaking gas tanks
d. Light pollution from the bright lights of the station that will stream into our homes during the night
e. Increased traffic will be created as drivers wanting to get onto Route 51 will purposely come down Black Mountain to get gas first vs taking Cave Creek to the 101 and then the 51
f. The future of our transportation industry will be electric and/or hydrogen powered vehicles. This may take 10 to 20 years to achieve but the need for a gas station will be further reduced. An electric vehicle charging point would make more sense for today and the future.

3. We are also concerned that the overall shopping center will be lit up so much that the bright lights will interfere with our ability to enjoy life in our yards and inside our homes. Additionally this will be a negative impact upon the value of our homes. The developer must install desert lighting that directs all lighting towards the ground and not into the sky.

Thank you for your attention to this matter.

*Nathan Friedland*
22007 North 34th Way

Phoenix, Az 85050
nlfriedland@gmail.com

## Racelle Escolar

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Monday, October 30, 2023 7:13 AM
**To:** Anthony M Grande; PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** Black Mountain Village Continuation - Opposed

It is my understanding that the developer has requested their application for rezoning be pushed to the December 7, 2023 Planning Commission meeting. The community is prepared to share our objections to the development as an agenda item on the November 2, 2023 meeting of the Planning Commission. The developer has had ample time to prepare for this meeting and significantly more resources than members of the community and yet they are not prepared to present their application for rezoning.

I urge you to deny this request and the let matter come before you on November 2, 2023

Mike Coppola

## Racelle Escolar

**From:** wroodenburg@cox.net
**Sent:** Wednesday, November 1, 2023 2:35 PM
**To:** PDD Planning Commission; PDD Long Range Planning
**Cc:** Council District 2 PCC; Anthony M Grande
**Subject:** Further information and questions related to Black Mountain Village Commercial Rezoning case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2
**Attachments:** PlanningCommitteePhotoAppendix.docx

Dear Planning Committee members,
The above mentioned rezoning request will be on the agenda for your November meeting tomorrow and is currently showing in the section to request a "continuances and withdrawals".

My name is Wouter Roodenburg and I am a concerned resident of Fireside and have spoken on numerous occasions during the meetings in the past as well as emailed the various people involved.

I am part of a group which has shown our commitment to stopping this proposal and represent the now 825 people who have signed our online petition currently.
Our opposition group has only grown in the past few weeks following the Desert View Village planning commission motion to deny this proposal 9-1.
This denial should count for a lot given the fact that these are people from our community and are very familiar with commercial rezoning requests near schools. I urge you to consider their views on this matter.

Because a picture is worth a 1000 words, please review the document attached in which I have gathered some pictures for you to see the challenges like accidents and the traffic congestion and other unsafe situations this community is dealing with. Currently no mitigation efforts have been presented by the developer and their attorneys that could resolve these situations, nor have they been acknowledged.

To highlight the fact that many of our residents purchased in this area because of its core value of creating a family-oriented and safe community I included the types of activities that our residents participate in to achieve this, such as our locally recognized and honored Halloween festivities that we provide which will become the childhood memories they will remember.

The proposal on Black Mountain Boulevard is not only in the center of this very connected and active community in which we raised our families, but it is also disrupting the lifestyle and property rights that we have come to enjoy over the years.

I am a resident since 2007 when my first son was born. We enjoyed this safe community and felt confident to have them play outside and cycle or walk to schools and allowed them to roam the neighborhood as it is a safe place currently. This image was suddenly disrupted when my son had to go to Pinnacle High School. The chaos around the High School was frightening and I have since been an active participant in the city's Road Safety Action Plan (Vision Zero).

Members of this committee are about to decide whether to disrupt this community and significantly add to the issues surrounding Pinnacle High School.
This proposal will create many new issues to this community that it doesn't have to worry about today.
Traffic, light/noise/odor/environmental pollutants, and loitering, to name a few.

We have learned that this land was approved for commercial rezoning because – according to Arizona State Land department official reply - "**The Desert Ridge Community Association (DRCA) has said additional grocery anchored retail is needed in Desert Ridge.**".

I therefore have the following questions for you to consider;

- Is this proposal all because 1 person on the DRCA was of the opinion that we needed 1 extra grocery for our convenience, whilst we have plenty of grocery stores within 5 miles?
    - Is this person even allowed and authorized to make this statement?
    - What was the basis for this statement? The community was not consulted in any manner.
    - Should it have included a reference to be in compliance with the **existing** Desert Ridge master plan.
- Is this all because the developer has subsequently provided disingenuous information about the number of grocery stores in our area (claiming on Albertsons) by not including stores south of the 101 in their presentation.
    - Does Target groceries and Sprouts express not count in the developers' own Marketplace?
    - Have they substantiated why the existing commercial sites are not appropriate for their plans?
- Should the Arizona State Land Department have looked deeper into this request?
    - its mission is "**to responsibly to manage the State's Land Trust and to generate maximum revenues, through prudent planning decisions for the beneficiaries**".
    - Was "Prudence" applied in this case by the ASLD when they are introducing a commercial center which is deemed "materially detrimental to a neighborhood" and planned right next to schools who should be the beneficiaries? The traffic increase will jeopardize our kids going school.
- Isn't the fact that "Criteria and Standards in Chapter 6 are to **minimize the adverse environmental impact on residential neighborhoods typically associated with commercial development**", recognized in our master plan.
- Isn't it true that there are already sites in the neighborhood which are commercially zoned that the developer can build on?

Please carefully consider your vote on this proposal and would also like to ask you to consider reaching out to the Village Planning committee members to understand their views and reasons for denial.

Please vote to dismiss this proposal in all its forms and let's work together to execute the vision for Desert Ridge, through the Phoenix General Plan, the Desert View Village specific plan and the current Desert Ridge master plan.

Kind regards,
Wouter Roodenburg
480-567-2716

Appendix In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

October 21st – Home Coming Pinnacle High school
Rollover Accident on Black Mountain Blvd and Mayo
Student Driver involved



October 31st – Morning traffic Pinnacle High school
Accident on Black Mountain Blvd and Mayo
Student Driver involved



Morning Traffic MAYO Blvd
Access Road are all blocked with traffic



Morning Traffic – INTERSECTION Black Mountain Blvd and Mayo Access Road are all blocked with traffic




Morning Traffic – Kids walking to school, crossing wherever they feel like



Morning Traffic – Deer Valley.
Frustrated drivers making dangerous manouvres to cut into waiting lanes



Morning Traffic
Girl walking along side 34st without sidewalk






Morning Traffic blocking the Deer Valley Intersection





COMMUNITY SPIRIT

Fireside Halloween Parties

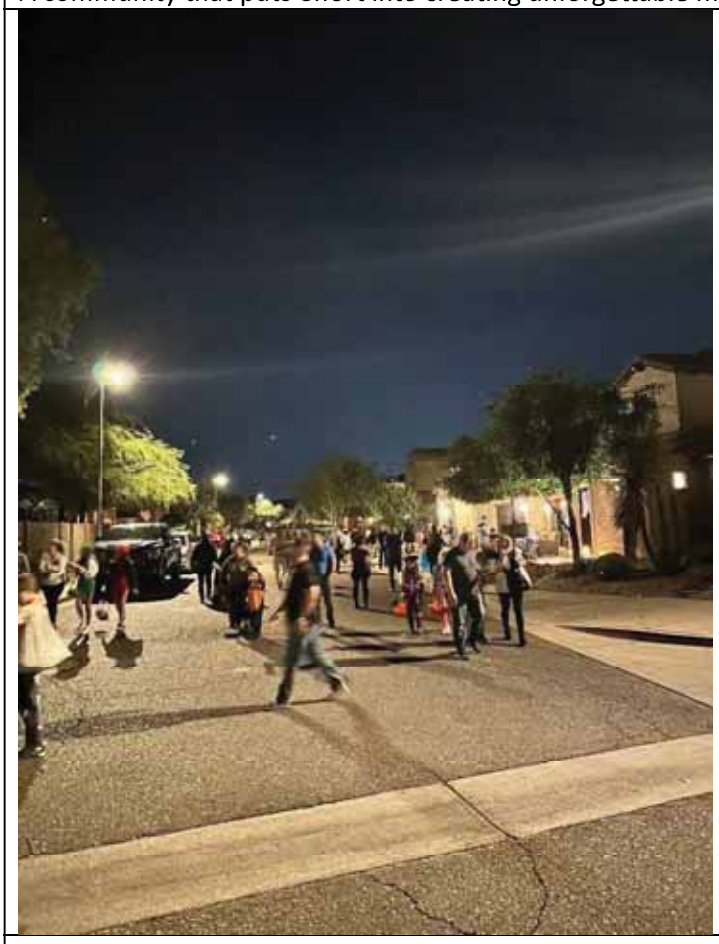
Connected community where neighbors know and help each other

A community that puts effort into creating a safe environment





Fireside Halloween Parties
Connected community where neighbors know and help each other
A community that puts effort into creating unforgettable memories for their children



Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

November 29, 2023

Dear Members of the Desert View Village Planning Committee,

We are unable to attend the upcoming Planning Committee meeting; however, we wish to provide you with an update on the developments since our correspondence dated September 1, 2023.

Following our initial communication, the district engaged in discussions with the proposed developers, Vestar. While Vestar presented plans that address some of the school and district's concerns, the full impact of these measures remains uncertain until their implementation is observed.

Furthermore, during this interim period, we have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. Rather, their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development. Given the district's declining enrollment, the introduction of additional housing in the vicinity would contribute positively to our enrollment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,

Troy J. Bales

Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

## Racelle Escolar

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Friday, December 1, 2023 2:27 PM
**To:** Council District 2 PCC; Racelle Escolar
**Subject:** FW: Vestar's Rezoning Proposal

For your information, below is an email I have sent to Dr. Troy Bales regarding Vestar's rezoning proposal. Thank you for your attention to this matter.
Carolyn Dunn

---

**From:** C Dunn
**Sent:** Friday, December 1, 2023 2:22 PM
**To:** tbales@pvschools.net
**Subject:** Vestar's Rezoning Proposal

Dear Dr. Bales -

Unless you have personally been involved with transporting students to and from Pinnacle High School, as I have for the last three years, you cannot appreciate the traffic challenges that occur on a daily basis. Even under the best of conditions, students can be seen darting across traffic, crossing against the light, and jaywalking. Add to that a plethora of parents anxious to get their students to school on time, inexperienced student drivers, and the crush of daily traffic --- you have nothing less than an accident waiting to happen.

We can avoid compounding the already existing traffic issues on Black Mountain Boulevard by prohibiting commercial development there. Vestar's proposed development, or any commercial development, can only promise round-the-clock businesses with round-the-clock traffic. The negative impact far outweighs any alleged benefits.

Please consider the safety and well-being of our students and say NO to rezoning Superblock 12.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

**From:** C. Taylor Morgan <tigertail1984@gmail.com>
**Sent:** Tuesday, December 5, 2023 1:22 PM
**To:** PDD Planning Commission; Mayor Gallego; council.district2@phoenix.gov
**Subject:** Opposition to Vestar Development near Pinnacle High School
**Attachments:** Letter from PVUSD Superintendent.pdf

To Whom It May Concern,

My name is C. Taylor Morgan and I live at 3621 E. Zachary Drive, in Phoenix Arizona in the area of Desert Ridge. My neighborhood is next to Pinnacle High School and the proposed Vestar development parcel at the corner of Black Mountain Boulevard and Deer Valley Road. I have written before speaking of my deepest concerns over this development which was zoned to be residential and Vestar's determination to rezone the parcel as commercial. My concerns are for the increase in traffic coming off the 51 highway and the 101 highway (so busy as it is) which will bring in many non-locals, increased pollution and traffic dangers for residents and students of Pinnacle High School. My home also abuts an open desert and has no border or fence to protect my house and I am concerned also about people cutting through here to get to the development or perhaps unhoused people setting up shelter in this desert area. The corner is already a disaster area for school drop-offs and pick-ups and the increased traffic for the shopping center will make it even worse. It makes no sense. There are plenty of other commercially zoned parcels within Desert Ridge that do make sense for a grocery store, drive-thru food or coffee, or smaller stores. I am pleading with you to see the residents of this area point of view on the dangers of this proposed commercial development and say NO to Vestar. I am including a letter from Paradise Valley Unified School District where they state they are also AGAINST this development. Thank you for your time.

Sincerely,

C. Taylor Morgan

Paradise Valley
Unified School District

**Superintendent's Office**
District Administrative Center
15002 North 32nd Street
Phoenix AZ 85032
602.449.2298

November 29, 2023

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Following our initial communication, the district engaged in discussions with the proposed developers, Vestar. While Vestar presented plans that address some of the school and district's concerns, the full impact of these measures remains uncertain until their implementation is observed.

Furthermore, during this interim period, we have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. Rather, their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development. Given the district's declining enrollment, the introduction of additional housing in the vicinity would contribute positively to our enrollment.

Thank you for your attention to these matters. We look forward to collaborating with you to ensure that this development aligns with the best interests of our students, parents, and the community as a whole.

Sincerely,

Troy J. Bales

Troy J. Bales, Ed.D.
Superintendent
Paradise Valley Unified School District

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, December 5, 2023 2:36 PM
**To:** PDD Planning Commission
**Cc:** Council District 2 PCC; Mayor Gallego
**Subject:** FW: Superblock Parcel 12 - Vestar Rezoning efforts
**Attachments:** Letter from PVUSD Superintendent.pdf

Good afternoon, Mayor Gallego, Councilman Waring, and City Planning Commission,

At last month's City Planning Commission meeting, Vestar Development had requested a continuance for the vote to rezone Parcel 12, located on the corner of Black Mountain Boulevard and Deer Valley. As most of you are aware, there has been a large number of Desert Ridge residents that have opposed this commercial development proposal at this location. Our group made it very clear that we would be happy to meet with their side once they have had their meeting with the Land Department. It has been over a month since you granted the continuance to Vestar and there has been no progress to report. I am very concerned we are going to get halfway through the month of December and the have Gammage request a meeting around Christmas time, when nobody is available. I want to make it very clear on our end that we will not accept another continuance vote on January 4. No modifications to their proposal will make this more likely to pass a committee vote. This development at this specific location is flawed. They know it, you know it, and there's nothing they can modify to make this any better. This continuance should have never happened.

I wanted to forward a conversation I had with the Fireside Community Manager, Eric Molenaar. He has had several residents asking when the rezoning vote was happening. My understanding is that Gammage needed to reach out to all the local communities to let them know about this continuance and when the new date was for this vote. They told me, personally, that every local neighborhood has been contacted to let them know about this scheduling change. If this is the case, why wouldn't Eric Molenaar have been contacted? This is a serious problem that can't go overlooked. Fireside is one of the two most impacted neighborhoods. Our group can't reach everyone in Fireside and Sky Crossing. We rely on the assistance of these community members to reach our neighbors. They were supposed to be informed.

I hope you take this into consideration on January 4 at this rezoning vote. Two months is a very long time to keep the opposition group energized and willing to mobilize. Being deceitful and not doing what you said you were going to do is just wrong. Gammage and Vestar are both hoping they can outlast our interest, and that is not happening. Over the past month we have added the support of several PVSD school board members who plan to speak at the January meeting. Dr. Bales, Superintendent, heard our concerns as well and submitted a second letter from the PVSD, supporting residential development. See attached for a copy of a letter he shared with the Desert View Village Planning Committee on November 29. I'm sure it would get forwarded to you all at some point. I'm just expediting the process.

I stand with Dr. Bales. I feel residential development at this parcel would be better suited for the school, the local neighborhoods, and just the overall traffic we already have issues with.

Thank you for your time,

Dan Richards

---

**From:** Eric Molenaar <Emolenaar@associatedasset.com>
**Sent:** Tuesday, December 5, 2023 1:04 PM

**To:** Richards, Dan <Dan.Richards@strand.com>
**Subject:** RE: Superblock Parcel 12

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

I'm afraid they have not which led to my concern. I was under the impression that they needed to do so or at least with Desert Ridge homeowners as part of the continuance approval.

**Thank you,**

**Eric J. Molenaar** CAAM, SLM
Community Manager
AAM, LLC
Fireside at Desert Ridge
(480) 214.3357 (direct line)
(480) 203.2166 (main line)
(480) 214.3007 (direct fax)
(602) 647.3034 (after hours emergency line)
Emolenaar@AssociatedAsset.com
AssociatedAsset.com
www.ourfiresidedesertridge.net [ourfiresidedesertridge.net]

---

**From:** Richards, Dan <Dan.Richards@strand.com>
**Sent:** Tuesday, December 5, 2023 12:29 PM
**To:** Eric Molenaar <Emolenaar@associatedasset.com>
**Subject:** Re: Superblock Parcel 12

Eric,

I totally understand the  board needs to stay neutral. I was just curious if Vestar or Gammage and Burnham have tried reaching out to Fireside again?

Get Outlook for iOS [aka.ms]

---

**From:** Eric Molenaar <Emolenaar@associatedasset.com>
**Sent:** Tuesday, December 5, 2023 12:13:26 PM
**To:** Richards, Dan <Dan.Richards@strand.com>
**Subject:** RE: Superblock Parcel 12

[EXTERNAL EMAIL]: Verify sender before opening links or attachments.

Hi Dan,

I have printed the doc form and have it displayed with the next meeting notice information. Thank you for sharing the update of the recent activity and look forward to any meeting development. In reference to the Fireside Board, they need to remain neutral on this one as they would not be representing the community fairly if they were to choose a position against or in support of the re-zoning due to the varying views within the community.

**Thank you,**

**Eric J. Molenaar** CAAM, SLM
Community Manager
AAM, LLC
Fireside at Desert Ridge
(480) 214.3357 (direct line)
(480) 203.2166 (main line)
(480) 214.3007 (direct fax)
(602) 647.3034 (after hours emergency line)
Emolenaar@AssociatedAsset.com
AssociatedAsset.com
www.ourfiresidedesertridge.net [ourfiresidedesertridge.net]

**From:** Michael Coppola <macoppola66@gmail.com>
**Sent:** Wednesday, December 13, 2023 2:58 PM
**To:** Mayor Gallego; PDD Planning Commission; Council District 2 PCC
**Subject:** Black Mountain Village Proposed Development

All

I am hearing that the developer is going to yet again request another extension to their application currently pending to be heard January 4, 2024. This is unacceptable, as a resident directly affected by this the developer has had more than enough time to address concerns raised by the community.

This extension should not be granted and this application should be rejected and follow the vote of the Desert View Planning Committee. This development is not needed and is not what was planned for this residentially zoned parcel of land.

I urge to deny any extension request and reject this proposal

Mike Coppola

**From:** Patricia Pick <pjpick@cox.net>
**Sent:** Wednesday, December 20, 2023 4:57 PM
**To:** PDD Planning Commission
**Subject:** Black Mountain Villiage

I'am just shocked that a company called Vestar can come in an try to change our area into a commercial area when it was slated to be family homes or Condo. We do not need a grocery store, gas station in that area. There is a High School, grade school which would be indated with heavy traffic, which we are already dealing with. There is plenty of land just off Cave Creek Rd with traffic going up and down who would love to see a grocery store! Please take care of this Vestar Company and their idea!!! Very very unsafe idea! 🙏

**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Wednesday, December 20, 2023 10:05 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Commissioners, Councilman Waring and Mayor Gallego:

My name is James W. Tuffin, and I reside at 21214 N. 36th Pl., Phoenix AZ 85050. I write to oppose the applicant's anticipated request for a further continuance of the matter before the Planning Commission and I urge the Commission to reject this ill-conceived project. The Commission should deny any request for a continuance, compel applicant to proceed, and follow the Desert View Village Planning Committee in recommending denial of the applications.

It appears that Vestar is simply trying to run the clock against the surrounding residents, who have jobs to keep, bills to pay and children to take care of. Vestar has the superior resources, and an army of attorneys, to try and sow confusion and heap inconvenience upon people who don't have the resources to devote full time efforts to opposing this. Unable to defend its scheme, Vestar is trying to use the process to wear out its opponents.

The Desert View Village Planning Committee voted overwhelmingly against Vestar's request for a major amendment of the Desert Ridge Specific Plan, an amendment of the City of Phoenix General Plan, and rezoning of a portion of Superblock 12, which is currently owned by the State Land Department.

When the matter came before the Planning Commission in November, Vestar's counsel said that Vestar needed time to consult with the State Land Department and the community. I spoke and requested that Vestar be instructed to make any revised plans available in time for the community to respond before the next hearing date. The Chair indicated that Vestar and its counsel were so instructed.

On December 11th, I and two other community members accepted an invitation to meet with Vestar executives Ryan Ash and David Larcher at Vestar's offices. In accepting the invitation prior to the meeting, I informed Vestar that we expected it would take the opportunity to present the revision to its plans.

At the meeting, Mr. Larcher informed us, in essence, that Vestar did not intend to "submit anything different", unless Vestar could be assured that elimination of fuel sales, and reducing the size of the grocery to store to 65,000 square feet, would cause the community to "get comfortable" with the project. Vestar said it would do nothing about the multiple drive through operations, except to make sure the squawk boxes could not be heard from across the street, and perhaps adjust the size of a wall. Mr. Larcher emphatically stated that Vestar was not ready to proceed and would be requesting a further continuance at the January 4, 2024, meeting.

By email on December 18, 2023, I advised Vestar that I intended to oppose its request for a further continuance and that I expected other community members would do the same.

The Commission should note that the original site plan submitted by Vestar showed no fuel sales and a 64,000 sq. ft. grocery. It then filed a revised plan showing fuel sales and a much larger grocery store. A reasonable person would suspect that Vestar set up the fuel sales as a straw man so that it could make a pretense of being responsive to community concerns.

Vestar said it does not intend to submit anything different, so there is no reason to grant a continuance, which is designed to exhaust opposing residents by dragging out the process.

Thank you for your attention to this matter.

Sincerely,

James W. Tuffin

516-359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public).

*******

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Thursday, December 21, 2023 5:00 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***Dear Commissioners, Councilman Waring and Mayor Gallego:***

On November 4, Vestar was given a 2-month continuance to allow them to revise their plan for a proposed commercial development on approximately 20 acres in Superblock 12. As of this date Vestar has not revised their plan. In fact, in a December 11, 2023 meeting, they informed representatives from the Fireside neighborhood they had no intention of revising their plan.

A further continuance is unjust and unfair to all of us living in this area. We are prepared to present our position on this issue. By now, Vestar should also be prepared.

We ask that you veto Vestar's request for a continuance and allow us to proceed with this matter when you meet on January 4.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

**From:** paul dunn <paul@dunn.ws>
**Sent:** Thursday, December 21, 2023 8:12 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Members of the Phoenix Planning Commission, Councilman James Waring, and Mayor Kate Gallego,

I am writing to express my concerns regarding Vestar's proposed plan to rezone Superblock 12 from R2 Residential to C2 Commercial. I have followed this issue since its inception and have witnessed Vestar's ongoing misinformation campaign to promote its proposed commercial development.

Vestar's proposal includes a 95,582-square-foot pad for a **major** grocery store with fuel pumps and **six** fast-food restaurants with drive-thru windows. The proposed grocery store pad is approximately 40,000 square feet larger than the one at the nearby Albertsons grocery store. Vestar's own traffic study acknowledges the current traffic problems in the area. That study also admits that Vestar's proposed development would "generate 10,660 weekday new daily trips." These increased daily trips will exacerbate the already existing traffic problems. Not to be overlooked is that Vestar's proposed development is immediately adjacent to a 2,500-student high school.

Despite overwhelming opposition from residents and a humiliating defeat at the Desert View Village Planning Committee hearing, Vestar wants to delay the day of reckoning. Even though it was granted a 60-day "conditional" continuance, Vestar has not modified its plan to assuage community concerns. Vestar's opponents will be ready to present their case on January 4, 2024. Given its access to stellar legal talent to present its case, Vestar should also be prepared to move forward on January 4, 2024.

It is apparent Vestar has done nothing to convince anyone to change their minds. Therefore, I respectfully request that Vestar not be given another continuance to delay the inevitable. The proponents and opponents of Vestar's proposal should be required to present their cases at the Phoenix Planning Commission on January 4, 2024. Thank you for considering my position on this issue.

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050-5001
928-778-1988

**From:** wroodenburg@cox.net
**Sent:** Thursday, December 21, 2023 11:33 AM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Cc:** PDD Long Range Planning
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Planning committee members, Mayor, Councilman,
When is enough, enough? That will be the question on the upcoming January 4th review meeting for a possible continuance request for this case.
Me and the 842 petition signers find this unfair and unacceptable request and so should you.

A quick summary of events timeline that will show that Vestar has now had 10 weeks to take actions and has done nothing significant;

- Rezoning case:
  - Vestar is seeking to rezone 22 acres of the 77 acres of land from Residential to Commercial which is part of Superblock 12-section L.
  - The land is owned by the ASDL and is situated with the Desert Ridge Master Community, adjacent to Pinnacle High School and a block away from Fireside Elementary School.
  - Residents oppose ; (See previous case material for full details)
    - due to the proximity of alcohol and cigarettes and fast food sales near schools.
    - And Paradise Valley School district has sent 2 letters in which they share significant and valid concerns.
    - due to the increasing traffic safety issues and pedestrian casualties (evidence by Vision Zero – Road Safety Action Plan)
    - the widely known detrimental impact and pollution of commercial centers on our respected community. (Noise,Light,Odor,Gasoline,Idling cars, etc)
- On August 25th ,2023 – Lennar Construction has applied for the remainer 55 acres of Superblock 12L for Single Family Residential development.
  - This is what Superblock 12 is already zoned for. (Residential 2 to 5 du/ac)
  - This is already approved in the Desert Ridge master plan and is in line with the Phoenix general plan.
- On October 3rd, 2023 - **by a vote of 9-1 - this rezoning request has already been denied by our Desert View Village Planning committee**. Committee members that are appointed by the councilman and represent and live in our area.
- On November 2nd, 2023 we appeared at the Planning Committee meeting where we learned that Vestar requested a continuance and even negotiated with the opposing core resident group to make it 60 days – because of the holidays, etc.
  - The reason that they provided was that they needed to have another review meeting with the ASLD to review their amendments.
  - We agreed on the condition that they would share these changes in time for our review and that stipulation was noted by the chairman.
- On December 11th, 2023 the opposing core resident group was invited to meet with Vestar executives to review these changes.
  - However, nothing was further from the truth.
  - They shared that no meeting with ASLD was held, no changes were made.
  - This meeting was clearly a bait-and-switch for an opportunity to find out what changes we might be comfortable with.

- The meeting ended with a verbal commitment that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft. (Their original submitted and approved plan submitted with the state….)

To put insult to injury, Vestar also announced during December 11th meeting that they would request for another continuance on January 4th.
**This is where we draw the line. Vestar has had 10 full weeks to work on their proposal and did nothing!!**
Whilst Vestar is claiming to care for Desert Ridge and boasts about their involvement, the blatant stalling tactics deployed in this case should not be tolerated and residents should not be asked to have this request hovering over our community for any longer.

Based on this, I ask the committee to consider to deny this potential request as it's baseless, holidays were already factored in last time and now it will start causing undue hardship for our community.
We're fighting for our community character and Residents cannot be asked to fight Vestar, their disingenuous actions and their attorneys for much longer. It's not a level playing field.
Families that already have busy lives and volunteers like yourselves shouldn't be treated like this by Vestar and their attorneys.
The January 4th meeting is in the middle of our school vacation! We shouldn't be asked to come to meetings where nothing new is being discussed, nor should this committee.
Our residents are prepared and ready to present our opposition case.

We compel this committee to move forward with the review and voting process on January 4th, and hopefully you will agree with us and the VPC that it should be dismissed immediately and without compromise.
Any consideration to grant a continuance request should have very specific objectives and deliverables that Vestar will be held accountable for.

My name is Wouter Roodenburg and live on 21507 N 39th Terrace in Phoenix and I'm a long time resident of Fireside in Desert Ridge and I oppose the case.

I appreciate your consideration.
Regards,
Wouter Roodenburg.

**From:** Susan Sheroff <sueshe54@gmail.com>
**Sent:** Thursday, December 21, 2023 3:30 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

Dear Commissioners,

My name is Susan Sheroff. I reside at 21214 North 36th Place, Phoenix, AZ 85050. I am opposed to any request Vestar may make for a further continuance of this case. It would be unfair for the reasons described by a number of my neighbors. The Commission should decide this matter in the same way as the Village Planning Committee and recommend denial of all three applications.

Thank you
Susan Sheroff

**From:** PDD Planning Commission
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024
**Attachments:** RZ-C6-CONCEPTUAL-SITE-PLAN.pdf; UPDATED-CONCEPTUAL-SITE-PLAN.pdf

---

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Thursday, December 21, 2023 3:42 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***I am re-sending this because I did not receive the usual automated delivery confirmation. Thank you.***

---

**From:** James Tuffin
**Sent:** Wednesday, December 20, 2023 10:05 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE JAN. 4 2024

***Dear Commissioners, Councilman Waring and Mayor Gallego:***

***My name is James W. Tuffin, and I reside at 21214 N. 36th Pl., Phoenix AZ 85050. I write to oppose the applicant's anticipated request for a further continuance of the matter before the Planning Commission and I urge the Commission to reject this ill-conceived project. The Commission should deny any request for a continuance, compel applicant to proceed, and follow the Desert View Village Planning Committee in recommending denial of the applications.***

***It appears that Vestar is simply trying to run the clock against the surrounding residents, who have jobs to keep, bills to pay and children to take care of. Vestar has the superior resources, and an army of attorneys, to try and sow confusion and heap inconvenience upon people who don't have the resources to devote full time efforts to opposing this. Unable to defend its scheme, Vestar is trying to use the process to wear out its opponents.***

***The Desert View Village Planning Committee voted overwhelmingly against Vestar's request for a major amendment of the Desert Ridge Specific Plan, an amendment of the City of Phoenix General Plan, and rezoning of a portion of Superblock 12, which is currently owned by the State Land Department.***

***When the matter came before the Planning Commission in November, Vestar's counsel said that Vestar needed time to consult with the State Land Department and the community. I spoke and requested that Vestar be instructed to make any revised plans available in time for the community to respond before the next hearing date. The Chair indicated that Vestar and its counsel were so instructed.***

***On December 11th, ,I and two other community members accepted an invitation to meet with Vestar executives Ryan Ash and David Larcher at Vestar's offices. In accepting the invitation prior to the meeting, I informed Vestar that we expected it would take the opportunity to present the revision to its plans.***

***At the meeting, Mr. Larcher informed us, in essence, that Vestar did not intend to "submit anything different", unless Vestar could be assured that elimination of fuel sales, and reducing the size of the grocery to store to 65,000 square feet, would cause the community to "get comfortable" with the project. Vestar said it would do nothing about the multiple drive through operations, except to make sure the squawk boxes***

*could not be heard from across the street, and perhaps adjust the size of a wall. Mr. Larcher emphatically stated that Vestar was not ready to proceed and would be requesting a further continuance at the January 4, 2024, meeting.*

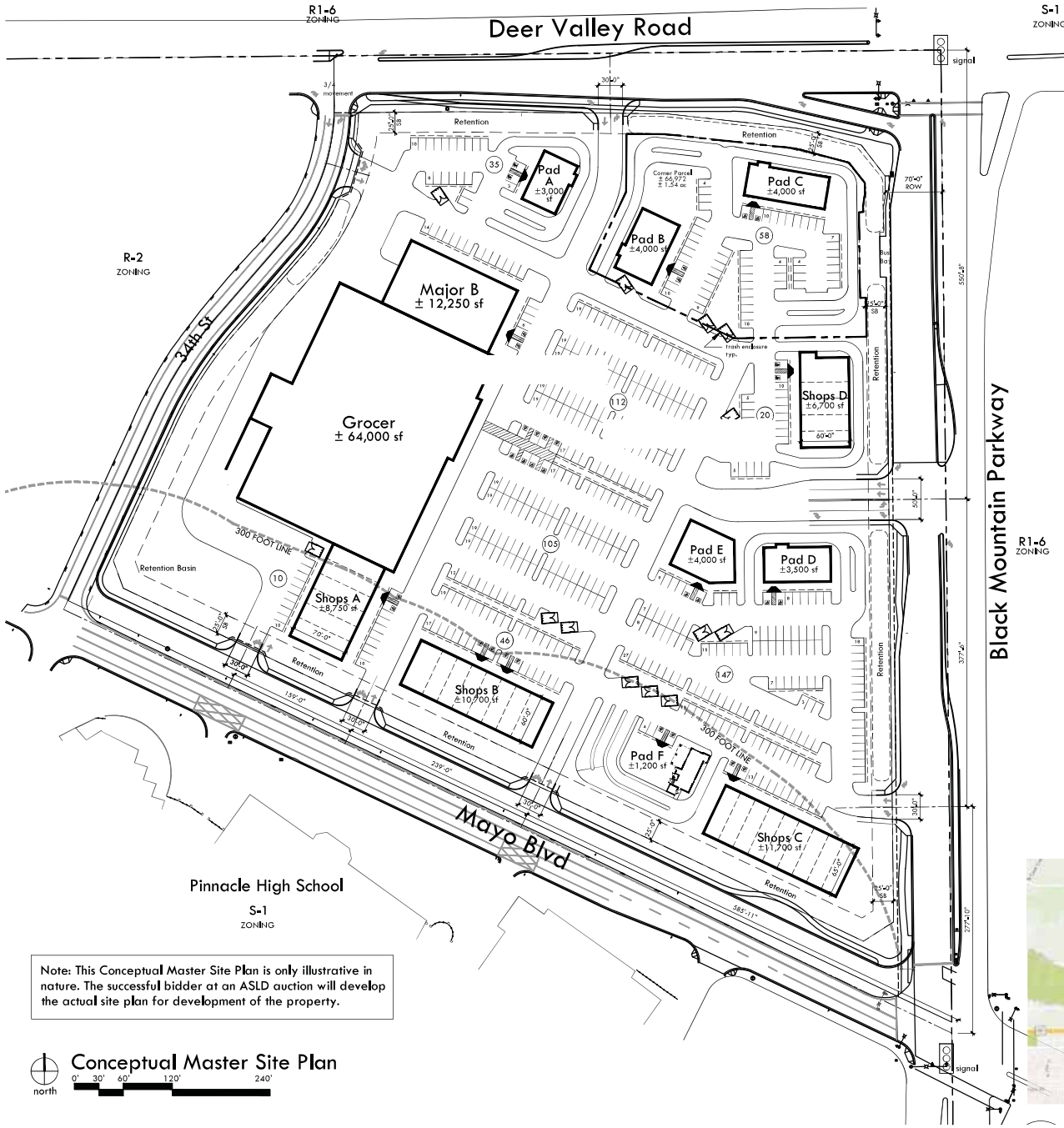
*By email on December 18, 2023, I advised Vestar that I intended to oppose its request for a further continuance and that I expected other community members would do the same.*

*The Commission should note that the original site plan submitted by Vestar showed no fuel sales and a 64,000 sq. ft. grocery. It then filed a revised plan showing fuel sales and a much larger grocery store. A reasonable person would suspect that Vestar set up the fuel sales as a straw man so that it could make a pretense of being responsive to community concerns.*

*Vestar said it does not intend to submit anything different, so there is no reason to grant a continuance, which is designed to exhaust opposing residents by dragging out the process.*

*Thank you for your attention to this matter.*

*Sincerely,*
*James W. Tuffin*
*516-359-6420*
*james.tuffin@tuffinlaw.com (retired attorney not offering services to the public).*




Note: This Conceptual Master Site Plan is only illustrative in nature. The successful bidder at an ASLD auction will develop the actual site plan for development of the property.

Conceptual Master Site Plan

north 0' 30' 60' 120' 240'

**PROJECT INFORMATION**

| | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Address** | SWC Deer Valley Rd and Black Mtn Pkwy<br>Phoenix, AZ |
| **Owner** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 6 architecture + planning**<br>6111 N. Cattletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

**SITE DATA**

| | |
|---|---|
| **Existing Zoning** | S-1 (Approved R-2) |
| **Proposed Zoning** | C-2 |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,955 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| **GLA** | Area | Req'd Pkg |
|---|---|---|
| Grocer | 64,000 sf | 256 sp |
| Majors | 12,250 sf | 49 sp |
| Shops | 37,850 sf | 151 sp |
| Pads | 18,500 sf | 74 sp |
| **Total GLA** | 132,600 sf | 530 sp |
| **Lot Coverage** | | 19.7 % |

**PARKING QUANTITIES**

| | |
|---|---|
| Required | 530 sp |
| Provided | |
| Standard Spaces | 501 sp |
| ADA Spaces | 32 sp |
| **Total Parking Prov'd** | 533 sp |
| **Parking Ratio /1000** | 4.0 sp |




Vicinity Map n.t.s.

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Road and Black Mountain Parkway
Phoenix, Arizona

▲ Development Review Set
△ Bid Set
△ City Submittal
△ Construction Set

Revisions:


Ownership of Instruments of Service:

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Seal

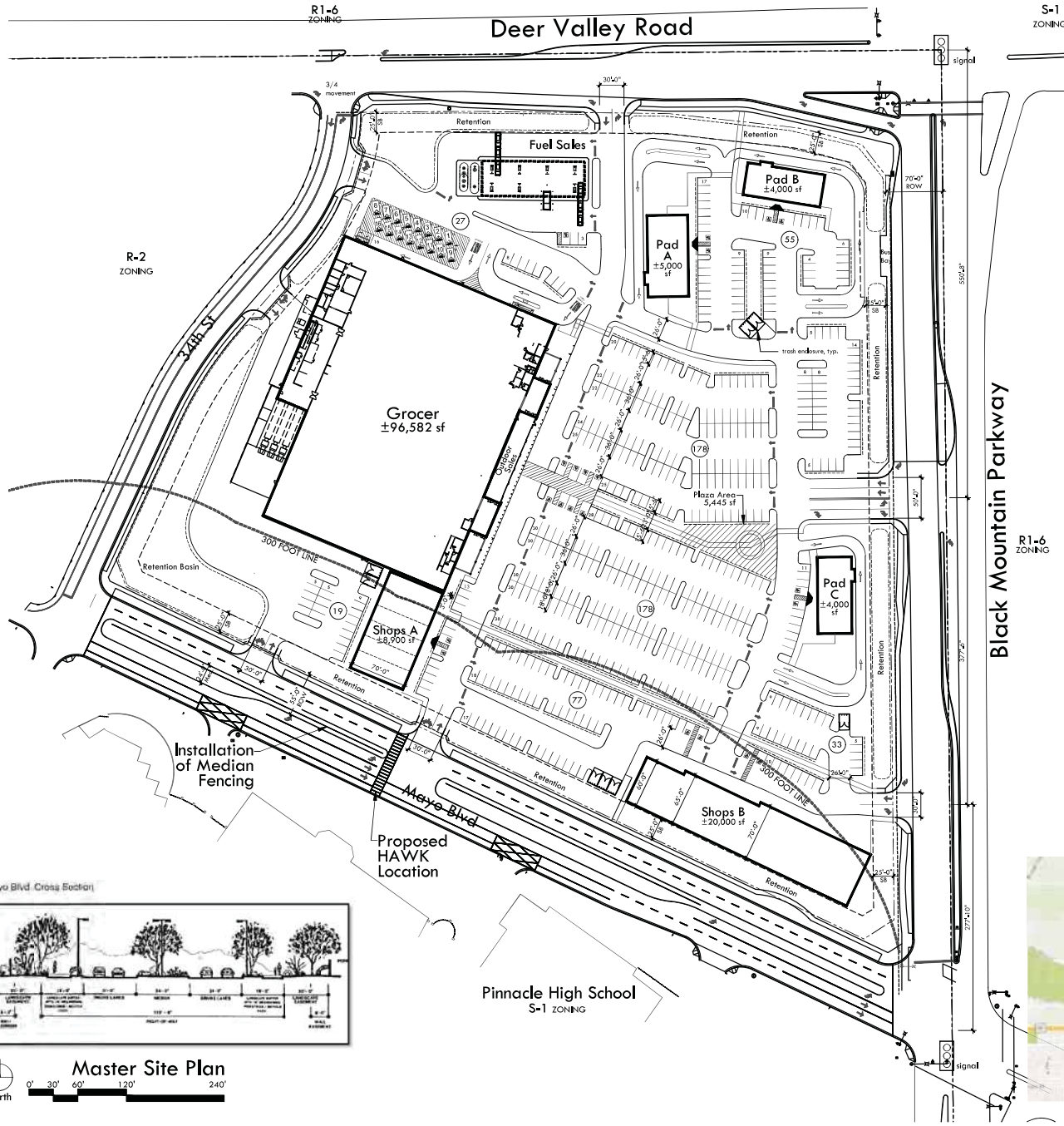
Date: June 1, 2023
Project Number: 711
Drawn by: dm/rdb

Sheet Number

PA.5

Conceptual Master Site Plan

3607




Maya Blvd. Cross Section



Master Site Plan

north 0' 30' 60' 120' 240'

3608

## PROJECT INFORMATION

| | |
|---|---|
| **Project Name** | **Black Mountain Village** |
| **Project Address:** | SWC Deer Valley Rd and Black Mtn Pkwy<br>Phoenix, AZ |
| **Owner** | **Vestar**<br>2415 E. Camelback Rd, Suite 100<br>Phoenix, AZ 85018<br>Contact: Ryan Ash<br>Tel: 602-866-0900 |
| **Architect** | **SUITE 5 architecture + planning**<br>5111 N. Cattletrack Road<br>Scottsdale, Arizona 85250<br>Tel: 480-348-7800<br>Email: dean@suite6.net |

## SITE DATA

| | |
|---|---|
| **Existing Zoning** | S-1 (Approved R-2) |
| **Proposed Zoning** | C-2 |
| **Gross Site Area** | ± 893,555 sf / ± 20.51 ac |
| **Net Site Area** | ± 672,965 sf / ± 15.45 ac |
| **APN** | 212-38-023B |

| **GLA** | Area | Req'd Pkg |
|---|---|---|
| Grocer | 96,582 sf | 386 sp |
| Shops | 28,900 sf | 116 sp |
| Pads | 13,000 sf | 52 sp |
| **Total GLA** | 138,482 sf | 554 sp |
| **Lot Coverage** | | 20.6 % |

## PARKING QUANTITIES

| | |
|---|---|
| Required | 554 sp |
| Provided | |
| Standard Spaces | 546 sp |
| ADA Spaces | 21 sp |
| **Total Parking Prov'd** | 567 sp |
| **Parking Ratio /1000** | 4.1 sp |

Rezoning Case: Z-135-06-2




Vicinity Map n.t.s.

Approvals Block

suite six architecture + planning

Vestar

# Black Mountain Village

SWC Deer Valley Road and Black Mountain Parkway
Phoenix, Arizona

▲ Development Review Set
△ Bid Set
△ City Submittal
△ Construction Set

**Revisions:**

**Ownership of Instruments of Service:**

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Seal

Date: September 20, 2023
Project Number: 711
Drawn by: dm/rdb

Sheet Number

PA.1

Master Site Plan A

**From:** Jonathan Agins <jagins@ymail.com>
**Sent:** Friday, December 29, 2023 11:36 AM
**To:** PDD Planning Commission
**Cc:** Mayor Gallego; Council District 2 PCC
**Subject:** Case #GPA-DSTV-2-243-2/GPA-DSTV-3-23-2/Z-39-23-2

Good morning.

As I was riding my bike around the Desert Ridge neighborhoods, I was struck by one of those ubiquitous panhandling cardboard signs and it got me thinking whether crime and panhandling increases when a neighborhood goes from residential to mixed-use and /or commercial.

Of course you know the answer to this, and I won't insult your intelligence by bombarding you with studies and data. I will, however, beg you to prevent this from happening in our neigborhood! Please, please, please do not allow a change in zoning! We moved to Arizona, and specifically Desert Ridge, from New York, because it was a neighborhood. Lots of families with kids. Peaceful and safe. And we certainly do not need anymore "services"; we have everything we need within walking/biking distance. Ten gas stations within three miles is more than enough.

Please end this discussion and keep the zoning residential. Please do not allow Black Mountain Village to ruin our idyllic neighborhood.

Respectfully,
Jon Agins
Fireside at Desert Ridge resident

**From:** Andrea Nelson <a.nelson1@yahoo.com>
**Sent:** Monday, January 1, 2024 11:45 AM
**To:** PDD Planning Commission
**Subject:** Black mountain development

Good day, and Happy New Year-

I am writing as a resident of the Fireside at Desert Ridge Community, and would like to ask that our planning Commission members vote no on the planned development for the land adjacent to Pinnacle High School. Our request is to leave the land as it was originally zoned. We are not interested in commercial development in this space. Please vote no on the zoning change items.

Thank you.

Andrea Nelson, SPHR
480-495-5411

**From:** karen bottesch <kbottesch@hotmail.com>
**Sent:** Monday, January 1, 2024 6:33 PM
**To:** PDD Planning Commission; Mayor Gallego; Council District 2 PCC
**Subject:** Desert Ridge / GPA-DSTV-2-23-2 | GPA-DSTV-3-23-2 | Z-39-23-2
**Attachments:** Troy Bales PV School District.pdf

Hello Mayor Gallego, Councilman Jim Waring, and the Planning Commission:

I am writing to officially and formally communicate and record my vote against the zoning change and proposed Vestar project along Black Mountain Road and Deer Valley. INCLUDING their request to remand/revert BACK to the Desert View Village Planning Committee that they have asked of you to consider at this coming meeting On Thursday, Jan 4th.

I attended the **Desert View Village Planning Committee meeting where they voted 9 to 1 AGAINST** the zoning change and proposed Vestar project. This vote took place after Vestar's presentation and after hearing comments from MANY community residents.

I live in Fireside, on the east side, I was against the project the day I received a letter in the mail from the City of Phoenix outlining what was taking place around that property.

I have lived in Fireside since 2009.

- I am not a parent, but saw first-hand the **stress** in the voices and faces of the many parents who spoke out against the zoning change and project.
- The City Council, and the State, have an obligation to stand by the original plan, to honor the Desert View Village Planning Committee vote, and the many residents who signed a petition against the project, and the many residents that showed up to express their reasons why they are against the project.
- One resident, observing current traffic conditions, works from the 2nd floor of her home looking over Deer Valley Road to the south, which looks at Pinnacle High School – she cannot even count the accidents and near misses of accidents in the immediate area including kids nearly being struck by cars from crossing the street(s) in the area. **We do not need more cars in the area**. What would Vestar want? A big project that attracts all kinds of traffic to infiltrate the area and shop, eat, and whatever else. Bad plan for us, the people that live here.
- The Vestar representative presented nothing of value or substance to change anyone's mind in attendance against the zoning change, including mine. Very unattractive project.
- The entire project is loaded with **NUISANCE'S** to the entire community: big lights, more traffic, more noise, more car pollution, litter, accidents, congestion, squawk boxes from drive throughs, ugly big buildings **set right in the middle of a major high school and homes**.
- Parents have enough stress just raising their kids and getting them through school, they do not need all the added stress this zoning change and project would bring to our community
- No longer would it be pleasant to walk, bike, jog, walk the dogs along Black Mountain or Deer Valley – this zoning change serves nothing but developer interests, revenues to Vestar, and revenues to the City/State with no regard to an existing community and the existing plan of the community.
- We all bought our homes here because of the very nature of the Desert Ridge area and having the commerce centralized elsewhere, such as IN the Desert Ridge main shopping center and other shopping venues all around the area.
- There is PLENTY of groceries and fuel options all around the area – we do not NEED more, or this, HERE.
- One of the Desert View Village Planning Committee members is I believe on the Cave Creek School District and confirmed what a **bad idea it is to put a shopping center next to a high school**.

- I have a business associate that is a Commercial Broker in the valley with a significant firm and has loads of commercial real estate experience, this individual agreed **the parcel in question is NOT the place for the Vestar project**.
- The zoning change and proposed project is **not welcome** by numerous, numerous residents.
- We do not need a shopping center here adjacent to Pinnacle High School, existing neighborhoods, down the street from horse property, and down the street from the Reach 11 soccer fields where you have a bunch of families/KIDS all year round in and out of the area.
- By far the majority of the residents want to see single family housing, preferably, built on the property. I understand that Lennar may have purchased property west of the proposed Vestar project? GREAT. The valley needs more homes, NOT more shopping centers near a high school, homes, and a soccer park. How about having Lennar buy property that Vestar so unjustly wants?
- Even the Superintendent from the PV School District, see attached, does not want Commercial Development, they want homes and students. Please honor what came before Vestar. They, nor any commercial developer, deserves to overturn and trump what came before and was well established.
- Your job is to listen to the 'people', not just big corporations that have millions to spend to get their way.

**Where are the city planners? The Desert View Village Planning Committee already designed the area. We want the plan upheld.**

If asked what would we accept:
**Walking paths, a park area, and <u>more homes</u>**. The valley has a shortage of homes, everyone knows that. Rates will be coming down next year, home builders will want this flat land. That is who should be developing the property.

**There are other areas to build commerce, this is not it, this project is not welcome here, nor the zoning change.**

**Please do not mis-use power or make decisions based on revenue here.** The city and the state have many other ways to generate revenue. Please be responsible here, you are impacting many, many families and an established community.

This entire process is UNFAIR. Vestar is a large development company with deep pockets. We are residents trying to protect the area, our homes, our well-being. We do not have lawyers and other resources to access to help us fight back.

I believe it is the State's duty to uphold the original plan. Nothing else respects what came WAY BEFORE Vestar AND the residents here.

Please do the right thing – thank you,

Karen Bottesch
3902 E Cat Balue Drive
Phoenix, AZ 85050
M 602.315.0774

**From:** Greg Nelson <g2unelson@gmail.com>
**Sent:** Monday, January 1, 2024 1:28 PM
**To:** PDD Planning Commission
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

To whom It May Concern,

In exploring the information on the proposed rezoning of Superblock 12 in our community, I wanted to express my concerns and "no" vote on this land being used for commercial use.

While living in the community for nearly 18 years, this would have a negative impact on the overall feel which is contrary to what the developers are trying to market to us. The increased traffic would contribute to further noise pollution as well as the increased opportunity for crime and trash.

This property is directly across the street from a large high school where new drivers try to sharpen their new skills and this commercial development would lead to an increase in accidents as well as fear of children / pedestrians being hit while walking to the surrounding schools from this intersection (1 high school, 1 middle school, and 2 elementary schools within a 1 mile radius).

We have seen migration of homeless around our community, near the Desert Ridge mall, and could only see the future migration to this new shopping area which is a huge safety concern for my family and other neighbors who bought in the area for the enjoyment of being able to walk or ride to neighborhood parks and trails.

Lastly, adding a grocery store no matter small or large would not serve a purpose of improving our service needs. We already have plenty of choices in a short distance around us within a 5 mile radius of this location.

Thank you for taking the time to accept and hopefully take our concerns into account.

Greg Nelson

**From:** Amit Pradhan <dramitpradhan@hotmail.com>
**Sent:** Tuesday, January 2, 2024 11:47 PM
**To:** PDD Planning Commission; Mayor Gallego; council.district.2@phooenix.gov
**Subject:** Opposition to rezoning from residential to commercial

Hello,

My family and I live in a nice community called SkyCrossing which is in a quiet and pleasant part of North Phoenix. A developer ( Vestar ) is trying to get the land across the road rezoned to have a large store. This is apparently going to be a Fry's with a gas pump and all.

This project sits next to Pinnacle High School which means students will be in the immediate proximity of a store selling liquor.. Besides the pollution caused by having a gas pump in an area surrounded by residential communities it will also add to congestion on Black Mountain Boulevard. Despite their promises there will be invariable light pollution . Further given the availability of alcohol and, cigarettes the area becoming a gathering place for transients is almost assured.

There are enough grocery stores in the area with Costco just a couple of miles away and the Desert Ridge Mall in a similar radius.

The local community does not want this rezoning to occur and Vestar's proposal was soundly rejected 9-1 in the Village Planning Committee. However Vestar continues to seek approval now from the City Planning Committee. Perhaps they feel that involving people who are not immediately affected might result in a favorable decision for them.

I would request that as the custodians of this wonderful city which draws people from all over, you look out for the local community and accord the natural primacy to their expressed opinion.

I therefore write to plead the case that this rezoning not be allowed to occur.

GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 Southwest corner of Black Mountain Boulevard and Deer Valley Drive

Thank you

Amit

Amit Pradhan MD

Get Outlook for Android [aka.ms]

**From:** Debbie Bolde <pumpkincat15@hotmail.com>
**Sent:** Tuesday, January 2, 2024 1:28 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Black Mountain Vestar Proposal

To City Planning:

In regards to development at the SW corner of Black Mountain and Deer Valley roads, we are opposed to this for the following reasons:

The initial plan for this property was residential. We bought our home with this understanding that it would remain that way. A development of this magnitude would forever change our neighborhood by increasing traffic, noise, air pollution, light pollution and very likely crime. The development is geared around vehicles and not walking like the developer would like you to think. It will draw more people from neighboring communities into this area which will have a negative effect on our quality of life.

There is no shortage of gas stations, grocery stores or fast food restaurants and businesses as they are close by as it is. The noise and car emissions from the multiple drive thru businesses will have a negative impact on our air quality. This is where we chose to live because it is away from these types of services, and we would like it to remain that way.

There are plenty of other places that are more ideal for this type of proposal that are already properly zoned for it, and that would not negatively impact neighboring residential communities. We respectfully ask you to decline the request to change this zoning to commercial from residential.

Sincerely, Mike & Debbie Bolde.
Phoenix Az 85050
( we are within 600 feet of this development)

**From:** C Dunn <cdunn@creativeimages.ws>
**Sent:** Tuesday, January 2, 2024 3:28 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commission members, Councilman Waring, and Mayor Gallego:

Vestar doesn't get it! We don't want to hear any more proposals from them. We are fully aware of what a commercial development, such as theirs, promises to deliver, namely, student safety concerns, home security concerns, air pollution, light pollution, noise pollution, and more traffic congestion than we can imagine. Vestar's very own traffic analysis in 2022 states that if Vestar were to build on Superblock 12, we could expect more than 10,000 additional vehicles daily at that location. Add those 10,000 vehicles to the already inordinate number of vehicles navigating Black Mountain Blvd., Mayo Blvd., and Deer Valley on a daily basis, and we have a disaster waiting to happen.

In his September 1, 2023, letter to the Desert View Village Planning Committee, Dr Troy Bales, Superintendent of Paradise Valley Unified School District, expressed his concerns with Vestar's commercial development. He wrote: “We are concerned that the proximity of the shopping center to our school may lead to an increase in tardiness and truancy.” He further stated: “… we have serious reservations about the impact this project will have to the safety of our students.”

In his second letter to the Committee dated November 29, 2023, Dr Bales summarized his opinion concerning Vestar's proposals with the following statement: “[W]e have received communications from residents expressing a disfavor for the proposed retail development at the intersection of Black Mountain Blvd. and E. Deer Valley Dr. ...their preference is in favor of residential development. The district has been directly asked about its stance on the matter. On behalf of the district, our preference is for residential development.”

It should be apparent why Superblock 12 was zoned residential from the onset and why it should be kept that way. The land is immediately adjacent to Pinnacle High School and one block from Fireside Elementary School. Pinnacle Park, Pinnacle Skate Plaza and the Pinnacle Dog Park are nearby, as well. That makes Superblock 12 perfect for residential development and a perfect fit for our neighborhood.

Please say “No” to Vestar’s request for a continuance.
Please say “No” to Vestar’s commercial development proposal and their rezoning proposal.

Thank you for your consideration in this matter.

Carolyn Dunn
3752 E. Covey Ln,
Phoenix, 85050

**From:** V H <vickihanley19@gmail.com>
**Sent:** Tuesday, January 2, 2024 3:51 PM
**To:** PDD Planning Commission; Council District 2 PCC
**Subject:** Oppose GPA-DSTV-2-23-2 (Companion Cases GPA- DSTV-3-23-2 & Z-39-23-2)

As a resident who lives in Desert Ridge, I oppose the rezoning of the parcel on the Southwest Corner of Deer Valley and Black Mountain Pkwy. This parcel was included in the Desert Ridge master plan as residential and rezoning will create increased traffic, poor air quality, increased noise pollution, loitering, homelessness, and a dangerous environment for high school students.

I ask that you keep the zoning as residential as approved by the committee in a previous meeting.

Do not rezone this parcel and go against a master plan that us homeowners and residents agreed to.

Thank you!

Vicki

**From:** NA NA <candysfamily@cox.net>
**Sent:** Tuesday, January 2, 2024 12:31 AM
**To:** Council District 2 PCC; PDD Planning Commission; candysfamily@cox.net; Mayor Gallego
**Subject:** Planning Commission Meeting GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z39-23-2 Black Mtn Village

Commissioners, Councilman Waring and Mayor Gallego:
I am appleaing to you to oppose the applicants aniticipated request for a further continuance of the matter before the Planning Commission on January 4th 2024 by Vestar represented by Gammage and Burnham. On November 2nd 2023 Vestar was given a continuance of 60 days to revise there plan, accommodate for the holidays and meet with the State land dept. Vestar instead decided to waste the past 60 days and now wants to waste more of your precious time and resources to stall some more so the residents of phoenix will eventually loose interest. You see on October 3rd 2023, after hearing all the agruments brought forth by the people and Vestar/Gammage and Burnahm the Desert view village planning committee voted 9 to 1 against this rezoning.
Paradise Valley school district has also sent 2 letters opposing this rezoning because its right next door to the high school when there is commercial zoned land right up the street. To date there have been 848 people who have signed our petition against this rezoning. Please stop the wasting of taxpayer money, resources and your precious time and SAY NO to the continuance and let the people speak against this and present all the facts.
Thank you for your time and for all you do for our great city!

Candy Huether
21712 N 36th St
Phoenix, Az 85050

**Subject:** FW: GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23

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**From:** Laurie Smith <lauriedawnsmith123@gmail.com>
**Sent:** Tuesday, January 2, 2024 5:22 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Cc:** Racelle Escolar <racelle.escolar@phoenix.gov>
**Subject:** GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23

Following are my comments for the Planning Commission Meeting on January 4, 2023 regarding Agenda Items 2, 3, and 4, Case Numbers GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, Z-39-23.

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I oppose this zoning change due to two major concerns. The same concerns were cited by members of the Village Planning Committee when they voted nearly unanimously to recommend denial.

Commercial development poses a threat to the security of the high school campus and students. Schools have increasingly become targets of mass shootings. Child predators prowl streets near schools. This is not hysterical conjecture; this is a fact. Commercial development will bring a great many more people who will share sidewalks with students and many vehicles that will share the same streets. It will be nearly impossible for neighbors to identify someone or something that is out of place. Additionally, it will be more difficult for school staff to monitor their own school driveways and parking lots which are directly opposite the two shopping center driveways on Mayo Blvd.

Commercial development of this parcel is a major change to the Desert Ridge Specific Plan and the Phoenix General Plan. The City of Phoenix itself carefully crafted this plan to limit commercial retail development to the Desert Ridge Marketplace shopping area. Introducing commercial development to residential areas is very likely to negatively impact the community and it would certainly call into question the integrity of any Phoenix plan.

Neither one of these concerns can be addressed with changes to Vestar's conceptual plan. The solution: this parcel remains residential and Vestar develops a parcel zoned commercial. For this reason I ask you to deny the continuance and recommend denial of the applications tonight.

Laurie Smith
3749 E Covey Ln
Phoenix AZ. 85050
602-826-3181

**From:** paul dunn <paul@dunn.ws>
**Sent:** Tuesday, January 2, 2024 2:51 PM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Cc:** James Tuffin
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commission members, Councilman Waring, and Mayor Gallego:

I cannot improve on the well-reasoned e-mail sent to you earlier today by Mr. James Tuffin. Therefore, I am reproducing Mr. Tuffin's e-mail below to support my request that the PDD Planning Commission DENY Vestar's request for an additional continuance. The time has come for those in authority to put an end to Vestar's latest "charade" -- defined by Oxford's English dictionary as being "an absurd pretense intended to create a pleasant or respectable appearance."

Respectfully submitted,

Paul Dunn
3752 E. Covey Lane
Phoenix, AZ 85050
928-778-1988

---

Dear Commissioners, Councilmember Waring and Mayor Gallego,

My name is James W. Tuffin and I reside at 21214 N 36th Pl, Phoenix, AZ 85050.

I write to supplement my previous comments, and more specifically, to object to Vestar's most recent request to not only delay the determination of its applications but to remand the case to the Desert View Village Planning Committee (DVVPC), which rejected the proposal overwhelmingly. This request is designed to wear out and confuse community opponents and does not serve any legitimate purpose.

The Land Use Principles published by the DVVPC includes the following:

Encourage properties and neighborhoods planned for residential use to continue as residential uses rather than being assembled for nonresidential development. (Cave Creek Road, Deer Valley Road) [Desert View Village Character Plan, p. 12, 022218 DESERT VIEW Character Plan.indd (phoenix.gov), (accessed 01/02/2024)] [emphasis supplied].

As demonstrated in my earlier correspondence, Black Mountain Village does such extreme violence to the character of the neighborhood, the Desert Ridge Specific Plan and established land use principles for the area that it should be rejected out of hand. In its lawyer's letter requesting remand, Vestar does not deign to disclose what revisions to its plan it expects to present. At a December meeting with Vestar executives, I was told that apart from the possible elimination of gasoline sales (gasoline sales are an add-on that were not part of Vestar's original site plan) and a scaling back of the grocery operation (also nothing more than a reversion to the original site plan), Vestar did not intend to submit anything different. We were told that Vestar

fully intends to proceed with its plans for multiple drive through operations for coffee and "quick serve" (probably junk) food.

The Commission should deny applicant's request for a continuance, deny any remand, and proceed to recommend denial of all 3 applications.

Thank you for your time and attention to this matter.

James W. Tuffin

(516) 359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

**From:** Susan Ze <szeteach@gmail.com>
**Sent:** Tuesday, January 2, 2024 5:07 PM
**To:** Mayor Gallego; PDD Planning Commission; Council District 2 PCC
**Subject:** RE: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

I am a current resident of Copperview in the Fireside neighborhood of Desert Ridge. Our home is on Abraham Lane and is less than a block from the intersection of Mayo and Black Mountain Blvd, across from the highschool and the proposed Vestar development. I am adamantly opposed to said proposed development.

Every school morning about 7:20, twenty to thirty students crowd the corners waiting for the WALK light and cars are lined up waiting to drop students off at Pinnacle High School while cars speed down Black Mountain heading to the freeway. Around 2:00 parents start parking in the bus stop space on Mayo and along neighborhood streets to pick up their children, and those streets are not wide enough to accommodate the number of parked cars we are seeing. At that time of day we still have students crowding the corners and in addition students roar out of the parking lot and around the circle heading to AZ51. Accidents have happened and will continue to do so. Until now, as far as I know, there have been no fatalities, but I am not holding my breath!

Into what is already a risky safety issue, Vestar proposes adding a shopping center with a grocery store, a gas station, and several drive through and stand alone businesses. At least that was the proposal when the planning commission denied their rezoning request. If the property is rezoned and the shopping center is built, there will by default be an increase in traffic, including large delivery trucks coming off the freeway. This means more air pollution, more noise pollution, and for those backing on to Black Mountain more light pollution from the center.

I am a retired high school teacher, and I love to walk around the neighborhood during our pleasant months. Nothing would make me happier than being able to walk to the store for a few items or meet friends at a coffee shop, but not at the expense of the safety of our children or the diminished intrinsic value of my neighbor's homes. Whether the monetary value of the homes backing on to Black Mountain Blvd increases or decreases is not something I can determine, but the fact that they will no longer be able to enjoy their backyards or perhaps even enjoy a restful sleep due to light pollution is easily determined and matters to us all.

The proposed shopping center will be a temptation too strong to resist for many of the high school students. Even though the sale of the land (to my understanding) will provide money for Arizona schools, it is not in the best interest of the schools and students to rezone this land for commercial and allow Vestar to build the shopping center. It is my understanding that the principal does not think it is a good idea. Students will stop on their on their way to school, sometimes being tardy due to a wait in line. Students will cut class to go get a snack there. Students will head over there for lunch, causing large numbers of unsupervised students to congregate together. As a former high school teacher, I can envision all types of scenarios with very negative results. I cannot think of one reason to put a shopping center in an area zoned residential when we have a shopping center with an Albertson's and a Target with a grocery less than five minutes away.

Please vote NO to a continuance and NO to rezoning.

Susan Ze
3616 E Abraham Lane
Phoenix AZ 85050
4806656596

**From:** James Tuffin <james.tuffin@tuffinlaw.com>
**Sent:** Tuesday, January 2, 2024 10:45 AM
**To:** PDD Planning Commission; Council District 2 PCC; Mayor Gallego
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 JAN. 4 2024 # 2,3,4

Dear Commissioners, Councilmember Waring and Mayor Gallego,

My name is James W. Tuffin and I reside at 21214 N 36th Pl, Phoenix, AZ 85050.

I write to supplement my previous comments, and more specifically, to object to Vestar's most recent request to not only delay the determination of its applications but to remand the case to the Desert View Village Planning Committee (DVVPC), which rejected the proposal overwhelmingly. This request is designed to wear out and confuse community opponents and does not serve any legitimate purpose.

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As demonstrated in my earlier correspondence, Black Mountain Village does such extreme violence to the character of the neighborhood, the Desert Ridge Specific Plan and established land use principles for the area that it should be rejected out of hand. In its lawyer's letter requesting remand, Vestar does not deign to disclose what revisions to its plan it expects to present. At a December meeting with Vestar executives, I was told that apart from the possible elimination of gasoline sales (gasoline sales are an add-on that were not part of Vestar's original site plan) and a scaling back of the grocery operation (also nothing more than a reversion to the original site plan), Vestar did not intend to submit anything different. We were told that Vestar fully intends to proceed with its plans for multiple drive through operations for coffee and "quick serve" (probably junk) food.

The Commission should deny applicant's request for a continuance, deny any remand, and proceed to recommend denial of all 3 applications.

Thank you for your time and attention to this matter.

James W. Tuffin

(516) 359-6420

james.tuffin@tuffinlaw.com (retired attorney not offering services to the public)

**From:** Ellen <ellen.morrison.kennedy@gmail.com>
**Sent:** Wednesday, January 3, 2024 11:28 AM
**To:** PDD Planning Commission
**Subject:** Black Mountain Village concept: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2|Z-39-23-2

Dear Mayor Gallego and Phoenix Councilmembers,

I am writing to implore you to vote against the Black Mountain Village development concept that will be presented at tomorrow's City Council meeting. This is NOT a concept that will enhance the area at Deer Valley Rd and Black Mountain Blvd. This is NOT a concept that carries the City's vision for connected oases forward. It's a tried and failed development notion that shows a lack of both imagination and understanding on the developer's part of what the surrounding community wants and would welcome.

Phoenix already has too many giant grocery stores, drive through coffee shops, and ocean-sized parking lots. This unsustainable development concept has been proposed yet again in GPA-DSTV-2-23-2/GPA-DSTV-3-23-2|Z-39-23-2 and promises to deliver the same result, without due care for the high school immediately next door and the unique, walkable, residential character of the surrounding neighborhoods. To call this concept a "village" is misleading and shows the developer has no true grasp of reality of village characteristics. I hope you will vote wholeheartedly against this proposal in the interest of sustainability, safety, and community. Thank you for your consideration.

Best,
Ellen Kennedy

**From:** abbottcorp@comcast.net
**Sent:** Wednesday, January 3, 2024 2:45 PM
**To:** PDD Planning Commission
**Subject:** Application # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

January 2, 2024

RE: Case # GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2, Black Mountain Village

To Whom It May Concern:

As a resident of Sky Crossing Community and a concerned citizen, this is to request a denial of the above application(s) to rezone.

The area of concern is currently zoned for residential, primarily because it is bordered by Pinnacle High School, and in close proximity to Sky Crossing, Fireside, and Aviano residential subdivisions. This area is already impacted by heavy traffic, especially during school hours. All neighborhoods are within seven minutes to shopping at Desert Ridge, including grocery and service station, as well as five minutes away from retail and service stations near Cave Creek Rd. and Rose Garden Ln. Costco is ten minutes away. The argument by developers that this development is needed does not hold water.

Additionally, the aforementioned neighborhoods will be negatively impacted by undesirable elements, such as unwanted foot traffic and panhandlers migrating from the intersection of SR101 and Cave Creek Rd., five minutes away.

It is my understanding that the majority of residents in the area are against the proposed rezoning effort. With this in mind, it is a sensible decision that this rezone application(s) be denied forthwith.

Yours truly,

Robert W. Abbott
Sky Crossing Resident

**From:** Richard Starr
**To:** Anthony M Grande; dane@gblaw.com
**Subject:** Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE
**Date:** Monday, September 9, 2024 1:41:43 PM
**Attachments:** Image.png

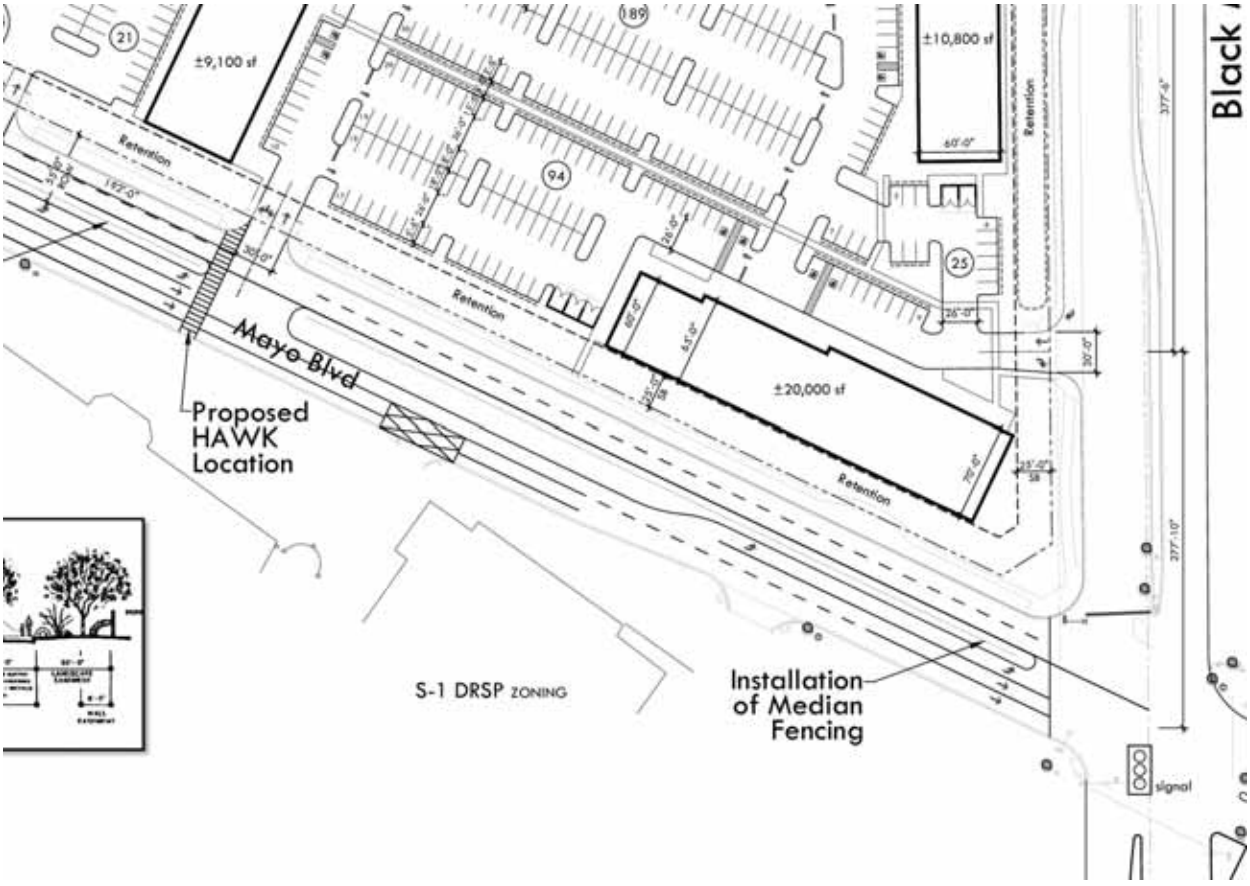
**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

The proposed retail center site plan (revised) NOW includes a NEW MEDIAN on Mayo. This median will BLOCK a vital left hand turning movement from Mayo into the PHS parking lot. This will result in many U-turns or push nearly all PHS traffic onto Black Mountain Pkwy single entrance. The prior site plan did NOT include a median on Mayo.

Pinnacle High School's (2,550+ students) operations should not affected by the new retail center. Vestar's revised site plan does not meet the needs of PHS traffic. The aerial picture on G&B website cuts off the school parking lot entrances. With this major change to PHS turning movements, the aerial should be updated accordingly.

Additionally, AZ State Land and PVUSD need to work on a parking solution for PHS before the land auction to any developer. Special events overflow onto State Land property (100+ cars park in desert). There will be major conflicts in future when PHS and retail center are fighting over parking.




Richard "R.T." Starr
rtstarraz@hotmail.com

| | |
|---|---|
| **From:** | Richard Starr |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village. GPA & Rezone - SWC Deer Valley & Black Mtn // PARKING @ PHS |
| **Date:** | Monday, September 9, 2024 1:13:58 PM |
| **Attachments:** | image.png |

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Report Suspicious

Black Mountain Village retail development has been proposed for over 12 months now. The land seller (AZ State Land Department) and PVUSD have not addressed the existing parking problem at Pinnacle High School. ASLD should not auction the property immediately adjacent to the high school to any developer without working with PVUSD to fix this issue. Pinnacle High School needs at least 250 more parking stalls for everyday use and special events like football, basketball games or meet-the-teacher nights. During special events, 100+ cars overflow park in the desert on the future grocer site. These cars will simply park in Fry's parking lot in the future, creating a logistical nightmare for everyone including the grocer and retail tenants. The parking issue is not going away as Pinnacle adds students each year.




Richard "R.T." Starr
rtstarraz@hotmail.com

| | |
|---|---|
| **From:** | Christian Klein |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2 |
| **Date:** | Saturday, September 14, 2024 1:49:05 PM |

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Report Suspicious

Dear Anthony Grande,

I am writing today regarding Vestar's updated proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's updated proposal for rezoning the Southwest Corner of Black Mountain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of our community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Mountain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is simply no need (or desire) for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Finally, the entire process by Vestar has been disingenuous to the residents of Desert Ridge even seeking outside influence/support by non-community residents to showcase support with Facebook ads. The adjustments made by Vestar do not remedy concerns of a commercial development in a pristine residential area. Allowing this proposal to go forward will put a serious blemish on Desert Ridge's reputation.

Given the detrimental impacts on our home values, marketability, safety, noise pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

Christian Klein

| | |
|---|---|
| **From:** | Yasmin Rivera-Klein |
| **To:** | Anthony M Grande |
| **Subject:** | Oppose GPA-DSTV-2-23-2 |
| **Date:** | Sunday, September 15, 2024 11:12:46 PM |

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Report Suspicious

Dear Anthony Grande,

I am writing today regarding Vestar's updated proposals (case numbers) GPA-DSTV-2-23-2, GPA DSTV-3-23-2, and Z-39-23. As a resident of Desert Ridge, I oppose Vestar's updated proposal for rezoning the Southwest Corner of Black Mountain Boulevard and Deer Valley Drive from Residential to Commercial/Retail for several reasons.

First, Desert Ridge is a highly desirable planned ***residential*** community that continues to attract buyers willing to pay a premium for a prime location. Adding commercial/retail mixed-use space in the middle of our community would decrease the desirability of Desert Ridge and lower the values of residential real estate within the community.

Second, the traffic flow within Desert Ridge is already too great for the limited infrastructure within the community. Pinnacle Peak High School is located adjacent to the proposed site. The traffic caused during the morning/afternoon pick up/drop off combined with regular commuting already creates a safety issue on Black Mountain and Deer Valley, with vehicles backed up in every direction. Adding unnecessary commercial/retail space would only increase the traffic and lead to safety issues.

Third, there is simply no need (or desire) for mixed commercial/retail space in the middle of single-family homes. The area has more than ample shopping options - Desert Ridge Marketplace, High Street, and shopping off of Cave Creek Rd and the 101 are all within an extremely close distance. Finally, creating a commercial/retail space in the middle of a residential area will bring increased instances of crime, which, when coupled with declining property values, would limit the marketability of Desert Ridge.

Finally, the entire process by Vestar has been disingenuous to the residents of

Desert Ridge even seeking outside influence/support by non-community residents to showcase support with Facebook ads. The adjustments made by Vestar do not remedy concerns of a commercial development in a pristine residential area. Allowing this proposal to go forward will put a serious blemish on Desert Ridge's reputation.

Given the detrimental impacts on our home values, marketability, safety, noise pollution, and increased traffic without adequate infrastructure, these proposals should be denied. Please do not hesitate to reach out if I can provide any additional information.

Regards,

**From:** Richards, Dan
**To:** Anthony M Grande
**Subject:** Black Mountain Village – City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 – Notice of Revised Development Proposal and Rescheduled Public Hearings
**Date:** Monday, September 16, 2024 4:06:41 PM
**Attachments:** image001.png
image003.png
image004.png
Intersection Photo 2.PNG

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Report Suspicious

Hello Mr. Grande and the Desert View Village Planning Committee,

I wanted to share a couple of photos that are good depictions of the traffic that is currently a problem at the intersection of Deer Valley and Black Mountain Boulevard. Vestar's Black Mountain Village will only make this more of a nightmare.

This first photo is showing several vehicles from the southbound lanes of Black Mountain Blvd blocking the intersection after their light turned red. These vehicles never made it through the intersection while the Deer Valley left turn light was green. Now what we have are vehicles from two directions stuck in the middle of the intersection. Northbound and Eastbound traffic are completely stuck and cannot get through while they have a green light. It's total gridlock.

The second photo is a view from the first vehicle in the left turn lane on Deer Valley, trying to turn south on Black Mountain Blvd. You can see there are so many vehicles blocking the intersection that vehicles either had to wait for another cycle or be selfish and enter the intersection and block even more traffic once the light changes. Eastbound traffic is completely blocked at this point. Vehicles in the left turn lane were being considerate and waited another cycle before trying to enter the intersection.

This is a daily occurrence at this intersection. The level of service for this intersection is already failing. If this is a simple fix by adjusting the intersection timing with Black Mountain and Mayo to alleviate this problem, then this should be taken care of immediately. If this isn't a simple fix, then adding this Black Mountain Village is going to create even more of a mess at this intersection.

Please consider the residents that must drive through these intersections on a daily basis. It's already a nightmare to deal with. I am asking you to please reject Vestar's proposal to rezone this property. The neighbors that live nearby want to see this stay the residential portion of the Desert Ridge master plan that we all expected when we bought our homes.

Thank,
Dan Richards




CDL0707



| | |
|---|---|
| **From:** | Robin Bowie |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village/City of Phoenix Planning Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, & Z-39-23-2 |
| **Date:** | Tuesday, September 17, 2024 3:37:43 PM |

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Hello Anthony,

I hope this email finds you well. We met back in November of last year at a City Planning meeting regarding the above rezoning hearing.

Last night, Vestar's attorneys, Rob Lane, Senior Land Use Planner of Gammage and Burnham along with other lawyers held a meeting at Aviano to discuss their updated plans for the Black Mountain parcel. It seems as though they did listen to what the residents had to say about many concerns and reworked their plan but there are still items that are just not acceptable. Mr. Lane went on to say that our local Albertsons was just way overcrowded and that there needed to be another choice for the residents. Vestar's plan was originally billed as this was going to be a "boutique" shopping center and now it is being deemed "necessary." But last night, just as they assured the audience that this was a good thing and so desperately needed, they spring on us that there will be a bus stop to this shopping center. This raises concerns for not only me but many folks that I have spoken with today. I believe Mr. Lane explained that it was the City that decides where the bus stops are installed. Can you verify that information for me? My issue all along with this plan is what this is going to do to our neighborhood. This was not in the original master plan of Desert Ridge to have a shopping center inserted in the middle of our community to begin with. I was beginning to have a little acceptance of Vestar's plan - I did feel that they made a good second attempt at trying to mitigate the concerns of the residents. But with the bus stop being added, it just brings up for me that fact that what happens at bus stops and what it may attract. It is one thing to have a bus stop on Tatum Boulevard just south of Deer Valley, a major thoroughfare but not in the middle of a neighborhood. My argument here is that if you can afford to live in Desert Ridge you are more than likely not riding a bus.

And of course there is still the issue of Pinnacle High School and the parking issue. Those students will invariably park at the shopping center - it will just be a constant battle. And, what about the overflow parking for families as they attend extracurricular events such as the football games - they always used that lot. Is the shopping center prepared to let everyone use their lot for these events?

Thank you for again for your time.

Robin Bowie
Aviano Resident
(602) 329-9005

**From:** Steven Deacon
**To:** rlane@gblaw.com; Anthony M Grande; Steven Deacon
**Subject:** Black Mountain Village Traffic Study Request
**Date:** Tuesday, September 17, 2024 10:47:12 PM

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Dear Rob & Anthony,

I would like to request a traffic study of 36th Way and 36th street as shown in the attached pictures to be included as part of Vestar's petition to build a commercial property across from Pinnacle High School.

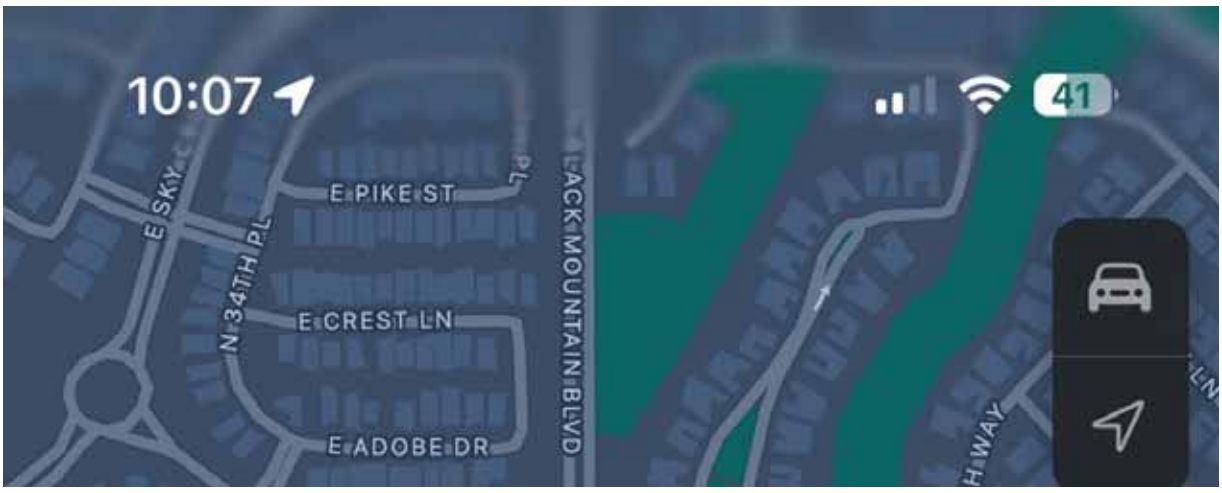
I believe this street has been overlooked in Vestar's traffic study as it plays a major role as a cut through street to avoid the traffic jams during High School drop off and pick up.

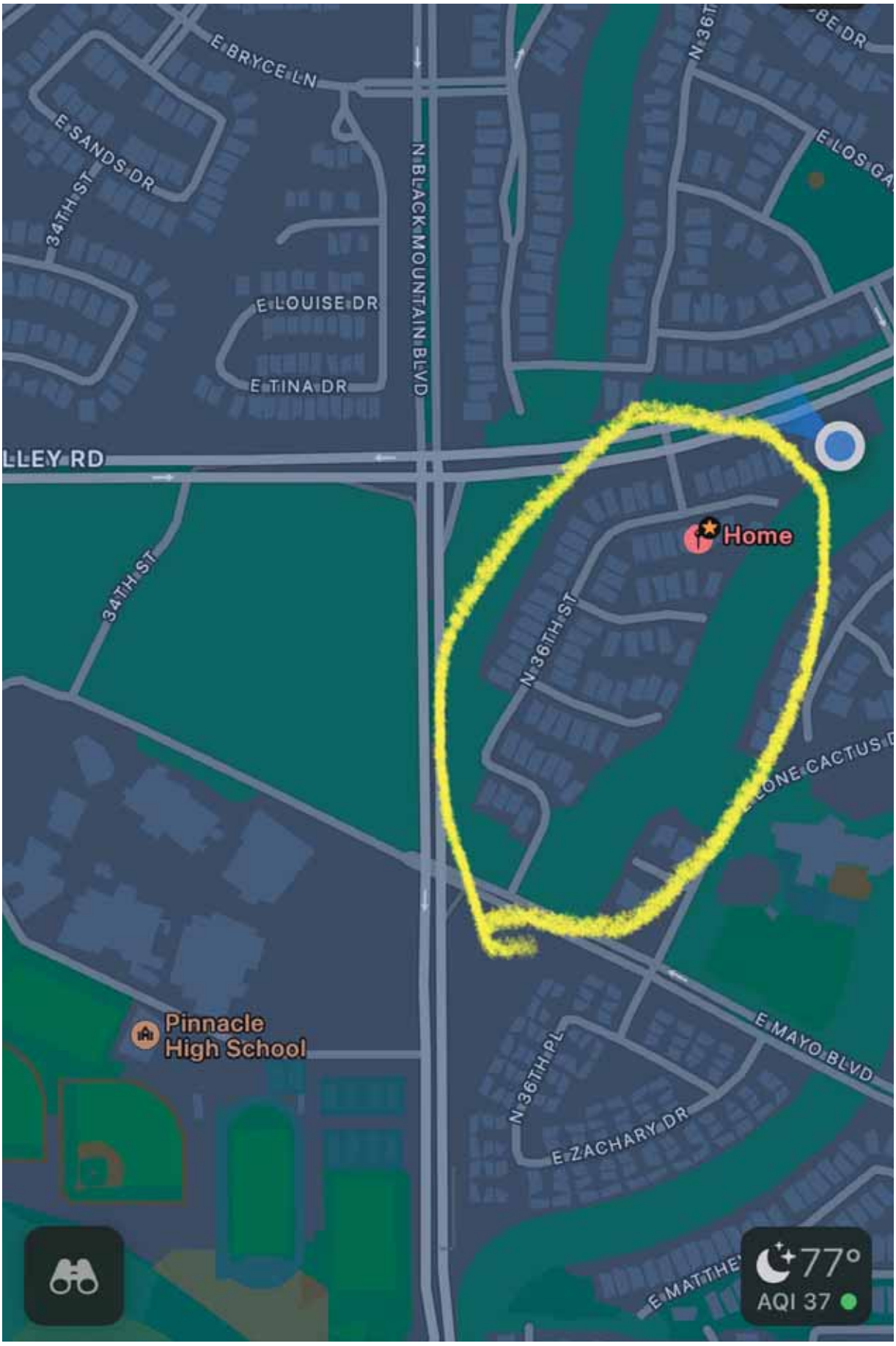
My biggest concern is for the safety of our children who reside in the Cooper View section of Fireside. There are 45 kids in elementary school who live in this section and walk to school every day. We already deal with the reckless driving from the high school, and I am concerned that it will only get worse with the increased traffic if the new commercial development gets approved.

The high school parents use this cut through to avoid the traffic jam where they drop the students off by the mailboxes then make a U turn back through the community. This is circled in yellow.

If this additional child safety concern could be addressed it would be greatly appreciated in protecting our community and safety of our children.

Feel free to contact me if further explanation would be helpful.

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E LOUISE DR
E TINA DR
N BLACK MOUNTAIN BLVD
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Pinnacle
High School
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E ZACHARY DR
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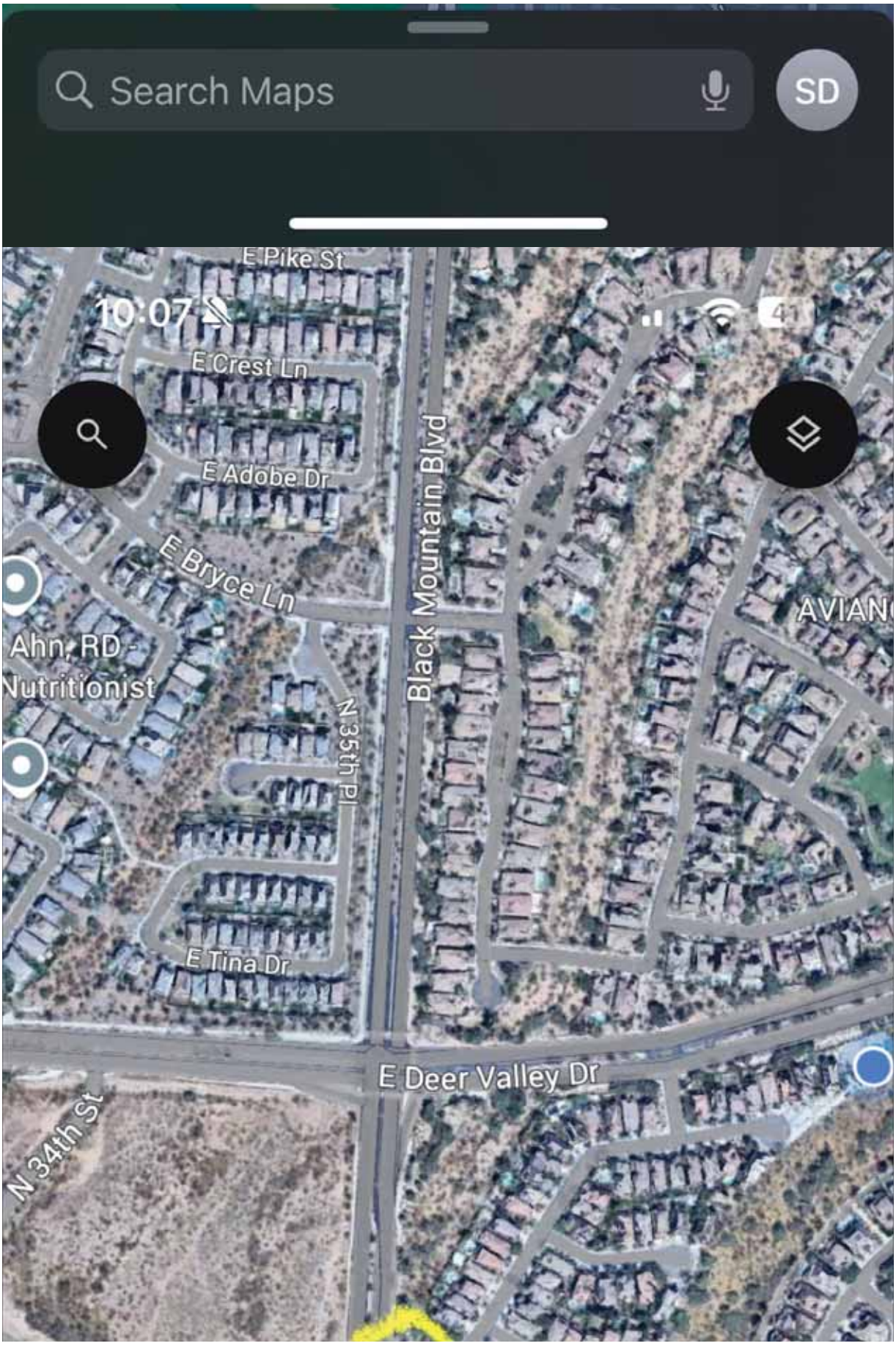
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Nutritionist
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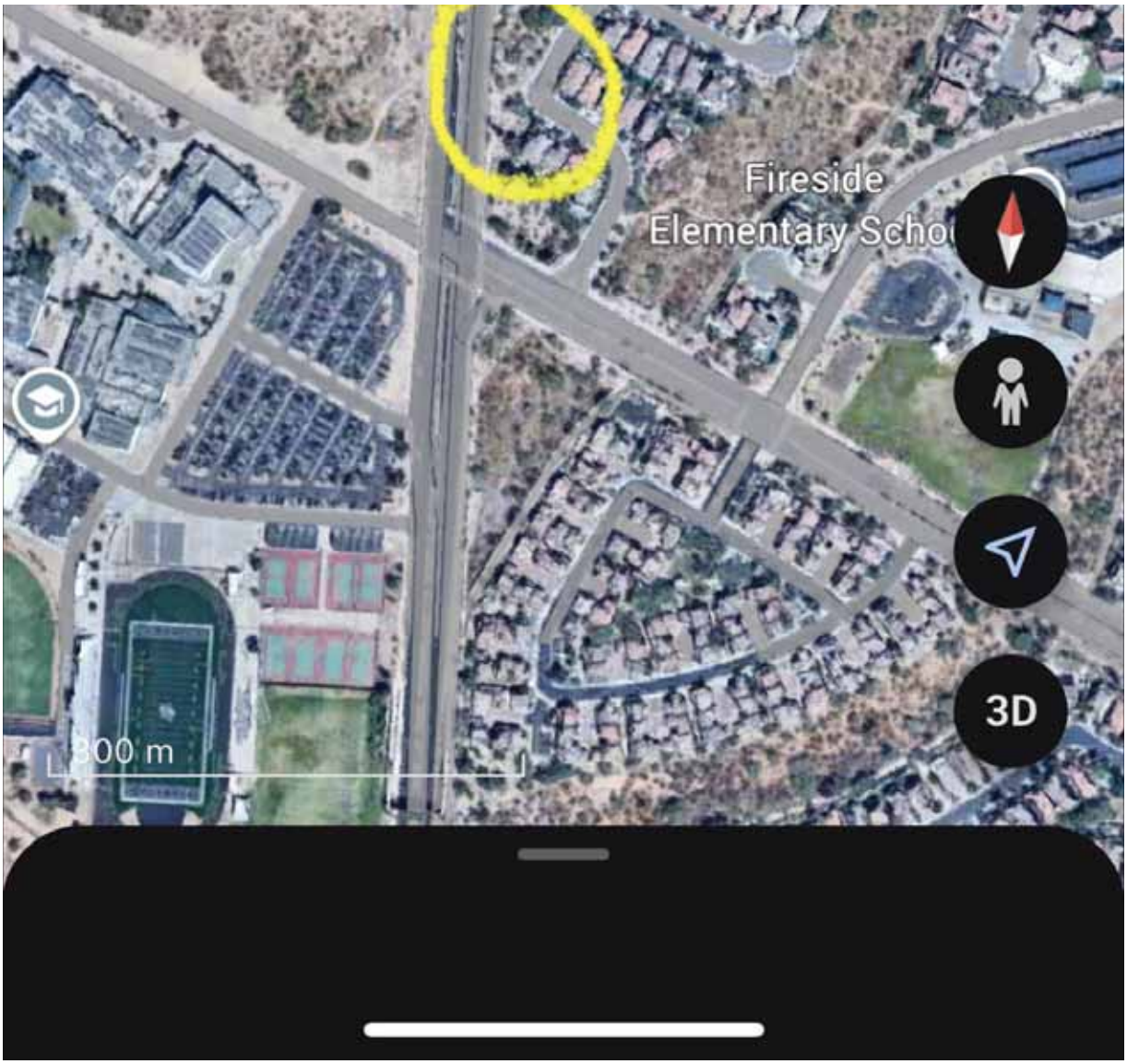
E Tina Dr
E Deer Valley Dr
N 34th St




**CITY OF PHOENIX PLANNING CASE NOS. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, & Z-39-23-2**

Best,

Steve Deacon, CFP®, CIMA®, *Private Wealth Advisor*
CA Insurance License #0H03830
*Five Point Wealth Advisors*
*8925 E Pima Center Pkwy, Suite 135*
*Scottsdale, AZ 85258*
*Phone: 480-948-2416*
*FAX: 480-291-8643*

**www.fivepointwealth.com** [fivepointwealth.com]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[forbes.com]


[forbes.com]

*2023 Forbes Best In State Wealth Advisors, created by SHOOK Research. Presented in April 2023 based on data gathered from June 2021 to June 2022. 22,243 were considered, 7,321 advisors were recognized. Advisors pay a fee to hold out marketing materials. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.*

*2023 Forbes Top Next-Gen Wealth Advisors Best in State, created by SHOOK Research. Presented in Aug 2023 based on data gathered from March 2022 to March 2023. 3738 Advisors were considered, 1464 Advisors were recognized. Not indicative of advisor's future performance. Your experience may vary. Click here [forbes.com] for more award information.*

*Securities and advisory services offered through Commonwealth Financial Network®, member FINRA/SIPC, a Registered Investment Adviser. Fixed insurance products and services are separate from and not offered through Commonwealth Financial Network.

**From:** Andy M
**To:** Anthony M Grande
**Subject:** Cases GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2/Z-39-23-2
**Date:** Wednesday, September 18, 2024 10:35:53 PM

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I live in fireside (3609 e cat balue Dr) and I am opposed to "black mountain village" -- I ask that you keep that lot residential! We do not want it turned commercial and do not want businesses in that area! Vestar should simply use the land a few blocks away at cave Creek and deer valley!

Thanks,
Andy

**From:** Rajesh Gadde
**To:** Anthony M Grande
**Subject:** NO to Black Mountain Village-Case GPA-DSTV-2-23-2/GPA-DSTV-2-23-2/Z-39-23-2
**Date:** Wednesday, September 18, 2024 8:58:15 PM

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Hello Anthony,

After listening to a new revised plan from Vestar, this is my opinion.

I am Rajesh Gadde. I live in Fireside at desert ridge, I would like to formally email you my opposition about building Black mountain village. I think it's going to make our safe neighborhood into a commercial area thus causing danger to kids.
It will create more crime opportunities, noise, litter, pollution, traffic nightmare as well.

We don't want this at all. Please help us on this matter.

Thanks
Rajesh

**From:** Amal Halaby
**To:** Anthony M Grande
**Subject:** Black mountain , zoning from residential to commercial iam voting. No, no, please hear us. Thank you.
**Date:** Wednesday, September 18, 2024 12:02:35 PM

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Sent from my iPhone

**From:** hww33 (null)
**To:** Anthony M Grande
**Subject:** Fwd: Black Mountain Village Proposed Plans for Superblock Parcel 12
**Date:** Wednesday, September 18, 2024 7:10:17 AM

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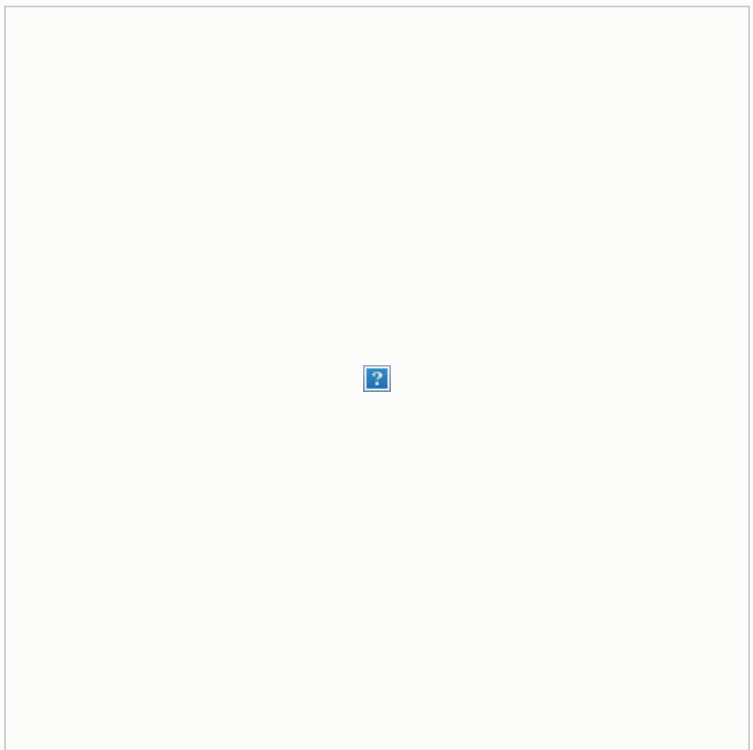
Report Suspicious

Hello Anthony,
I am reaching out to voice my displeasure and to ask for your support with ensuring that Vestar/other corporations are blocked from rezoning from “residential” to “commercial” for the proposed Black Mountain Village in Desert Ridge. The *residential* zoning was absolutely a key factor when we purchased our home and would be devastating to our community if rezoning is allowed. There seems to be plenty of commercial zoning between High Street, Tatum and Cave Creek Roads.

Begin forwarded message:

**From:** Fireside at Desert Ridge <emolenaar-associatedasset.com@shared1.ccsend.com>
**Subject: Black Mountain Village Proposed Plans for Superblock Parcel 12**
**Date:** September 18, 2024 at 7:06:28 AM MST
**To:** zakhouse2333@gmail.com
**Reply-To:** emolenaar@associatedasset.com



[fskj7tgbb.cc.rs6.net]

# Message from the Manager

## Updated Superblock Parcel 12 Presentation

Dear Fireside at Desert Ridge Residents,

Thank you to everyone that participated in yesterday evening's updated proposal towards the rezoning of Superblock Parcel 12 from residential to commercial property. The presentation, approximately 15 minutes in length, using both a hybrid and virtual format, was given by Gammage & Burnham Law, counsel for Vestar Development Co. Upon conclusion of the presentation, representatives attempted to answer related questions using a multi-contact approach with the goal of efficiency.

Specific details from the presented proposal can be found using this link:
**https://www.gblaw.com/blackmountainvillage/ [fskj7tgbb.cc.rs6.net]**

Questions or comments regarding Black Mountain Village can be sent to Rob Lane, Gammage & Burnham PLC, Senior Land Use Planner at (602) 256-4439 or **rlane@gblaw.com**.

The next step in the rezoning process will be a public hearing with the **Desert Village Planning Committee (VPC).**
When: October 1st, 2024 at 6:30 pm
Where: Paradise Valley Community Center, Multi-purpose Room
17402 N. 40th Street, Phoenix, Arizona 85032

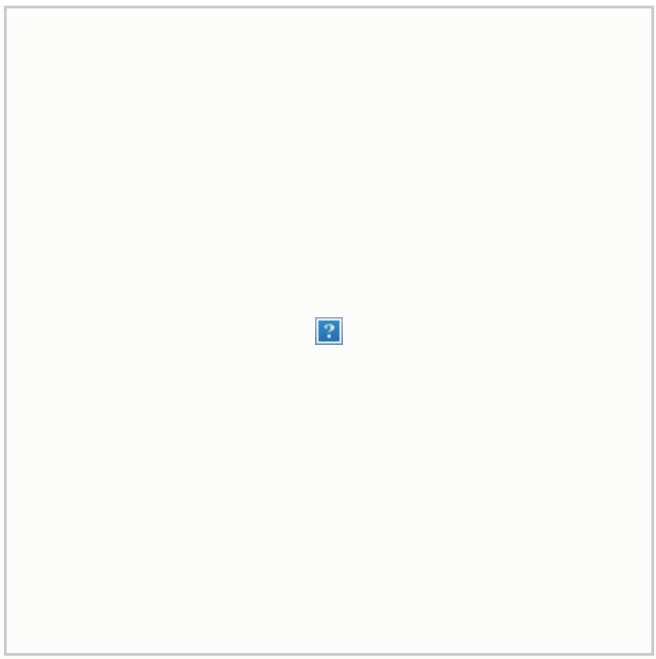
To participate, see the instructions available on the Public Meeting Notices website:
**https://www.phoenix.gov/cityclerk/publicmeetings/notices**

If you would like to voice your opposition or support via written email, contact Anthony Grande, City Planner at **anthony.grande@phoenix.gov** as all received communication is documented.

I can be reached at (480) 214.3357 or emolenaar@associatedasset.com if you should have any questions or concerns.

Sincerely,

Eric Molenaar, CAAM, SLC
Fireside at Desert Ridge Community Manager
On behalf of the Fireside at Desert Ridge Community Association Board of Directors.



[fskj7tgbb.cc.rs6.net]

**Fireside at Desert Ridge Community Association**
3775 E. Lone Cactus Drive
Phoenix, AZ 85050
480.203.2166
**www.ourfiresidedesertridge.net [fskj7tgbb.cc.rs6.net]**

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This message is intended exclusively for residents of Fireside at Desert Ridge. If you have received this message by mistake, please let us know by email reply and delete it from your system.

Fireside at Desert Ridge | 3775 E. Lone Cactus Drive | Phoenix, AZ 85050 US

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**From:** Julia Levene
**To:** Anthony M Grande
**Subject:** Updated Superblock Parcel 12
**Date:** Wednesday, September 18, 2024 9:09:52 AM

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HI Anthony:

As I was unable to make the meeting last night, can you answer a couple of questions for me?

Do the restrictions listed in the development project apply only to this proposal, or will these restrictions be within the confounds of the rezoning to commercial property? Restrictions such as limited size of box store to no more than 65,000 sq. feet, no gas station, low lighting, and restrictions types of tenants allowed etc. In other words, down the road, can another developer or same developer alter what is allowed in this commercial zone and place a gas station there?

Can you describe what is meant by “separate public process” regarding drive through restaurants?

Thanks

Julia

Julia Levene, CMP
CEO
Go West Destinations, Inc.
DBA: APP, Association Planner Partners
3734 E. Ringtail Way
Phoenix, AZ 85050
Phone: 602 320-8323
www.associationplannerpartners.com [associationplannerpartners.com]




pcma member

| | |
|---|---|
| **From:** | John Randall |
| **To:** | Anthony M Grande |
| **Cc:** | John Randall |
| **Subject:** | Superblock Parcel 12 revised proposal Opposition |
| **Date:** | Wednesday, September 18, 2024 7:21:51 AM |

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Dear Anthony,

Thank you for taking the time to read my opposition to the revised proposal for superblock 12 adjacent to our high school.

I have a background serving on both economic development and planning commissions in suburban Chicago for nearly ten years and am generally in favor of development to aid in tax revenues to support local communities. My rare exception to this bias is when homeowner community Zoning is changing to accommodate this development post community build out.

Two of the key determining factors in home purchases are High School rating and community environment which has led to the evolution to planned communities and continued equity growth over time. To disrupt these factors post build out should NOT happen in my view without a minimum of a community vote to represent the true data to decision makers who serve on our community boards and commissions.

It is for these reasons that I vote NO to superblock 12.

Thank you,

John G. Randall
John.randall023@gmail.com
602-919-8150
21709 N. 37th st
Phoenix, Az. 85050

| | |
|---|---|
| **From:** | Matthew Chitwood |
| **To:** | Anthony M Grande |
| **Cc:** | Anne Chitwood |
| **Subject:** | GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 11:53:53 PM |

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Re:GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

The plans proposed by Vestar are NOT in alignment with what the General Plan originally intended this land be used for and I specifically request the Committee REJECT the developer's case.

Matt Chitwood
Fireside Resident

| | |
|---|---|
| **From:** | C Dunn |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE |
| **Date:** | Thursday, September 19, 2024 5:35:25 PM |

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Dear Mr Grande and Members of the Desert View Village Planning Committee -

Unless you have personally been involved with transporting students to and from Pinnacle High School, you cannot appreciate the traffic challenges that occur daily at the intersection of Mayo Blvd. and Black Mountain Blvd. (Please note that this intersection is directly in front of the high school.) We have parents dropping off students. We have inexperienced student drivers pulling into the parking lot. We have traffic heading toward the 51. We have traffic coming off the 51. Plus, we have heavy traffic from Deer Valley, which has now become an alternate route for the 101. In the midst of all this traffic, we have those students who walk to school. Even under the best of conditions, crossing Black Mountain Blvd. and Mayo Blvd. can be difficult. It is not uncommon to see students darting across traffic, crossing against the light, or jaywalking. The situation is formidable for all involved.

Vestar is suggesting their proposed commercial development will benefit our neighborhood. (Please note they would be building adjacent to Pinnacle High School.) They claim it will offer us an alternative shopping experience, while alleviating traffic congestion at Desert Ridge Marketplace. Vestar's suggestion is nothing short of insulting. Their own traffic analysis of 2022 predicted their project would add more than 10,000 vehicles DAILY at the intersection of Deer Valley and Black Mountain Blvd. And that has to be a conservative number now considering all the construction that has occurred since 2022. Add those 10,000 vehicles to the already inordinate number of vehicles navigating Black Mountain Blvd., Mayo Blvd., and Deer Valley on a daily basis and we have a disaster waiting to happen.

We cannot compromise our values. We must think of the safety, security, and

well-being of our children. The negative impact of having a commercial development adjacent to Pinnacle High School and one block from Fireside Elementary school far outweighs any alleged benefits.

Please say NO to re-zoning Superblock 12.
Please say NO to Vestar.

Thank you.

Carolyn Dunn
3752 E Covey Lane
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | SCOTT ELLEFSON |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. |
| **Date:** | Thursday, September 19, 2024 11:24:47 AM |

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Report Suspicious

Dear Sir,

I Strongly Oppose this rezoning proposal.

Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.

Sincerely,
Scott Ellefson
3909 E. Melinda Dr.

Sent from my iPad

**From:** Treye Elzenga
**To:** Anthony M Grande
**Subject:** Resident Feedback I Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23)
**Date:** Thursday, September 19, 2024 9:55:08 AM

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Report Suspicious

Hello Anthony and Desert View Planning Commission,

After reviewing the revised proposal and attending developer led listening sessions for the Black Mountain Village Project (GPA-DSTV-2-23-2; GPA DSTV 3-23-2; Z-39-23), I want to express my strong **opposition** to this project. No amount of money, project design changes, or unsubstantiated claims by the developer or their retained counsel make this project safe for our community. It was fundamentally flawed from the start and approving this project will only provide short-term rewards for Vestar and Gammage & Burnham associates not the community. Once again our City Planning Officials should Deny this project. Commercial real estate on this proposed parcel has no place, no real need, and only increases risks.

Phoenix City Council Women, Ann O'Brien recently noted our cities dire need for housing to meet the needs of a growing population in reference to a proposed Lennar Homes residential housing project near Hurricane Harbor which will provide 300 much needed additional units to our community. Gammage and Burnham flippantly disregards our civic leaders facts based leadership in their revised proposal by stating 'conversion of this property from residential to commercial and the subsequent loss of 236 dwelling units is negligible'. Gammage and Burnham has also represented Lennar Homes on projects in Phoenix and appears to pick and choose when housing projects are valuable to our community based on their interests not residents. Clearly City leaders and Arizona's own Department of Housing identified shortages of over 270,000 housing units across our state in recent facts based studies. As Phoenix metro comprises over 2/3rds of our state's population, we require over 175,000 units to meet the needs of the citizens. We clearly have work to do in an effort to meet that shortage. Rezoning existing housing parcels to commercial property in the heart of a well-established family-friendly community only introduces unnecessary risks and creates tax payer waste in the zoning review process.

Once again, nowhere in this proposal does it acknowledge the most at-risk to traffic related injuries amongst us the pre-school and elementary school children who walk, bike, and run to Fireside Elementary. Living in this community, safety should always be our number one concern as residents. Omitting Fireside Elementary from the traffic studies and written rezoning application responses is negligent and shows clear disregard for our children's safety. Within four hundred yards of this proposed project, we have two schools, Pinnacle High School and Fireside Elementary, which educate pre-school children as young as four years old. Each morning and afternoon families walk their children to these schools from the surrounding homes from the north, south, east, and west. In the bias traffic study completed in November 2022 they fail to acknowledge slower traffic patterns based on holidays, people traveling outside of Phoenix to visit family, and winter residents not yet arriving to the area in addition traffic patterns have evolved after two years. Throwing money at the HAWK system does not solve the problem of increased transient traffic flow, especially off the high-speed HWY 51 into this area, statistically increasing risks for residents, especially our younger children. Simply there is no compelling argument for this project and only increased risk.

While developers will make the case for additional services and unsubstantiated benefits to our community, we must consider the abundance of commercial services that are already available in Desert Ridge Marketplace, along Cave Creek Road, and HWY 51 south. In addition, all these commercial properties have clearly defined borders which create increased safety as to not blend housing, schools, parks, and daily life, with commercial development. Within Desert View we have an abundance of services of all commercial types within one mile. Making the argument that driving one mile creates hardship is another unsubstantiated claim by the developer and fails to acknowledge the abundance of delivery services if someone prefers

alternative commercial services that are not available within one mile. Desert View is not the same as an urban core, such as downtown Phoenix. Lack of concrete detail is consistent throughout the rezoning application, while there is an abundance of words and feelings including 'potentially' and 'we feel' it fails to acknowledge key considerations as I have outlined.

Vestar owns Desert Ridge Marketplace and Gammage and Burnham outlines in their own words the developments failures to manage traffic congestion and parking. Why would we trust the same developer to deliver different results when they themselves acknowledge these failures. Fool me once let's not make it twice especially next to our children's schools and family homes. We have an opportunity to put families and our youngest citizens first by **DENYING** this project. Thank you for your thoughtful consideration of the data, facts, and real impact on our community for the long term. I appreciate your support in **DENYING** this rezoning request for the second time.

Treye Elzenga

Resident City of Phoenix - Desert Ridge

| | |
|---|---|
| **From:** | Dave Evans |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning Proposal Case GPA-DSTV-2-23-2 and Case GPA DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 5:10:41 PM |

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Report Suspicious

Dear Mr. Grande,

I am a longtime Fireside resident (since 2013), living literally a stone's throw away from Black Mountain Blvd across from where the proposed site is located. I recently attended the presentation by Vestar at the Fireside Community Clubhouse on September 17 regarding the updated proposal plans for superblock parcel 12. I went into the meeting with an open mind curious as to the amendments and changes they had made. After hearing their presentation and seeing their proposed plans I can assuredly say I AM NOT in favor of this proposal. Regardless of how they attempt to build out this commercial center and update the corresponding streets around it, the traffic in this area is going to become a nightmare and even more unsafe. I have lived here firsthand through the addition of the Route 51 on/off ramp and have already noticed the influx of traffic on Black Mountain Blvd, including late night motorcycle racing, street racing, and unfortunately a few serious accidents.

Vestar says they want to add a destination grocery store such as Trader Joes or Whole Foods for just our surrounding neighborhoods. They are extremely naive to think this will not be a huge draw for individuals driving in from all areas to go to this store, adding to increased traffic all day long, safety issues, noise pollution, and making it more dangerous for residents (and students) of this area to navigate safely in and out of their own neighborhoods. Throw in the fact that this is NEXT DOOR to Pinnacle high school and I can't believe Vestar believes it's a good idea to put a proposal together that will degrade and endanger the safety of the students and residents who reside here. Have you seen the traffic and safety issues at Paradise Valley High School on Bell Rd.? We do not deserve to have that brought to our neighborhood. If Vestar is so determined to bring a new commercial shopping center to our area they need to find another location that was not already zoned for residential housing. I hope you will seriously consider the implications of this disastrous proposal and take steps to keep it from being implemented. Thank you for your attention to this matter.

Respectfully
David Evans

**From:** Shelley Flecky
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Re: Resident of Fireside - against rezone Black Mountain Village
**Date:** Thursday, September 19, 2024 9:11:05 AM

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Report Suspicious

I sent this a year ago, and my thoughts have not changed. Please keep zoned as single family homes.

Thank you,
Shelley Flecky

> On Sep 13, 2023, at 9:44 PM, Shelley Flecky <shelleyflecky@gmail.com> wrote:
>
> Hello,
>
> I have been a resident of Fireside Desert Ridge since 2011. I now have a son at Pinnacle High School. I am strongly against re-zoning the area by his school to commercial. This was not the original plan and definitely after all the growth in this area should not be the new plan. Traffic on Black Mountain Blvd is horrendous and downright dangerous during school hours. I don't think it is a safe place to add more congestion. Please do not re-zone! The community does not want this.
>
> Thank you,
> Shelley Flecky
> Referencing case numbers GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

| | |
|---|---|
| **From:** | JG Ford |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 5:29:21 PM |

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Report Suspicious

Hello Mr. grande,

I hope you can see by the mass amounts of emails you are receiving to oppose this Vestar rezoning idea that is not what the majority of affected homeowners want, nor do we need it. Are there a few who want it, sure.

I strongly oppose this and want it to remain zoned for single family homes ONLY! We did not buy here to have it rezoned for commercial use.

Vestar has been diligent with their fake marketing and published articles that residents want this and that it was the Arizona State Land Department that approached Vestar, when the state in fact did not.

And it is no coincidence that the next scheduled meeting is Oct 1st during our Fall Break where many families, like mine will be out of town and unable to attend. Why? Well it's a planned strategic move so less of us can attend.

Please do the right thing and stop this from moving forward. What if you lived up here, I don't believe you would welcome and embrace this unwanted change and increased traffic in your neighborhood.

Thank you for applying your ethical consideration from a homeowner's perspective to stop this from going any further.

Respectfully,

Jay Ford

**From:** Susan Forkos
**To:** Anthony M Grande
**Subject:** Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.
**Date:** Thursday, September 19, 2024 10:40:31 AM

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Report Suspicious

Good morning,

I have had the opportunity to attend the meeting at the Fireside Clubhouse and cannot be more disappointed in this presentation. It really lacks the "buy in" that I thought I would have after this discussion. The key points to the community not being in favor are the unfavorable aspects of driving more traffic to the neighborhood, types of retailers, possibility of junk fast food, and the list goes on. I was in favor of another grocer in and around Desert Ridge but I am now in favor of SCRAPPING this proposal and moving forward with the land being developed into housing, and parks that would not increase traffic at key times throughout the day.

Key takeaways I was left scratching my head:

-Vestar was approached to develop this area? I have no buy in on this statement. So then Vestar should have looked at the value of other properties. Even the ones at Pinnacle Peak. This area would be ideal! And remember Whole Foods built nowhere near housing and people flock to it. No one in the neighborhood is driving towards the high school except for key times during the day which is a traffic nightmare. We all drive away from the area for shopping and knew we would be doing that when we bought our homes. That was one of the appealing qualities of Desert Ridge.

-Traffic, traffic and more insane traffic...Too much traffic would be directed and come off the 51 and Mayo to go to NEW shopping, there still is no clear answer as to how this would affect the area as far as noise pollution and added car pollution in general. Also, the influx of cars at 633 parking spots is a huge amount of cars to add to the daily drop off/pick up routine. There was no clear answer. There is currently a high traffic issue in this area, with accidents and injuries. Increasing this would not be helpful. We see what a mess Tatum is at the turn into Albertsons and InNout burger. It's a disaster. Parking lot would become drop off and pick up and overflow parking for the school that is already bursting at the seams.

-Types of retailers. YES, this matters. When you do not know what is going in and you are at the mercy of the land developer taking the highest bid, you get what they want. Which is retail dedicated to convenience of a highway offramp. Not retailers dedicated to increasing the value of our properties. I was told they cannot be selective and will take whoever bids on the parcels. Look at several other shopping centers, you currently don't see McDonalds or ChickFilA at the scottsdale quarter, do you? you have million dollar homes right across the street that fear the smell of grease and pollution of delivery trucks. Not to mention increasing

foot traffic, loitering and the list goes on and on.

-size retailers down to 65,000 sq ft.?? They were talking about this may be a prime spot for Sprouts or Trader Joes but we are talking 65,000 sq ft which is the current size of the Albertsons. A Trader Joes shop is typically 10-12,000 sq ft. So I have no interest in a major store right next to a high school. This area cannot accommodate the traffic for the size Albertsons that is at Desert ridge, it is ridiculous to think it can.

-decreased property value. NO one answered this question. And no one would know until we get a list of retailers.

-education money trade off. No where did this say the trade off would directly go towards the two schools located near this property, while this seems like a nice trade, our neighborhood schools would only see a small fraction of this money, if any?

I am overall disappointed in the outcome and changes they have proposed. Adding a busy shopping plaza is not a good idea for this location and I cannot back it or get on board with this decision to change the zoning. The lot is just too small to house a 65,000 sq ft grocer plus handfuls of stores off the highway ramp near an already busy school intersection.

So please add my commentary to the list of people that oppose the rezoning of this land. I absolutely do not approve their proposed plans. Vestar clearly is in it for the money, not the benefit of our community.

Thank you,

Susan Forkos

**From:** harrisonmccrae88@icloud.com
**To:** Anthony M Grande
**Subject:** We don"t want Black Mountain Village
**Date:** Thursday, September 19, 2024 11:23:42 AM

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Report Suspicious

To whom it may concern,

We who live in residential areas such as Fireside, do not wish for more traffic going by homes as it will cause much disturbance to our communities. Case Numbers: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

| | |
|---|---|
| **From:** | Todd Jennings |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 4:34:49 PM |

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Report Suspicious

Mr. Grande,

I recently attended the presentation by Vestar at the Fireside Community Clubhouse regarding the proposed plans for superblock parcel 12. While I initially supported the idea of having another grocery store nearby, I now believe that rezoning this area for commercial use would not be a good decision. After reviewing the plans, it's clear that traffic will become a significant issue, even with the proposed lane expansions and additional sidewalks.
Currently, most residents drive away from Pinnacle High School for their grocery shopping. Placing a supermarket right next to the high school will not only draw local residents but also people from outside the community, significantly increasing traffic in the area. This rise in traffic will bring a higher risk of accidents, especially concerning the safety of children who attend the high school and live in the surrounding neighborhoods.
In addition to safety concerns, the increased traffic will lead to more noise, disrupting the quiet environment many of us value. Personally, when I shop at stores like Whole Foods, Sprouts, or Trader Joe's, I travel away from the school. If a grocery store is built here, it will bring more congestion, more noise, and more pollution to our streets.
I believe the best option would be to keep the zoning for single-family homes as it currently is

T Jennings

| | |
|---|---|
| **From:** | Kris |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2. |
| **Date:** | Thursday, September 19, 2024 4:30:43 PM |

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Report Suspicious

Hello Mr Grande. I am writing regarding the above rezoning proposal. I live in Fireside and have had children attend the local schools as well as Pinnacle High School.

If you don’t live in the area, it is really hard to understand the traffic problems we have around the High School. There are also major issues, outside of school hours, from traffic coming from 51 to Black Mountain. People coming from the highway blow through the stoplight and accidents occur. Unfortunately one of those happened to my son. We were extremely fortunate no one was injured as his car was t-boned and completely totaled.

Also I can’t imagine anything worse than having a shopping complex close to a high school. All you have to do is ask the shop keepers at Desert Ridge Marketplace the havoc the kids create there after school is let out. I can’t imagine this enhancing our property values.

There are currently so many shopping choices within a 5-10 mile range that we really do not need more that aren't already zoned for this purpose. I would strongly urge you to reject a proposed zoning change to this area.

Thank you for your time.

Kris

Sent from my iPad

**From:** Craig Liguori
**To:** Anthony M Grande
**Subject:** Superblock parcel 12 I vote NO
**Date:** Thursday, September 19, 2024 1:00:09 PM

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Report Suspicious

Anthony,

As a taxpayer whose house backs up to Black Mountain boulevard (Just north of the pedestrian foot bridge), I OPPOSE the development of Superblock 12 parcel of land.

We as a community already have a problem with the school and its inability to abide by the City of Phoenix Noise Ordinance, so until the High School can stop harassing its neighbors by sounding a segment timer every 5 minutes during football practice that can be heard in my house
Playing music that can be heard in the adjacent neighborhood that includes graphic words like: [redacted], [redacted], [redacted], [redacted], and [redacted], I do not consider it a prudent move for the city to continue to expand until they can handle the current situation.

I have brought this issue to the School, and the School District. Both entities still chose to not take any action. It is time that city officials start doing their job and following / enforcing the laws that they pass.

Craig Liguori
480-519-9436

| | |
|---|---|
| **From:** | Martina McConnon |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village Proposed Plans for Superblock Parcel 12 |
| **Date:** | Thursday, September 19, 2024 8:27:56 AM |

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Report Suspicious

Dear Mr Grande,

I attended the recent presentation by Vestar at the Fireside Community Clubhouse in regards to the proposed plans for superblock parcel 12. While I had been in favor of having another grocer in the vicinity, I am now convinced that it's not a good idea to rezone that area for commercial space. Looking at the presented plans, and even with the planned lane increases and separate sidewalks, it's very clear that traffic is going to be a huge issue. Currently all residents are driving away from Pinnacle High School to do their grocery shopping. If there is a super market right next to the high school, not only are the people who live in the surrounding communities going to drive there, it's also going to draw people from even further away. Right now, when I want to go to a Whole Foods or Sprouts or Trader Joes, I'm driving AWAY from the high school. If there was a grocer, anyone who likes to shop at that type of market will drive to Black Mountain Village, increasing traffic on all surrounding streets, increasing the risk of accidents and definitely increasing pollution.

I would like to keep everything as it is, with the area being zoned for single family homes.

Thank you for your consideration.

Best regards,

Martina McConnon
3826 E Cat Balue Drive
Phoenix AZ 85050
cell 610-577-4982

Thanks!

| | |
|---|---|
| **From:** | heather moss |
| **To:** | Anthony M Grande |
| **Subject:** | NO to Black Mountain Village - case #'s: GPA-DSTV-2-23/GPA-DSTV-3-23-2/Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 11:24:55 AM |

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Report Suspicious

Dear Anthony,

We are opposed to changing the residentially-zoned plot of land to commercial property.

We are against the Black Mountain Village proposed by Vestar.

We want to keep our high schoolers safe and keep our community protected, NOT increase the unbelievable amount of traffic that will bottleneck the Black Mountain freeway exit and surrounding roadways. We were told the area was all going to be residential when we chose to purchase at Fireside and make this place our home. Now some big corporation has the right to change that?!

Please take our homes and families in to consideration before agreeing to building this horrible commercial project. Thank you.

Sincerely,
Heather McCrae

| | |
|---|---|
| **From:** | Dennis McWherter |
| **To:** | Anthony M Grande |
| **Subject:** | Opposition for Black Mountain Village (GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2) |
| **Date:** | Thursday, September 19, 2024 6:51:26 AM |

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Report Suspicious

To Mr. Grande:

My name is Dennis McWherter and I am a resident of Fireside at Desert Ridge. I understand that you are the City of Phoenix's point of contact related to the Black Mountain Village project proposed by Vestar (GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2). I wish to voice my **opposition** to the proposal as you consider it.

Rezoning this land for commercial use will invite more traffic to an already precarious location due to the higher-than-average concentration of new drivers coming to and from Pinnacle Peak High School. It will also extend the hours under which there is heavy traffic in the area. Furthermore, a commercial development in the area may encourage unwelcome loitering. As a father of young children, I do have concerns about their safety in such an environment. I find that the efforts to rezone the intersection of Deer Valley Dr. and Black Mountain Blvd. to be actively harmful to the community residents. With the Desert Ridge Marketplace approximately 2 miles away and plenty of other shopping complexes easily accessible within minutes through SR-51, it does not serve a community need and it makes the area less safe.

Allowing this land to be developed under its current plan for single-family residential better fits the needs for our community. The current residential zoning also addresses a critical need among our broader and rapidly growing Phoenix community: increasing the supply of available housing in the valley. I urge the planning committee to **reject** the proposed rezoning for this project.

Thank you for your consideration.

Regards,
Dennis McWherter

**From:** Sara Millett
**To:** Anthony M Grande
**Subject:** Black Mountain Rezoning Issue
**Date:** Thursday, September 19, 2024 2:02:11 PM

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Report Suspicious

Mr. Grande,

am writing you to express my opposition to Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-2.
As a Fireside resident of 13 years, and a parent of a teenager and a pre-teen, I think this is a dangerous option for our community. The existing traffic nightmare near Pinnacle High School will only be exacerbated by the addition of a commercial center. We need solutions to make the intersections around the high school safer, not the opposite.
I urge you please to prioritize the safety of our children and newly driving teen high school students.

Sincerely,
Sara Millett
3845 E Cat Balue Dr
Phoenix, AZ 85050

| | |
|---|---|
| **From:** | Michael Moskowitz |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village Proposal |
| **Date:** | Thursday, September 19, 2024 8:09:48 PM |

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Dear Mr. Grande,

I am writing to express my descent regarding the proposed plans for Superblock Parcel 12. I have been a resident and homeowner at Fireside in Desert Ridge for 13 years. What was once a quiet neighborhood has transformed into a thoroughfare, and I fear that the addition of another shopping center will exacerbate this issue. Traffic and noise levels have continued to rise, and I am apprehensive about the further impact this shopping center would have.

The Desert Ridge Marketplace is already quite convenient, and efforts should focus on enhancing this area rather than adding more commercial development.

I urge you not to change the zoning for this land to commercial use.

Thank you for your attention to this matter.

Sincerely,
Michael Moskowitz

**From:** Marisa Oconnor
**To:** Anthony M Grande
**Subject:** Black Mountain rezoning
**Date:** Thursday, September 19, 2024 10:06:57 AM

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Report Suspicious

Mr Grande,

I am writing you to express my opposition to Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-2.
As a long time Fireside resident and parent of Pinnacle HS students, I think this is a dangerous option for our community. The existing traffic nightmare near the high school will only be exacerbated by the addition of a commercial center.
I urge you please to take into consideration the safety of our students many of whom are brand new drivers!

Thank you!

**From:** Rebecca Moretsky
**To:** Anthony M Grande
**Subject:** Super block Parcel 12 plans
**Date:** Thursday, September 19, 2024 10:18:42 AM

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Report Suspicious

Dear Mr. grande,
I'm a resident of Fireside with 2 children in nearby elementary and middle school. Next year we'll have a son at Pinnacle Highschool and I'm already concerned about the terrible traffic and delays on black mountain blvd and deer valley. I'm also a medical provider so delays getting to work are an issue. I'm deeply concerned about the significant increase in traffic if the land is used for grocery store. That corner is dangerous for walking students and young drivers already. I'm in favor of residential property in that area as this will not bring in the same number of additional people to the already congested area. Thank you for your consideration.
Sincerely,
Rebecca Reedy
Sent from my iPhone

| | |
|---|---|
| **From:** | Richards, Dan |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE |
| **Date:** | Thursday, September 19, 2024 2:54:08 PM |
| **Attachments:** | Grocery Store options.pdf |

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Report Suspicious

Mr. Grande,

I submitted something last year depicting the amount of gas stations that were in near Deer Valley and Black Mountain Blvd. With Vestar eliminating the gas station from their proposal, I wanted to focus on the fact that we have plenty of grocery stores available in the surrounding area. Vestar used a graphic last year in some of their meetings stating that Desert Ridge Marketplace is the only grocery store location in a 5-mile radius. That is simply not true at all! Their graphic was only using a 5-mile range to the north of this property, and not looking south. Even if you only looked to the north, they were still not being honest. Fry's has a location at Tatum and Cave Creek Road that is just under 5-miles from this property. Sprouts at Scottsdale and Pinnacle Peak is also just under 5-miles.

If we start looking to the south of this parcel of land as well, then the options are incredible. You don't even need to use a 5-mile radius to start running into multiple grocery stores of the same name. Within a 4-mile radius neighbors can choose between 3 different Fry's, 2 different Albertsons, a Safeway, a Basha's, ALDI, Food City, a Sprouts Market Express, Walmart, Costco, and Target. If we increase this to a 5-mile radius, we add 2 Sprouts, a Whole Foods, another Frye's, another Safeway, and a WinCo Foods.

There is no need to be concerned about the undeveloped land to the north of Pinnacle Peak. Once they start looking into developing the next super block to the north of Desert Ridge then we can all start worrying about adding more grocery stores to that part of town. The neighbors that live directly adjacent to the land at Black Mountain and Deer Valley do not want to see this as a commercial property. We moved to this area to be away from the commercial portion of Desert Ridge. Nobody is running out of gas just trying to get to a grocery store. We don't' want Black Mountain Village. Please reject Vestar's proposal to rezone this land.

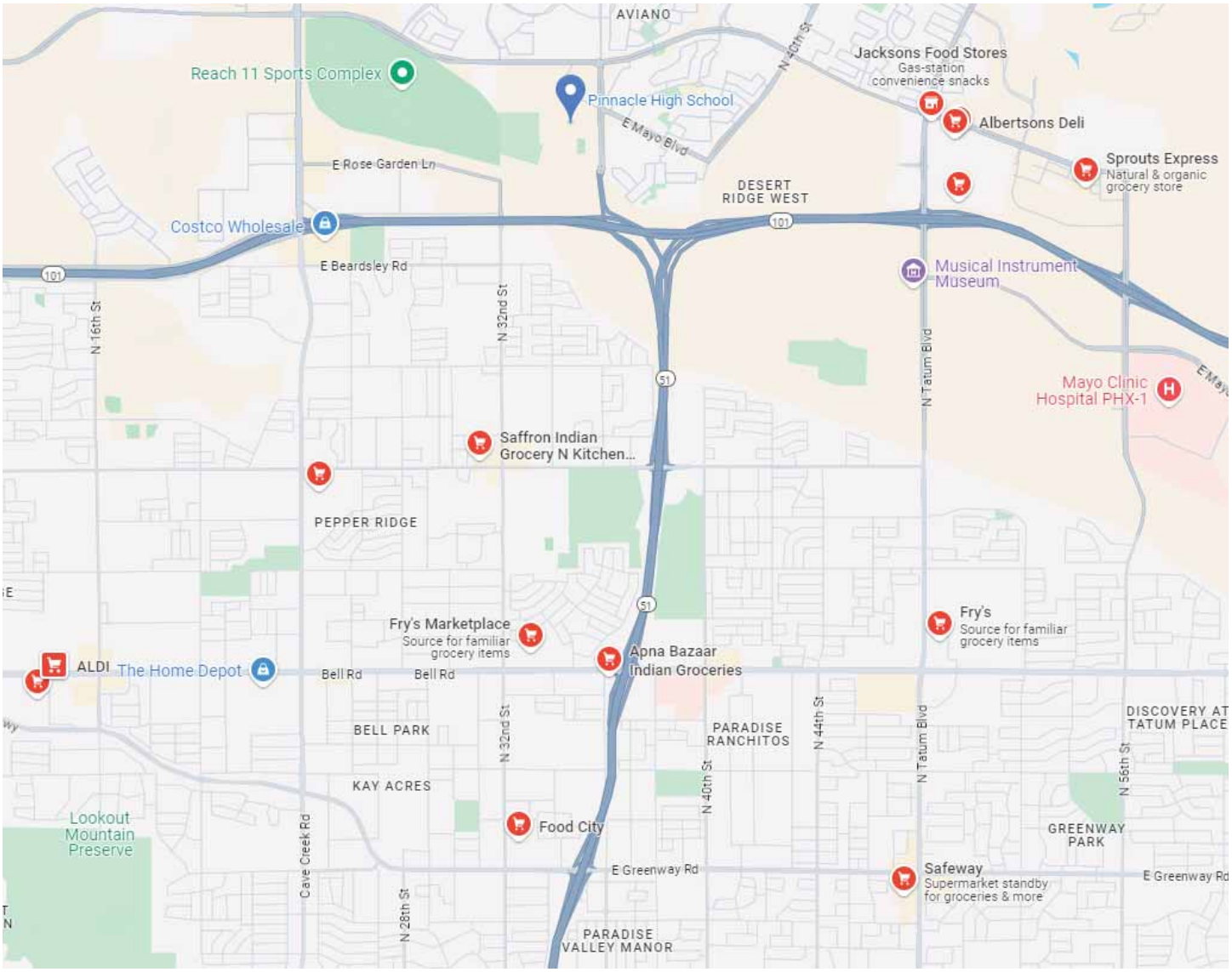
Sincerely,
Dan Richards

# DESERT RIDGE IS NOT LACKING GROCERY OPTIONS

**FORGET ABOUT A 5-MILE RADIUS!!!!!!**

**Grocery Stores within a 4-mile radius of Pinnacle High School include:**

- 3 Fry's
- 2 Albertson's
- Safeway
- Basha's
- ALDI
- Sprouts Market Express
- Food City
- Costco
- Walmart
- Target



| | |
|---|---|
| **From:** | wroodenburg@cox.net |
| **To:** | PDD Planning Commission; Council District 2 PCC; Mayor Gallego; PDD Desert View VPC |
| **Cc:** | PDD Long Range Planning; Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE opposition. |
| **Date:** | Friday, September 20, 2024 8:12:09 AM |
| **Attachments:** | PlanningCommitteePhotoAppendix.docx |

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Report Suspicious

Dear Planning committee members, Mayor, Councilman,
The above mentioned proposal to rezone a residential area in Desert Ridge to commercial has been "amended" by Vestar with the elimination of the gas station and will be starting the process all over again starting with the Desert View Village Planning committee on October 1st.
This commercial center is proposed to be right next to a high school and elementary school and our residents think this is irresponsible and unacceptable to even consider.
(Please see the attached PhotoAppendix for the traffic nightmare we endure and the unsafe situations our kids navigate to get to school and the drone footage on our website:
**DefendDesertRidge (godaddysites.com)**
**[defenddesertridge.godaddysites.com])**

Since the January 4th continuance was granted, Vestar and their lawyers will claim this to be "working with and listening to the community". They even have stated in a community meeting that ASLD approached THEM about developing it.
Both statements are very far from the truth.
The plan before you was already mentioned back in December of 2023 where they already indicated that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft, which equals their original submission.
We requested the origin of this proposal and according to Arizona State Land department official reply - "**The Desert Ridge Community Association (DRCA) has said additional grocery anchored retail is needed in Desert Ridge.**".
Does the president of an HOA have the authority to represent a whole community without any involvement or poll results of their residents?

Would any of these parties have listened to the community, they would have heard many people say that starting a commercial center next to schools is completely unacceptable.
The negative impact on the students is unacceptable, the increased traffic will be unacceptable.
There are plenty of grocery stores in the area and other pre-approved commercial zoned parcels available.(See attached DR zoning)
900+ people have now signed our petition.

I'm sure you have heard it all before, but are we really all just the regular "not in my backyard" complainers in your view? Or are we genuinely standing up for the future and safety of our kids and in our community?
I am writing to you to please consider our concerns and recognize that this proposal is a big mistake that will have long lasting negative consequences for the desert ridge community.

Also, please consider that we, as residents, have been led to believe that;

- We bought our homes within the Desert Ridge master community which had specifically dedicated land to a commercial core away from schools.
- The city has put in place stringent rezoning requirements that stipulate that rezoning should not be a detriment to adjacent properties, neighborhoods and public welfare (and student safety I want to add)
- The city is actively campaigning for Vision Zero Road Safety Plan to reduce the number of traffic and pedestrian casualties. Even established an office for pedestrian safety. Not double the traffic around an already congested school drop off area that would increase the chances of casualties.
- The city is actively campaigning for Safe Route To Schools. In our area a lot of students walk to school from their homes and have to cross an already dangerous junction at Mayo blvd and Black Mountain blvd.
- Arizona State Land department is selling land to fund public education and works on behalf of its trustees, the students. Allowing this proposal would do the exact opposite and harm the students and the schools around it.
- Our Desert View Village Planning committee is your first line of defense to filter out unacceptable proposals to avoid wasting everybody's time at City Hall. These appointed people are representing our community in this process and have voted 9-1 against this proposal as well.

We compel the village planning committee review all the concerns and emails and attachments from last year and reach the same conclusion that this proposal should be dismissed immediately and without compromise.

A quick summary of events timeline ;

- Rezoning case:
    - Vestar is seeking to rezone 22 acres of the 77 acres of land from Residential to Commercial which is part of Superblock 12-section L.
    - The land is owned by the ASDL and is situated with the Desert Ridge Master Community, adjacent to Pinnacle High School and a block away from Fireside Elementary School.
    - Residents oppose ; (See previous case material for full details)
        - due to the proximity of alcohol and cigarettes and fast food sales near schools.
        - And Paradise Valley School district has sent 2 letters in which they share significant and valid concerns.
        - due to the increasing traffic safety issues and pedestrian casualties (evidence by Vision Zero – Road Safety Action Plan)

the widely known detrimental impact and pollution of commercial centers on our respected community. (Noise,Light,Odor,Gasoline,Idling cars, etc)

- On August 25th ,2023 – Lennar Construction has applied for the remainer 55 acres of Superblock 12L for Single Family Residential development.
    - This is what Superblock 12 is already zoned for. (Residential 2 to 5 du/ac)
    - This is already approved in the Desert Ridge master plan and is in line with the Phoenix general plan.
- On October 3rd, 2023 - **by a vote of 9-1 - this rezoning request has already been denied by our Desert View Village Planning committee**. Committee members that are appointed by the councilman and represent and live in our area.
- On November 2nd, 2023 we appeared at the Planning Committee meeting where we learned that Vestar requested a continuance and even negotiated with the opposing core resident group to make it 60 days – because of the holidays, etc.
    - The reason that they provided was that they needed to have another review meeting with the ASLD to review their amendments.
    - We agreed on the condition that they would share these changes in time for our review and that stipulation was noted by the chairman.
- On December 11th, 2023 the opposing core resident group was invited to meet with Vestar executives to review these changes.
    - However, nothing was further from the truth.
    - They shared that no meeting with ASLD was held, no changes were made.
    - This meeting was clearly a bait-and-switch for an opportunity to find out what changes we might be comfortable with.
    - The meeting ended with a verbal commitment that they would be willing to drop the gas station and reduce the grocery size to 65,000 sqft. (Their original submitted and approved plan submitted with the state….)
- On January 4th, 2024 the city planning committee granted Vestar an "indefinite" continuance.
    - They were not asked to pay the cost for this continuance and continue to waste the valuable time of these committees.
    - They were allowed to "work with the community" for the past 8 months and are now presenting the original plan from October 2023
    - They are now presenting "Shops" in their drawing that will be converted to the dreaded Drive through restaurants "after Use permit hearings" are complete. There is no time in the world for residents to continue to battle these

Whilst Vestar is claiming to care for Desert Ridge and boasts about their involvement, the blatant stalling tactics deployed in this case should not be tolerated and residents should not be asked to have this request hovering over our community for any longer.

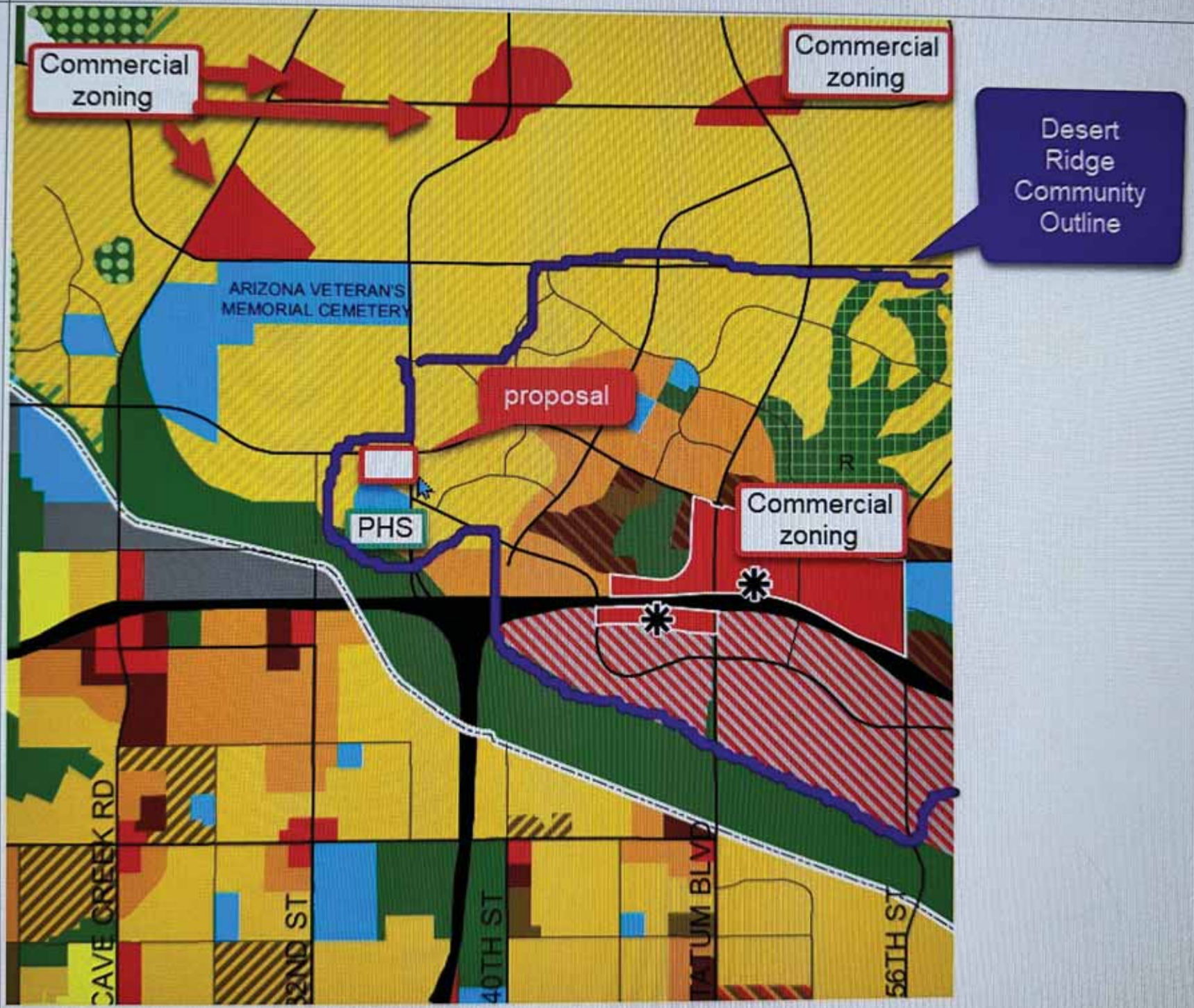
This proposal is starting to cause undue hardship for our community.
We're fighting for our community character and Residents cannot be asked to fight Vestar, their disingenuous actions and their attorneys for much longer. It's not a level playing field.
Families that already have busy lives and volunteers like yourselves shouldn't be treated like this by Vestar and their attorneys.

The October 1st VPC  meeting is in the middle of our school vacation! We shouldn't be asked to come to meetings where nothing new is being discussed, nor should this committee.

My name is Wouter Roodenburg and live on 21507 N 39th Terrace in Phoenix and I'm a long time resident of Fireside in Desert Ridge and I oppose the case.
Please add this email to your case file and reports

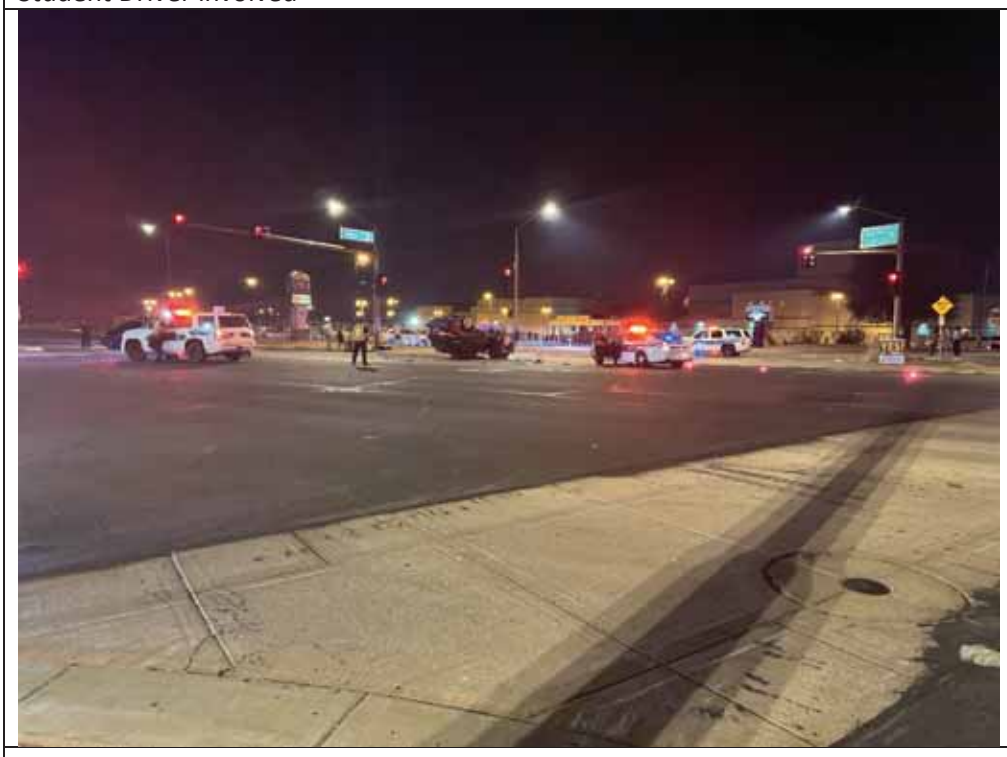
I appreciate your consideration.
Regards,
Wouter Roodenburg.

**DefendDesertRidge (godaddysites.com) [defenddesertridge.godaddysites.com]**


Commercial zoning
Commercial zoning
Desert Ridge Community Outline
ARIZONA VETERAN'S MEMORIAL CEMETERY
proposal
PHS
R
Commercial zoning
CAVE CREEK RD
32ND ST
40TH ST
TATUM BLVD
56TH ST

Appendix In reference of case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2

October 21st – Home Coming Pinnacle High school
Rollover Accident on Black Mountain Blvd and Mayo
Student Driver involved



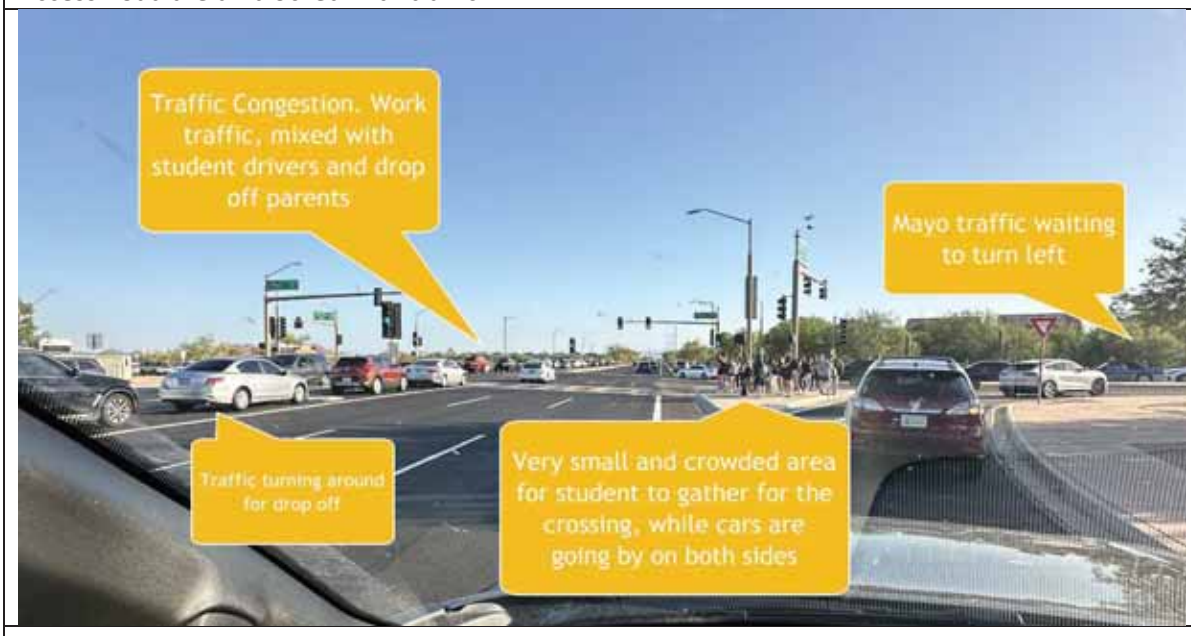
October 31st – Morning traffic Pinnacle High school
Accident on Black Mountain Blvd and Mayo
Student Driver involved



Morning Traffic MAYO Blvd
Access Road are all blocked with traffic



Morning Traffic – INTERSECTION Black Mountain Blvd and Mayo Access Road are all blocked with traffic



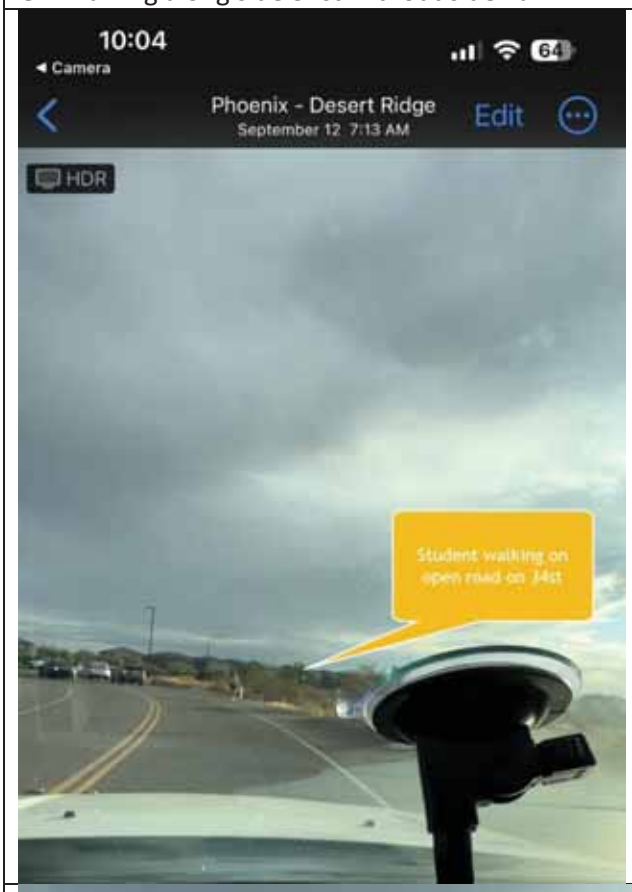

Morning Traffic – Kids walking to school, crossing wherever they feel like



Morning Traffic – Deer Valley.
Frustrated drivers making dangerous manouvres to cut into waiting lanes



Morning Traffic
Girl walking along side 34st without sidewalk






Morning Traffic blocking the Deer Valley Intersection





COMMUNITY SPIRIT

Fireside Halloween Parties

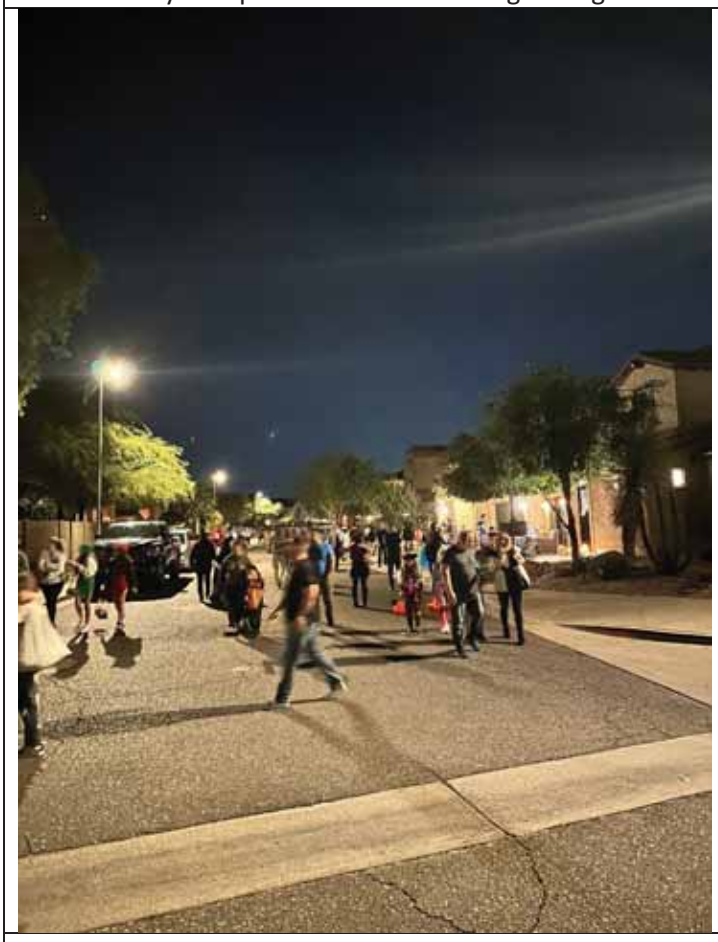
Connected community where neighbors know and help each other

A community that puts effort into creating a safe environment





Fireside Halloween Parties
Connected community where neighbors know and help each other
A community that puts effort into creating unforgettable memories for their children



**From:** Rob Schmitz
**To:** Anthony M Grande
**Subject:** Letter opposing case number GPA-DSTV-2-23-2 / GPA-DSTV-3-23-2 / Z-39-23-2
**Date:** Thursday, September 19, 2024 4:52:37 PM
**Attachments:** Desert View Village Planning Committee.docx

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Hello Anthony,

Please find my letter attached in opposition to the above cases.

Thanks,

Rob Schmitz

Desert View Planning Committee,

My name is Rob Schmitz and I'm a resident of Fireside in Desert Ridge. I am a Fire Chief, husband and most importantly a father. I have been in the fire service for almost 20 years and have a degree in Emergency Management. As a firefighter you are always learning and working to get better at your trade, this includes training locally, statewide, and federally. This comes with many experiences and a whole lot of connections and I have relationships with many law enforcement officers and even folks at the Arizona Counter Terrorism Information Center. I share all of this with you to give credibility to my statements on this proposed Black Mountain Village development.

Having a development this close to a school will definitely increase the potential for both human and sex trafficking, narcotic use and sales, and other unsafe conditions to the 2,400 plus children that attend Pinnacle High School. The access for the bad folks that prey upon children will increase in the large parking areas where children will definitely congregate both for pick up and drop off, during school activities and children looking to hang out. We know there have been incidents at the Desert Ridge Market Place and that is not right next to a school, this proposal is not only right next to the school but has a proposed HAWK crossing to encourage the flow of children into this commercial area.

There will also be added traffic which will increase the potential for accidents. Drivers are very distracted today and unfortunately so are most pedestrians, have you seen all the people that walk down the sidewalk and their heads are down looking at their phones? This is an added safety concern for all the pedestrians in this area being right next to the school. Do we want to add any additional risk to the 2,400 plus children that come and go on a regular basis? We have many before and after school activities on top of all of the coming and going just getting to and from school, it is a very busy area already and we don't need a commercial development to add to that.

This committee voted this proposal down 9-1 less than one year ago, it was voted down for the concern of safety for all of the kids today and all of the kids in the future. After this Vestar stopped pursuing this and made minor changes, but none of them got to the core of the issue and that is safety for our children. When Desert Ridge was originally planned this was not the vision, let's keep that vision and the vision the city of Phoenix still has today, no commercial development on this land. Any commercial development next to a school is bad, especially a high school that has so much foot traffic. Please don't take my next statement as a threat, but I've learned over my career you unfortunately must be a bit dramatic to get a point across that resonates with folks. If one child gets hurt, kidnapped, or even killed from the development of this land into commercial property, it will be because of your approval on the plan and zoning change.

Thanks for your time,

Rob Schmitz

| | |
|---|---|
| **From:** | Susan Sheroff |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2 GPA-DSTV-3-23-2 Z-39-23 Black Mountain Village |
| **Date:** | Thursday, September 19, 2024 6:17:34 PM |

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Dear Mr.  Grande,

My name is Susan Sheroff, I live and own 21214 N 36th Pl, Phoenix, AZ 85050.  I oppose these applications that would ruin the quality of living in Desert Ridge.

Thank you.

Susan Sheroff

Sent from my iPhone

| | |
|---|---|
| **From:** | Laurie Smith |
| **To:** | Anthony M Grande |
| **Cc:** | Council District 2 PCC |
| **Subject:** | Letter of Opposition |
| **Date:** | Thursday, September 19, 2024 9:06:58 PM |

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Re: Case number GPA-DSTV-2-23-2, GPA-DSTV-3-23-2 and Z-39-23-2

Members of the Desert View Village Planning Committee:

I oppose this project and the rezone. Last fall I submitted letters of opposition to the City. I also made a public comment at your October 3, 2023 meeting when you voted nearly unanimously to recommend denial.

I've carefully considered the minor revisions Vestar has recently made to their plans and I urge you to once again recommend denial. The concerns neighbors and many of you on the committee expressed last year are not addressed by this revision.

My primary concern was and still is school and student safety. I wish to call attention to threats to the security of the high school campus and students. Schools have increasingly become targets of mass shootings. Child predators prowl streets near schools. This is not hysterical conjecture; this is a fact.

I have spent a lot of time on Paradise Valley Unified School District campuses over the last 30 years as a parent and an employee. Campus perimeters have been fortified, school offices remodeled, classroom locks installed, and campus visitors restricted.

Currently, the open space surrounding Pinnacle makes it easy to spot a potential bad actor just outside school gates. When the residential neighborhood is developed, neighbors will be vigilant and likely to notice people and vehicles that are suspicious. And, in fact, at schools throughout

the district and the city, police have been alerted by neighbors to stop and even arrest suspects before a crime can be committed.

Commercial development will bring a great many more people who will share sidewalks with students and many vehicles that will share the same streets. It will be nearly impossible for neighbors to identify someone or something that is out of place. Additionally, it will be more difficult for school staff to monitor their own school driveways.

Prior to last year's meeting I asked City staff for an example of another high school in such close proximity to a shopping center and was told that Sandra Day O'Connor came to mind. But it is not at all comparable. Hackamore Drive does run between the high school and the shopping center. However, the two shopping center driveways are barricaded fire lanes with signs posted that shopping center access is only on Happy Valley Road. There is no shopping center traffic, vehicular or pedestrian, on Hackamore Drive.

Vestar freely admits that their plans are intentionally designed to connect the school to the shopping center. The evidence is in the two driveways and the crosswalk allowing direct ingress and egress to the shopping center from Mayo Blvd.

Please do not set precedent by allowing this.

I also wish to note that I will be unable to attend the upcoming meeting on October 1st as I will be out of town. Unfortunately that is the time of the PVUSD Fall Break; I expect many other neighbors will be out of town, too.

Sincerely,

Laurie D. Smith
3749 E Covey Ln
Phoenix AZ. 85050
(Fireside Desert Ridge)
602-826-3181

**From:** Heidi Snyders
**To:** Anthony M Grande
**Subject:** Opposition of Vestar Proposal
**Date:** Thursday, September 19, 2024 7:04:31 PM

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Mr. Grande,

I hope this note finds you well.

My family and I strongly oppose the Vestar proposal regarding rezoning case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2 at Desert Ridge (Deer Valley and Black Canyon).

Our opposition is simply because the traffic it will draw will be a safely risk for families, young drivers and student walkers in that area by the school. We already cannot get by during peak times and a commercial/retail space will create more traffic that we do not want or need. I am happy driving away from my community to existing businesses get my groceries and believe the space is best used for single family homes as currently zoned. We hope you will stop this development from moving forward.

I am unable to attend October 1st Village planning meeting at PV community center at 6:30pm and hope you can represent the strong opposition our community is expressing.

Kindly,
Heidi Snyders

**From:** Richard Starr
**To:** Anthony M Grande; rlane@gblaw.com
**Subject:** Re: Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE
**Date:** Thursday, September 19, 2024 10:35:03 AM
**Attachments:** Outlook-emailwarp.png

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Hello,

I attended the developer's community meeting on 9/17. There are unresolved questions with traffic. I encourage the City to push for answers on the following:

Updated Traffic Impact Statement.

a. The new median on Mayo will cause changes to traffic patterns for both student traffic (no left-in into student parking lot from Mayo, no left out of student parking lot from Mayo) and bus traffic (re-route from current path - North on Black Mountain Parkway, Left on Deer Valley, Left on 34th Street (without aid of traffic signal), Left on Mayo Blvd into bus loading area). Black Mountain Pkwy congestion will increase after the developer adds new Mayo median.

b. Developer says it will entitle drive-thrus later. The TIS should include multiple drive-thru's in original analysis.

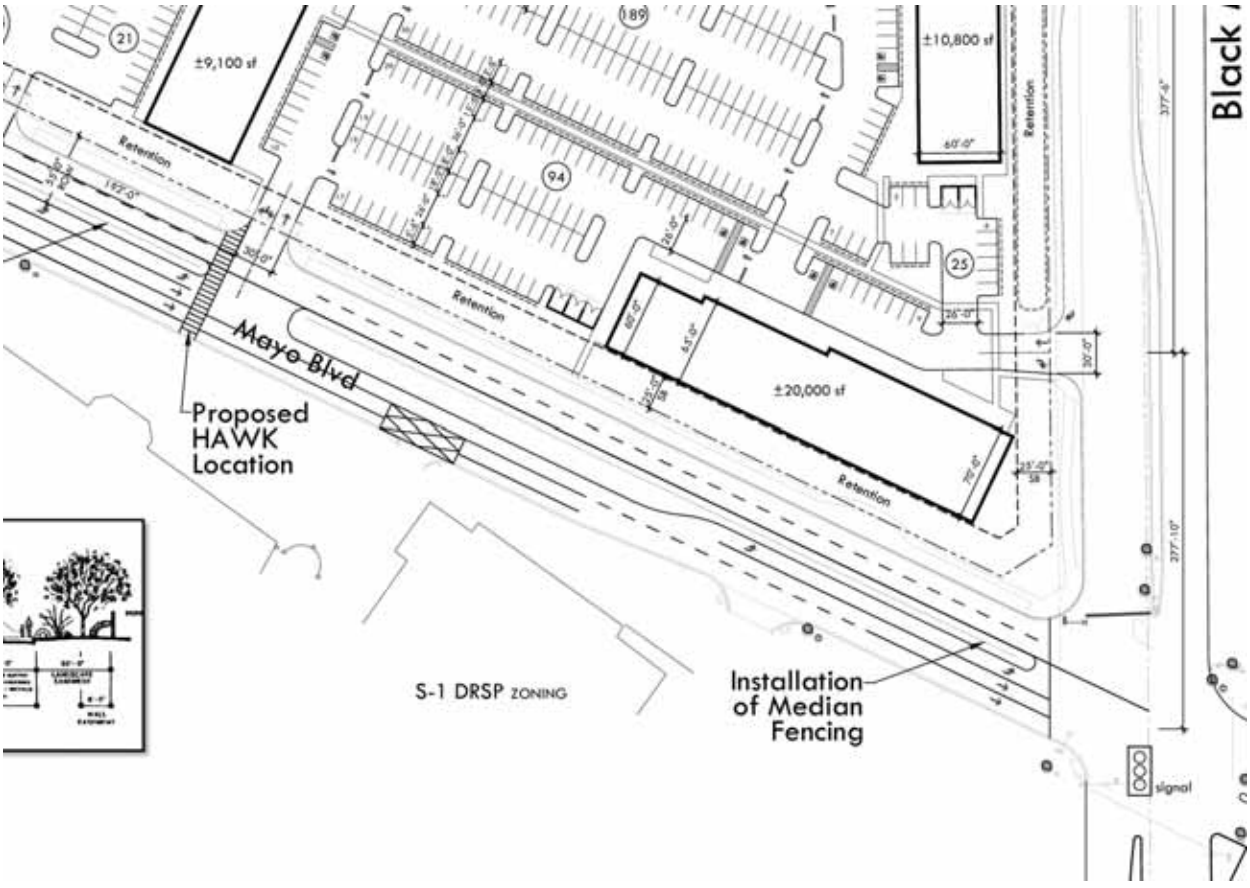
---

**From:** Richard Starr <rtstarraz@hotmail.com>
**Sent:** Monday, September 9, 2024 1:39 PM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>; rlane@gblaw.com <rlane@gblaw.com>
**Subject:** Black Mtn Village Rezone // PHS turning movements MAJOR CHANGE

The proposed retail center site plan (revised) NOW includes a NEW MEDIAN on Mayo. This median will BLOCK a vital left hand turning movement from Mayo into the PHS parking lot. This will result in many U-turns or push nearly all PHS traffic onto Black Mountain Pkwy single entrance. The prior site plan did NOT include a median on Mayo.

Pinnacle High School's (2,550+ students) operations should not affected by the new retail center. Vestar's revised site plan does not meet the needs of PHS traffic. The aerial picture on G&B website cuts off the school parking lot entrances. With this major change to PHS turning movements, the aerial should be updated accordingly.

Additionally, AZ State Land and PVUSD need to work on a parking solution for PHS before the land auction to any developer. Special events overflow onto State Land property (100+ cars park in desert). There will be major conflicts in future when PHS and retail center are fighting over parking.




Richard "R.T." Starr
rtstarraz@hotmail.com

**From:** James Tuffin
**To:** Anthony M Grande
**Subject:** RE: FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE
**Date:** Thursday, September 19, 2024 11:36:15 AM

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**From:** James Tuffin
**Sent:** Thursday, September 19, 2024 11:34 AM
**To:** Anthony M Grande <anthony.grande@phoenix.gov>
**Subject:** FW: GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2 BLACK MOUNTAIN VILLAGE

Dear Mr. Grande:

My names is James W. Tuffin. I reside in a home I own at 21214 N 36th Pl, Phoenix AZ 85050. I write to reiterate my opposition to the "Black Mountain Village" project. I incorporate by reference all of my previous communications on this issue.

Although the Desert Ridge Specific Plan ("DRSP") has been amended 22 times over the years, never before has a family that purchased a single- family home away from the designated Village Center been told that drive- through "quick serve" food operations will be built across the street from their home on land that DRSP specified for residential use.

The essential justification for the proposed amendment is the alleged need for additional grocery space in the area. Even if there was any merit to that contention (and I submit there is none), it does not justify putting drive- through "quick serve" operations across the street from people who were told that the land was residential when they bought their homes.

Far from doing anything to address community concerns about drive-through operations in a residential area, Vestar doubles down, saying it will not accept any limitations on drive-through operations, in terms of types or operating hours, unless they are imposed by the City of Phoenix.

The prior site plans proffered by Vestar clearly showed drive-through operations, and Vestar openly admitted that they were contemplated. In its latest iteration, the site plan makes the drive-through nature of the retail "shops" less obvious. Nevertheless, at a meeting conducted at the Fireside community clubhouse on September 17, 2024, Vestar's Executive Vice President for Development, Jeffrey M Axtel, and Vestar's attorney, Ashely Z. Marsh, Esq., of Gammage and Burnham, said that Vestar will install any drive-through that the City of Phoenix may allow. I approached Mr. Axtel at the end of the meeting and

asked him what the proposed hours of operation were. He told me that he did not know what the hours of operations were, and that it was up to the City of Phoenix. Vestar seems to contend that the requirement of a Use Permit for the drive-throughs is somehow a concession to community concerns on its part. This is disingenuous, since the same permit requirements existed when they were more open about the drive-through plans.

Prior to the Fireside meeting, and after receiving the most recent revised site plan, I asked Vestar executive Ryan Ash if drive-through operations were contemplated. He responded that "we have not engaged in conversations with any shop or pad tenants at this time. As such, we don't currently have any expected users" (email of Ryan Ash to James Tuffin, 8/28/2024). In my opinion, this assertion is not credible.

The Desert Ridge Specific Plan provides as follows:

> The urban village concept has been accepted in Phoenix as a desired land use pattern. It follows that this concept should be extended to guide land use planning and development in Areas C and D. *Desert Ridge is based on the urban village concept in that all community and regional commercial uses are located in the Desert Ridge Village Center. Very small neighborhood convenience commercial uses are appropriately placed internally within neighborhood units*. The Desert Ridge Village Center is appropriately the "urban" core of Area C. Land uses are the most intense in and around the Village Center in Desert Ridge, logically reducing in density with increasing distance from the commercial/employment center and continuing beyond the project boundaries. (DRSP 3.B Goal 1)(emphasis supplied).

In furtherance of this concept, the regulatory portion of DRSP provides that drive-through operations are specifically prohibited from any commercial conveniences that might be built in residential areas (DRSP 6.C.3.B.2.d).

The amendment to the regulatory Chapter 6 of DRSP sought by Vestar is, on its face, wholly inconsistent with the nonregulatory portion reproduced above. Nevertheless, Vestar refuses to process an amendment of any nonregulatory portion of DRSP. The Zoning Ordinance clearly requires amendment of the nonregulatory portion in this instance (Zoning Ordinance Section 403.F.4). I invited Vestar's counsel to address this deficiency and they responded as follows:

> The DRSP's non-regulatory provisions is met by the combination of updating the General Plan land use designation, updating the regulatory provisions of the DRSP, and the subsequent submittal and review of the Master Plans for the land use area. These three (3) elements implement the non-regulatory provisions by having public hearings about the proposed change and a full public process along with the Master Plan update to show the modifications within the subject Superblock of the DRSP (email of Ashley Z. Marsh, Esq., to James Tuffin dated September 17, 2024).

The plain language of the Zoning Ordinance does not support this contention. Vestar is just trying to avoid having to justify stark inconsistency between the requested amendment and the non-regulatory portions of the plan.

The Zoning Ordinance requires that a 'zoning case shall be heard on an agenda which is separate from, and subsequent to, the agenda at which a related specific plan amendment

is heard" (Zoning Ordinance Section 403F.2.e). Assuming, for sake of argument, that the City has the discretion to waive this requirement, I respectfully submit that it was an improvident exercise of discretion in this case. The amendment to the regulatory chapter offered by Vestar is blatantly inconsistent with the non-regulatory portions of DRSP.

This gross deviation from the Specific Plan, to the detriment of homeowning families, is unprecedented. Of the 22 amendments made to date, few involved any change from residential to commercial use. Those that might have involved a change from residential to commercial predated most if not all of the single family construction in the area, and none of them were anything like the current proposal. S-23543 (May 8, 1996) dealt Superblocks 3 and 6; G-4497 (Feb. 3, 2003) provided for certain institutional uses in Superblock 9; G-4513 (May 21, 2003) provided for residential office use in neighborhood commercial conveniences; G-4608 (May 19, 2004) was a minor amendment to accommodate the Boys and Girls Club); G-4654 (Nov. 3, 2004) involved commerce park uses within Superblock 5).

At the Fireside meeting, Mr. Axtel began by saying that the Black Mountain Village project was the result of a request made by the State Land Department (SLD) to Vestar. He said SLD was seeking to add grocery space to accommodate anticipated residential construction outside of Desert Ridge, north of Pinnacle Peak Road. When asked why the project was not being placed closer to the intended beneficiaries, he said that grocers were reluctant to commit to stores where surrounding housing was not yet built. When questioned about the inconsistency between this information and Vestar's assertions that the project is only intended as a local convenience for nearby homes, Vestar's representatives were unable to provide a coherent response.

Vestar's applications must be rejected. Any failure by SLD to meet its own planning obligation for the land sales in the area north of Desert Ridge can be remedied without punishing innocent homebuyers in Desert Ridge. Far from meeting any immediate need for groceries in the area, Vestar is clearly using this as a pretext to cash in drive-through operations at the last traffic signal before the northern terminus of the SR 51 freeway.

Please include this in the case record.

Sincerely,

James W. Tuffin
21214 N 36th Pl
Phoenix, AZ 85050
516.359.6420
james.tuffin@tuffinlaw.com

**From:** Sean Yu
**To:** Anthony M Grande
**Subject:** Rezoning proposal case - OPPOSITION
**Date:** Thursday, September 19, 2024 10:37:54 AM

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Hello Anthony,

Hope this email finds you well!

I am a resident in the dessert ridge neighborhood and I would like to express my **opposition** to the **Rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.**

I strongly believe that it's not a good idea to rezone that area for commercial purposes. Looking at the presented plans, and even with the planned lane increases and separate sidewalks, it's very clear that traffic is going to be a huge issue in the surrounding area. Currently all residents are driving away from Pinnacle High School to do their grocery shopping. If there is a supermarket right next to the high school, not only are the people who live in the surrounding communities going to drive there, it's also going to draw people from even further away.
Increasing traffic on all surrounding streets also means increasing the risk of accidents, highly likely with HS students involved too during school hours, and definitely increasing pollution and noise to the neighborhood. Not to mention people gathering and there will be a higher risk of violent/police-involved incidents/crimes happening as we have seen multiple cases in Desert Ridge Marketplace. I would like to keep everything as it is, with the area being zoned for single family homes. Thank you for your consideration!

Best regards,
Yuh-Shang Yu

**From:** Susan Ze
**To:** Anthony M Grande
**Subject:** GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2.
**Date:** Thursday, September 19, 2024 4:07:49 PM

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I am writing once more to register my opposition to the above rezoning proposals. As a resident of the Copper View neighborhood of Desert Ridge Fireside, I live right next to the proposed Desert Ridge Village Marketplace and envision many reasons why this commercial development is not advisable, primarily among them the traffic and safety of our students who attend the adjacent high school.

The amount of traffic in the early morning drop off and mid afternoon drop off make it difficult to leave my neighborhood, especially if I need to use 51. As a retired educator who taught many years in a high school, I know that in addition to being a traffic safety issue, the proximity of a shopping center will also provide an unneeded distraction to the students, no matter how many deterrents Vestar claims they will use to prevent the students from accessing the marketplace.

Vestar also implies that the marketplace will add to the value of our homes, due to the "walkability" factor of the neighborhood. Please! That "walkability" will factor in only from October to perhaps April due to the ever increasing heat in Phoenix.

The marketplace will also attract traffic from AZ51 and AZ101 via AZ51, particularly if a Trader Joe's, Sprouts, or Whole Foods is the anchor or if any of a number of drive through coffee or fast food restaurants choose to locate there. As one woman remarked at the Fireside presentation, the increased exhaust from cars and trucks will have a devastating effect on the cognitive development of the children at the adjacent school and all those in the neighborhood.

For the above and many other reasons, my husband and I oppose the referenced cases and the Deer Valley/Black Mountain/Mayo rezoning to commercial use,

Susan and Frederic Ze
3616 E Abraham Ln
Phoenix AZ 85050

480 665 6596

| | |
|---|---|
| **From:** | Rebecca Oakes |
| **To:** | Anthony M Grande |
| **Subject:** | Black Mountain Village – City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2 |
| **Date:** | Friday, September 20, 2024 9:37:22 AM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

City of Phoenix Case Nos. GPA-DSTV-2-23-2, GPA-DSTV-3-23-2, and Z-39-23-2.

I again am writing to you to register my strong disapproval of proposed amendments (case numbers listed above) to modify existing zoning from residential to commercial.

Our homes in Fireside at Desert Ridge were built under the Desert Ridge Specific Plan. The plan promised clean, quiet, and safe neighborhoods where commercial activity in the "residential superblocks" is strictly limited to minor "conveniences" of no more than 3 acres and drive through operations are prohibited.

The land at Deer Valley and Black Mountain is designated residential under the plan. Vestar, the developer of the Desert Ridge Marketplace, now wants to change this for their own financial gain; if the Desert View Planning Committee and city of Phoenix vote for the change of zoning, and approve the plan to put in a 20-acre shopping center (where we cannot and will not know what types of retail businesses will be - no one involved in this project will commit to various reasonable restrictions for its location - as per the meeting at Fireside Community Center. This will cause great harm to my family and neighbors; this land needs to remain zoned for single family home residential.

As I wrote to you last year, my family lives in the closest section of Fireside to Pinnacle HS, and the proposed shopping center. We already suffer through the pedestrian and vehicle traffic that invades the streets of our neighborhood when school is in session and for other events held at the HS. Students and parents drive at unsafe speeds down 36th Street and Abraham Dr. Additionally, at drop off and pick up times, cars are lined up and/or idling as drivers wait to drop off or pick up their students, blocking our way in and out, causing us to "play chicken" to maneuver down the narrowed streets. Some of these students walk through our desert wash/neighborhood landscaping as a short cut to those cars dropping off/waiting to pick up.

This is also a neighborhood where many children walk to Fireside Elementary School, located a short distance away. So not only is driving in, through and out of our neighborhood difficult

and would most likely become dangerous as traffic increases in an area not planned for such commercial development, it is not safe for small children to safely walk to school. **While adding speed bumps would help the speeding of the drivers cutting through our neighborhood, there still remains a larger issue.**

In addition, it can be all but impossible to safely leave our neighborhood at these times - the southern exit, on to Mayo Blvd. is right turn only and is very close to the Mayo/Black Mountain Blvd intersection (specifically to get into the left lane to turn on SR 51). The northern exit on to Deer Valley Rd. is hard to turn left onto during high traffic times.

To put it more clearly - leaving our neighborhood becomes even more difficult and dangerous with increased vehicle traffic that comes with commercial development - especially trying to go south onto Black Mountain Blvd AND west onto Deer Valley. We only have two VERY flawed entrances/exits that in the best of times are tricky and not very convenient OR safe. We essentially have to choose to limit leaving our neighborhood or taking the increased risk of attempting to go south or west in less than safe traffic conditions. How does this benefit our residential community?!? I predict that vehicle (and pedestrian) accidents will dramatically increase if this shopping center is approved.

**I have seen nothing in the "reworking" of this plan that adequately addresses the traffic concerns I have laid out here.**

**Has the city of Phoenix specifically done a traffic study of this area, taking this commercial development into account? How would the council plan to ameliorate the above stated traffic issues? What about environmental studies looking at the increase noise, light and exhaust pollution that will directly impact the surrounding residential neighborhoods?**

There is nothing that can be commercially built and nothing beneficial from a retail standpoint that makes this development worth if for my family and residential neighborhood. There are plenty of retail options at Desert Ridge and other close shopping centers. The is also land near by that has been zoned for retail/commercial - use those lands for this development. **Keep this parcel of land zoned as is, and open up bidding to home builders who would like to purchase this state land.**

Sincerely,

Rebecca J. Oakes
3608 E Salter Dr
Phoenix, 85050

# SUPPORT

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:04:55 PM

---

**Name**

Lisa Abrams

**Email**

lisaabr1101@gmail.com

**Address / Neighborhood (Optional)**

Fireside

**Support Comments**

I am in support of a shopping center with similar restrictions to that of DC Ranch and other Scottsdale retail centers near homes. All buildings should be required to look similar regardless of fast food or other type of business with colors and height restrictions.
Include additional walking paths, trees etc.
Keep tenants residential friendly.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 5:26:03 PM

| **Name** |
| --- |
| Elly Anderson |
| **Email** |
| elly.christine.anderson@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Having another grocery store other than just an Albertsons would be great! It's a hassle to have to drive to a completely different area of the city to get groceries if Albertsons doesn't have what I'm looking for/ if I want to shop somewhere else |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 9:12:36 PM

| **Name** |
| --- |
| Irina Borshch |
| **Email** |
| irinaborshch@gmail.com |
| **Support Comments** |
| We need a small food store and restaurants in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 6:35:22 AM

---

| **Name** |
| --- |
| Geri DiMarzio |
| **Email** |
| palady074@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 19015 N 33rd Way |
| **Support Comments** |
| i think we definitely need another grocer in Desert Ridge, it's always good to have many choices not have to drive 10 -15 miles one way or the other to a competitor. Gas prices are too high get us another store ! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:17:35 AM

| **Name** |
| --- |
| Autumn Flores |
| **Email** |
| autumnvflores@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2452 e creedance blvd |
| **Support Comments** |
| So exciting! Its been needed for awhile! But keep it neighborhood like, not big and busy. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:18:52 AM

| **Name** |
| --- |
| Ruben Flores |
| **Email** |
| Flo3up3down@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert peak |
| **Support Comments** |
| It's about time! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:26:32 AM

| **Name** |
| --- |
| Mark Gerhardt |
| **Email** |
| gerhardtmd@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3934 E Melinda Dr |
| **Support Comments** |
| I would support this proposal because it would help create a more walkable community amd better competition allowing for better cost of living in the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 7:54:44 PM

---

| **Name** |
| --- |
| Larry Myshock |
| **Email** |
| diggie316@cox.net |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We definitely need another grocery store in the area with the increase in housing in the area. Plus Desert Ridge always has a lot of traffic. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 6:49:23 AM

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| **Name** |
| --- |
| Sheri Schreck |
| **Email** |
| schreckcom@aol.com |
| **Address / Neighborhood (Optional)** |
| 3734 East Cat Balue Drive |
| **Support Comments** |
| Trader Joe's or Whole Foods would be great - NO gas pumps/station, though. It would be convenient to have free charging stations. I would love some small specialty shops and dining options - NO fast food chains. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 1:30:35 AM

| **Name** |
| --- |
| Todd Pehrson |
| **Email** |
| toddpeh@yahoo.com |
| **Support Comments** |
| Bring it!! Love the idea |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:25:05 PM

---

| **Name** |
| --- |
| Sean Petty |
| **Email** |
| seanpetty.sp@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| We really need another option for food! I'm tired of getting price gouged by Albertsons. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 10:54:59 PM

| **Name** |
| --- |
| Ed Schenk |
| **Email** |
| eschenk32@gmail.com |
| **Address / Neighborhood (Optional)** |
| East of 40th St West of Tatum |
| **Support Comments** |
| I would shop there |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:14:03 PM

---

| **Name** |
| --- |
| Dmitry Streblechenko |
| **Email** |
| dmitry@dimastr.com |
| **Address / Neighborhood (Optional)** |
| Fire Side |
| **Support Comments** |
| I agree. A store Like Trader Joe's would be great for the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 8:31:48 AM

| **Name** |
| --- |
| Caitlin White |
| **Email** |
| caitdwood@gmail.com |
| **Support Comments** |
| We need a Trader Joe’s! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, September 26, 2023 11:07:51 AM

| **Name** |
| --- |
| Patricia Whitten |
| **Email** |
| pwhitten7@icloud.com |
| **Address / Neighborhood (Optional)** |
| 4835 East Kirkland Road |
| **Support Comments** |
| Do not shop at Albertsons way to expensive. Sprouts and Target are my preferred optios |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:23 PM

| **Name** |
| --- |
| Jeff Axtell |
| **Email** |
| jeffaxtell@me.com |
| **Support Comments** |
| I am excited about the proposed project and fully support what is proposed. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 3:55:57 PM

| **Name** |
| --- |
| Candice Boyle |
| **Email** |
| candiceboyle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 5116 N 34th Place |
| **Support Comments** |
| much needed in the neighborhood |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:26 PM

---

| **Name** |
| --- |
| Emmitt Brown |
| **Email** |
| tormino90@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Would love to have another grocer in the area especially with the housing growth |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:14:08 PM

| **Name** |
| --- |
| Karen Burlingame |
| **Email** |
| kkburlingame@gmail.com |
| **Support Comments** |
| I support this project |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:22:13 PM

---

**Name**

Sage Campbell

**Email**

sage.campbell48@yahoo.com

**Support Comments**

I have been a lifelong resident of the Desert Ridge area and have developed a deep appreciation for the community and its residents. Over the years, I've witnessed our community rapidly expand, with new neighborhoods seemingly sprouting up every day. However, when it comes to shopping centers, our options have remained limited. Primarily relying on Desert Ridge and City Marketplace. I firmly believe it's time for us to diversify our retail offerings.

The proposed new shopping center presents itself an excellent opportunity not only for our community's growth but also for the benefit of Pinnacle High School students. It could serve as an invaluable source of employment for these students, allowing them to gain work experience and contribute to their education. Additionally, the creation of a safe and welcoming gathering place for families would undoubtedly enhance the cohesion of our community.

I sincerely hope you will consider supporting this endeavor, as it has the possibility to greatly enrich the Desert Ridge area, accommodating its increasing population and fostering a stronger, more vibrant community. Thank you for your thoughtful consideration.

| | |
|---|---|
| **From:** | Tanner Davis |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Please Support Commercial Rezoning for Black Mountain Village/Superblock 12 |
| **Date:** | Wednesday, September 27, 2023 1:18:31 PM |

Hello,

I just wanted to voice my support for the commercial rezoning of the land located on the Southwest corner of Deer Valley and Black Mountain roads. I am a resident of the Sky Crossing Community that is located just north of deer valley road, across from the proposed development. I know there are a few loud voices, but the majority of us WANT this development. We've been waiting for a grocery store that's close for a long time!

I've heard there are some arguments against this development and I wanted to provide logical counter arguments.

1) The data shows that home values are HIGHER when you are near a grocery store. In addition, the closer you are to a grocery store, the higher your home values are - https://urldefense.com/v3/__https://www.homes.com/blog/2020/08/how-do-grocery-stores-affect-home-values/__;!!LkjWUF49MRd51_ry!e-sfmnkqRMSwTX9tRvVI1-TY0gzKsfc6rqlk5VkUfEbVQsrk6EO5_AtQJVMapx_LkUH1m4aQL9X1WZviEFj--Y3QSA$ . This research generally shows that the majority of people prefer living next to a grocery store right?? If people didnt want to be by a grocery store, home values would be lower instead of higher.

2) The extra traffic is overstated. People are not going to be using to the grocery store at the same time Pinnacle High School starts/finishes. It might not even be open at the time the school starts.

3) Anyone that is complaining that the lights will be too bright at night must not realize that the MASSIVE lights from Reach 11 sports complex are literally a hundred yards away from the developer's site. Those lights are hundreds of times bigger and brighter than any grocery store lights would be.

Please support this development. Based on home value data, we know the majority of people enjoy having a grocery store close and me and many others in this community have been waiting a long time for this.

I plan on attending the meeting on Tuesday, Oct 3rd to support this. I know the people against this are loud, but I promise there are more people for it.

thank you,
Tanner Davis

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:32 PM

| **Name** |
| --- |
| Kailey Dudevoir |
| **Email** |
| dudevoirkailey@gmail.com |
| **Support Comments** |
| I support Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:07:44 PM

| **Name** |
| --- |
| Diane Engebretson |
| **Email** |
| dianeengebretson@gmail.com |
| **Support Comments** |
| I support it. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:08:15 PM

| **Name** |
| --- |
| Tom Engebretson |
| **Email** |
| engebud@cox.net |
| **Support Comments** |
| Yes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:56 PM

---

| **Name** |
| --- |
| Austin Finch |
| **Email** |
| afinch1992@gmail.com |
| **Support Comments** |
| This would be a great benefit to the community. More availability to groceries and other services is always a positive. In addition, this will provide jobs to several people valley-wide. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:21 PM

---

| **Name** |
| --- |
| Melissa Gonzalez |
| **Email** |
| melissa.pmi@live.com |
| **Support Comments** |
| I am in favor of this and excited for another grocery store in the area! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:00:49 PM

| **Name** |
| --- |
| Katie Hauptman |
| **Email** |
| Katierenick@gmail.com |
| **Support Comments** |
| I support this development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 3:40:02 PM

| **Name** |
| --- |
| Michelle Heckman |
| **Email** |
| michelleheckman@live.com |
| **Address / Neighborhood (Optional)** |
| 1261 N Layman Street |
| **Support Comments** |
| I am excited for this new project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:16:02 PM

| **Name** |
| --- |
| Scott Henson |
| **Email** |
| scott.henson55@gmail.com |
| **Support Comments** |
| This is a fantastic use and a wonderful addition to the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:18:03 PM

| **Name** |
| --- |
| Sara Johnson |
| **Email** |
| sarajohnson1319@gmail.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:20:31 PM

| **Name** |
| --- |
| Libby Johnson |
| **Email** |
| libbyjohnson13@gmail.com |
| **Support Comments** |
| Support! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:41:59 PM

| **Name** |
| --- |
| Dan Johnson |
| **Email** |
| danjohnson9801@gmail.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 4:22:55 PM

---

| **Name** |
| --- |
| Paul Joy |
| **Email** |
| P.Chuck.joy@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| We need BIG BOX Grocery Store. The only grocery store in the area is Albertsons, and this is not enough to support the community with competitive food pricing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:26:55 PM

| **Name** |
| --- |
| Reiss Knehr |
| **Email** |
| Reissknehr23@outlook.com |
| **Support Comments** |
| Support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:42:56 PM

---

**Name**

Angela Manca

**Email**

amanca1983@gmail.com

**Support Comments**

I would love to see a new neighborhood grocery anchor retail site at the corner of Deer Valley Drive and Black Mountain Parkway! There is growing demand for additional commercial and retail options in the Desert Ridge area. This project will be a beautiful transformation from vacant unincorporated land to a site with new restaurants and grocery store that will be appreciated by the community and surrounding area. It will also bring many more jobs to the area supporting the community growth even further! We appreciate your consideration with this proposal and application approval!

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:13:13 PM

| **Name** |
| --- |
| nick maniatis |
| **Email** |
| nickmaniatis10@gmail.com |
| **Support Comments** |
| This would be a great addition to the neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:07 PM

| **Name** |
| --- |
| James McKennon |
| **Email** |
| jhmckennon2@gmail.com |
| **Support Comments** |
| I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:51:44 PM

---

**Name**

Caroline Mirtich

**Email**

carolinemirtich@gmail.com

**Address / Neighborhood (Optional)**

Fireside at Desert Ridge

**Support Comments**

I am a resident of Fireside and I am in support of the proposal to re-zone the 20 acres north of Pinnacle High School as Black Mountain Village, with a couple of thoughts on the details. I am not in favor of a gas station in that area. We have plenty close by along Tatum and Cave Creek and having the noise, light pollution, and smell from a gas station surrounded by all residential areas is not desirable. However, a smaller grocery store, and restaurants and shops that local residents can walk and bike to would be great. A bunch of fast food drive-throughs would not be the best. More something that local residents can enjoy as opposed to being a draw for people driving to the area. We have enough of that at Desert Ridge Marketplace already. Perhaps keeping it with a more local feel will assuage some of the concerns around traffic and noise.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:38:43 PM

| **Name** |
| --- |
| Sally Monczka |
| **Email** |
| smonczka@cox.net |
| **Support Comments** |
| I am in support of this project. Will be of great value to the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:40:59 PM

| **Name** |
| --- |
| Shelly Orozco |
| **Email** |
| skohome@cox.net |
| **Support Comments** |
| Hello, I support the Black Mountain Village Development. Thank you, Shelly |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:05:03 PM

| **Name** |
| --- |
| Tim O'Sullivan |
| **Email** |
| tosullivan2015@gmail.com |
| **Support Comments** |
| A new grocery store and retail shops would be a great amenity for the neighborhood! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:27:58 PM

---

| **Name** |
| --- |
| Nicole Parsons |
| **Email** |
| nicole.caroline44@gmail.com |
| **Support Comments** |
| We'd love to see more retail in this area to support growing community needs. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:09:27 PM

---

**Name**

Timothy Radu

**Email**

ninjamurai1ner83@gmail.com

**Support Comments**

I support the idea of building a New Grocery Store, such as Trader Joe's, Sprouts, Fry's, Safeway, etc. Preferably a Trader Joe's? That would be Super nice, especially when considering the fact that the closest one, to My knowledge, is located all the way in Scottsdale, inside the Scottsdale Promenade off of Scottsdale Rd. & Bell Rd., if I'm not mistaken? So a Trader Joe's closer to home would be Really Awesome, plus communities surrounding a Trader Joe's store just tend to be nicer for some reason? Plus, Trader Joe's is a Really Nice place to shop & buy groceries, for Many different reasons. That being

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:13 PM

| **Name** |
| --- |
| Timothy Radu |
| **Email** |
| ninjamurai1ner83@gmail.com |
| **Address / Neighborhood (Optional)** |
| Cave Creek & Bell Rd. |
| **Support Comments** |
| I support the construction of a new grocery store in the Desert Ridge and surrounding areas |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:18:09 PM

| **Name** |
| --- |
| Tim Ray |
| **Email** |
| tsray.12@gmail.com |
| **Support Comments** |
| I am in favor of the new Black Mountain Village development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 1:29:52 PM

---

| **Name** |
| --- |
| Ed Reading |
| **Email** |
| ereading1776@gmail.com |
| **Address / Neighborhood (Optional)** |
| 8329 N. 82nd Place |
| **Support Comments** |
| I support a neighborhood grocery store at Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:37:36 PM

| **Name** |
| --- |
| Griffin Richards |
| **Email** |
| ghrichards1@gmail.com |
| **Support Comments** |
| In favor of this development- |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:38:01 PM

| **Name** |
| --- |
| Carli Richards |
| **Email** |
| carlibendetti@gmail.com |
| **Support Comments** |
| In favor of this development- |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:15:07 PM

| **Name** |
| --- |
| Miles Sanchez |
| **Email** |
| sanchezmiles02@gmail.com |
| **Support Comments** |
| I am support this project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:18:04 PM

---

| **Name** |
| --- |
| Kathy Schiller |
| **Email** |
| katd1228@gmail.com |
| **Support Comments** |
| I support this project! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:57:33 PM

| **Name** |
| --- |
| Staci Segal |
| **Email** |
| stacisegal@gmail.com |
| **Support Comments** |
| I support this new development project. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 7:17:17 AM

---

| **Name** |
| --- |
| Robert Shine |
| **Email** |
| robertshine69@gmail.com |
| **Support Comments** |
| Look. I'm good with some things there, but against others. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 7:02:23 PM

---

| **Name** |
| --- |
| Sheldon Sterling |
| **Email** |
| sheldon_sterling@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21524 N 39th Terrace |
| **Support Comments** |
| It is a great idea. The only item I would change would be to remove the gas station from the plan |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 2:42:23 PM

---

| **Name** |
| --- |
| Beth Understahl |
| **Email** |
| bunderstahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| Phoenix |
| **Support Comments** |
| A neighborhood grocery store would be great to have in this area. Our family is often at the Reach 11 soccer fields nearby and there are not many choices in that corridor. The location would be a very convenient right off the 51 exit ramp. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 5:58:54 PM

| **Name** |
| --- |
| Jennifer Understahl |
| **Email** |
| junderstahl@gmail.com |
| **Address / Neighborhood (Optional)** |
| 9675 n 133rd way, scottsdale AZ |
| **Support Comments** |
| totally support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:12:01 PM

---

| **Name** |
| --- |
| Brian Weekley |
| **Email** |
| brian.weekley@gmail.com |
| **Support Comments** |
| I support this project. I think it will make our neighborhood walkable and have many benefits that Starr always does a good job on these developments and I trust them. They are very well respected. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:37 AM

---

| **Name** |
| --- |
| Kari Wetmore |
| **Email** |
| kwetmore1970@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3912 E Half Hitch Pl Phoenix 85050/Sunset Canyon |
| **Support Comments** |
| I think we need another grocery store and other places near by. Desert Ridge is terrible! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, September 27, 2023 12:35:33 PM

| **Name** |
| --- |
| Shannon Zubert |
| **Email** |
| szubert19@gmail.com |
| **Support Comments** |
| I support the development of this shopping center, Black Mountain Village. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 8:16:36 AM

| **Name** |
| --- |
| Taylor Alvey |
| **Email** |
| ukwildcat216@gmail.com |
| **Support Comments** |
| Existing restrictions are severely outdated |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 9:53:34 AM

| **Name** |
| --- |
| Paul Asher |
| **Email** |
| paulgasher@yahoo.com |
| **Support Comments** |
| This would be great! Please approve. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

4311 E. Melinda Ln
Phoenix AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Charles Bowers
4311 E. MELINDA LANE
Phoenix, AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Mark Bruce
4344 E Melinda Ln
Phoenix AZ 85050
MBR

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Janis Brace
4344 E Melinda Ln
Phoenix AZ 85050
Janis B. Brace

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Bruce Butler

BRUCE BUTLER
4621 E MOSSMAN RD
Phx 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Laura Craig

Laura Craig
22646 N. 55th St.
Phoenix, AZ 85054

CITY OF PHOENIX
SEP 28 2023
Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Kimberly Davis
4626 E Lone Cactus Dr, Phoenix AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

TERENCE DELONEY
4514 E. MELINDA LN

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Zach Dias

4524 E. melinda lane
phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Mark D. Ellis
22608 N 34th Pkwy
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Connor Eustice
4628 E Melinda Ln
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

3963 E. Morning Dove
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Dionysus French
3989 E hummingbird Ln

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Michael Gola
4701 E. Abraham Lane
Phx 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Teddy Gonzalez
9005 E Jaeger Rd
PHX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Cameron Grant
4315 E Mossman Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

JESSICA GUILLEN
4725 E LONE CACTUS DRIVE
PHX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tyson Hall

4617 E. Acorn Ln

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Alison Hammond
Alison Hammond
3991 E. Crest Lane
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Bonnie Houck
Bonnie Houck
4114 E. Union Hills Dr
Phx. AZ. 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

MARK HEADLOUGH
Mark Headlough
4603 E SANDS DR.
PHX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Scott Holemon
3971 E. Morning Dove Trl
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phocnix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Carolyn Holemon
3971 E. Morning Dove Trl
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Ann Ishag
4710 E Marguerite Rd
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Ryan Jacques
4415 E. Jacques Pl
Phx AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

[illegible]
4720 E. MELINDA LN.
PHOENIX AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Debbie Kelleher
Debbie Kelleher
3966 E. Morning Dove trail
Phx Az 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Catarina Kennedy
21639 N. 45th Pl.
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Frank Lara
4317 E. Swilling Rd
85050 Phoenix, AZ

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Julie A Lawson
Julie Lawson
4411 E Mossman Rd

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Brenden R. Leader

4605 E Jaeger Rd.
Phoenix, AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 4:14:53 PM

---

| **Name** |
| --- |
| LAWRENCE LIM |
| **Email** |
| puheemanstrutt@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum Ranch Resident |
| **Support Comments** |
| You can never have enough neighborhood grocery centers, especially in this area where the nearest one is at least 2-3 miles away. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Kelli Louis

Kelli Louis
4735 E Abraham Ln
Phx. AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Alec Maiteny
4407 E. Mossam Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Galia Marcus

4620 E Mossman Rd. 85050, PHX.
850-252-0649

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ronald M Maxwell
Ronald M Maxwell
4516 E Cave Buttes Dr
Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Ian J. McGee
4720 E. Melinda Lane

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 8:55:05 AM

| **Name** |
| --- |
| Beckie McKinney |
| **Email** |
| beckiemckinney602@gmail.com |
| **Support Comments** |
| This will be a great addition to the community. |

CITY OF PHOENIX

SEP 28 2023

Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tommy Baker

[illegible]

4704 E Weber Rd

Phoenix AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Tom Mozilo
22005 N 43rd Place
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Andrew Olson
4721 E Mossman Rd
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

ROB OLSEN
4704 E AVONDALE
PHX AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jeff Olson
4721 E. Mossman Rd.
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

CURTISS PRICHARD
4730 E ARROWHEAD LN
PHX 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

AR Parriott
Ashley Parriott
4619 E Lone Cactus
Phoenix, AZ 85050

CITY OF PHOENIX

SEP 28 2023

Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

Len Peery Lowe
4350 E Swilling Rd

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Heather Peevyhouse
Heather Peevyhouse
4550 E Swilling Rd Phx Az 85032

CITY OF PHOENIX
SEP 28 2023
Planning & Development Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Brian Owens

21611 N 46th Pl
Phoenix, Az 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

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I urge you to support this request!

Sincerely,

MIKE RAINER
4706 E JAGER
PHOENIX, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jason Ray (Ray Family)
22604. N 39th Terrace
Phoenix AZ 85050
480 326 7767

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Todd Reinsch

~~220~~
22505 N 39th Run

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phocnix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

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I urge you to support this request!

Sincerely,

Pasquale Saccomanno
3971 E CREST LN

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Francesca Saccoccio

3971 E Crest Ct

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby Aviano resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Dominic Santoro
Dominic Santoro
3999 E. Morning Dove Trail
Phx AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 11:28:00 PM

---

| **Name** |
| --- |
| Aimee Sinclair |
| **Email** |
| sinclair.partyof8@gmail.com |
| **Address / Neighborhood (Optional)** |
| Aviano |
| **Support Comments** |
| Our family is in support of more shopping and dining options in Desert Ridge. We love walking to retail, and having more job opportunities close by for our teens. Vestar has a track record of building and maintaining very nice shopping centers, so I don't think we would get much better than this. |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

4311E SWILLING RD
PHX AZ 85050

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

[AMBIKADOSS SUMUGAM]

2165, N 45th ~~WAY~~ PLACE,
PHOENIX, AZ - 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

KIMBERLY SYKES
21643 N 47th PL
Phoenix, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Yvette Tagaban
4710 E. Jacqui
Phx, AZ 85050

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Jeff Johnson
4717 Stallings

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

such as Trader Joes

I urge you to support this request!

Sincerely,

Sandy Isakanoto
4738 E Mossman
Phx AZ 85050

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Thursday, September 28, 2023 3:48:33 PM

---

| **Name** |
| --- |
| Sabrina Vella |
| **Email** |
| sabrinavella@rocketmail.com |
| **Support Comments** |
| Would love a Trader Joe's!!! |

CITY OF PHOENIX
SEP 28 2023
Planning & Development
Department

Mayor and City Council Members
City of Phoenix
200 W. Washington Street
Phoenix, Arizona 85003

RE: Case# Z-39-23 Black Mountain Village

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed new commercial development located at the southwest corner of Deer Valley Drive and Black Mountain Parkway. This area is in desperate need of more neighborhood amenities to serve the community. A grocery store at this location would be an especially welcome addition to the neighborhood as well. I have seen the plans and believe this will be a quality project.

I urge you to support this request!

Sincerely,

Rose Yeager
4717 E Hashman Rd
PHX AZ
Rose Yeager

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 7:25:56 PM

---

**Name**

Erinn Andreasen

**Email**

Ealysi1@gmail.com

**Support Comments**

I support the development of a grocery store at this location. Specifically I would like to see a Trader Joe's in our community. It's a great option for a smaller space and has healthy and affordable options including fresh and packaged foods. In addition, the company has adopted a successful business model and a partner to the community that it operates in. Please consider Trader Joe's and accept no substitute.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:50:07 PM

| **Name** |
| --- |
| Kayla Bell |
| **Email** |
| kaylabell917@yahoo.com |
| **Support Comments** |
| I am so excited to finally not have to shop at Albertsons! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:29:09 PM

| **Name** |
| --- |
| Heather Brown |
| **Email** |
| brown1992@cox.net |
| **Support Comments** |
| Trader Joe's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:21:25 PM

---

| **Name** |
| --- |
| Nick Christifulli |
| **Email** |
| Nchristifulli15@gmail.com |
| **Support Comments** |
| It would be a great accommodation for the community! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:49:21 PM

---

| **Name** |
| --- |
| Geri DiMarzio |
| **Email** |
| Palady074@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 19015 N 33rd Way |
| **Support Comments** |
| It would be really nice to have another option for grocery shopping! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 6:35:41 PM

---

| **Name** |
| --- |
| Meica Domino |
| **Email** |
| meicas2000@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 24535 N 19th Pl |
| **Support Comments** |
| I support a Trader Joe’s like store because it’s very much needed in this area |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:22:45 PM

---

| **Name** |
| --- |
| George Fazzari |
| **Email** |
| george@fazzariflooring.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments** |
| Fully support more shopping options for our community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:14:23 PM

| **Name** |
| --- |
| Rachel Forman |
| **Email** |
| rpforman@gmail.com |
| **Support Comments** |
| I think this will be a great project for the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 11:03:43 PM

---

| **Name** |
| --- |
| Derek Geisinger |
| **Email** |
| derek.geisinger@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| A grocery store near by would be great |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 5:29:40 PM

| **Name** |
| --- |
| Richard Hearn |
| **Email** |
| rnahearn@msn.com |
| **Support Comments** |
| A welcomed addition to the community! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 6:50:09 AM

---

| **Name** |
| --- |
| Sue Hutchison |
| **Email** |
| sueh0617@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge Northwest / Sierra pass |
| **Support Comments** |
| While I support a small grocer, I do not support a Starbucks or Dutch Brothers for the preventable and predictable increase to traffic in the area of Pinnacle High School. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:49:49 PM

| **Name** |
| --- |
| Christin Johnson |
| **Email** |
| cjazhomes@yahoo.com |
| **Support Comments** |
| Support for Black Mountain Village development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:50:18 PM

| **Name** |
| --- |
| Patrice Kimmerle |
| **Email** |
| pkimmerle@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4627 E Robin Ln |
| **Support Comments** |
| A.J.'s<br>Fry's<br>Safeway |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 9:39:48 PM

| **Name** |
| --- |
| Annette LaCroix |
| **Email** |
| alacroix49@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3117 E Topeka Dr Phoenix AZ 85050 |
| **Support Comments** |
| I support |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:39:05 PM

---

| **Name** |
| --- |
| Keith Maclaren |
| **Email** |
| keithmaclaren7@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21842 N 40th Pl, Phoenix, AZ, 85050 |
| **Support Comments** |
| Fully support the development of this parcel of land as a resident of the community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:31:10 PM

---

| **Name** |
| --- |
| Rachel Mandel |
| **Email** |
| rachel@thebodylabaz.com |
| **Support Comments** |
| As a former tenant of Desert Ridge Marketplace, I am confident Vestar will develop an amazing project. I wholeheartedly support this development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 3:11:00 PM

---

| **Name** |
| --- |
| Logan Saltou |
| **Email** |
| lsaltou@asu.edu |
| **Support Comments** |
| I strongly believe that this development project will provide an exceptional service to the community and work to enhance the overall experience for the community and visitors alike. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:18:00 PM

---

| **Name** |
| --- |
| Rosemary Sedowski |
| **Email** |
| rsedowski@gmail.com |
| **Address / Neighborhood (Optional)** |
| 2205 E MONONA DR |
| **Support Comments** |
| PLEASE consider a Trader Joe's. There is not one north of the 101. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 4:39:26 PM

---

| **Name** |
| --- |
| Jill Sweet |
| **Email** |
| Jds4857@aol.com |
| **Support Comments** |
| Would love having to Trader Joe’s. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 8:34:08 PM

---

| **Name** |
| --- |
| Larry Tallaksen |
| **Email** |
| alar1214@cox.net |
| **Address / Neighborhood (Optional)** |
| 22640, North 42 Nd. Place |
| **Support Comments** |
| Would like to be kept abreast of the developments.<br>Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 2:17:35 PM

---

| **Name** |
| --- |
| Kean Thomas |
| **Email** |
| keanjthomas@gmail.com |
| **Address / Neighborhood (Optional)** |
| North Phoenix |
| **Support Comments** |
| We need more services in this area. There is more housing coming north of here, and there are no other grocery stores in the area other than Albertsons. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Friday, September 29, 2023 4:33:35 PM

| **Name** |
| --- |
| Jonathan Yee |
| **Email** |
| jvee@vestar.com |
| **Support Comments** |
| I support the further development of this property. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:02:06 AM

| **Name** |
| --- |
| Audrey Akhavan |
| **Email** |
| audreyrae@me.com |
| **Address / Neighborhood (Optional)** |
| 3690 E Covey Ln |
| **Support Comments** |
| I support another grocery store and fuel station in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 7:59:08 AM

---

| **Name** |
| --- |
| Marnie Anderson |
| **Email** |
| phxmarnie@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Sanctuary at Desert Ridge Neighborhood |
| **Support Comments** |
| This is very much needed in our neighborhood!!!!! There is a VERY large silent group of Desert Ridge residents that are hoping to have added shopping options for this area. Thank you!!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:10:52 PM

---

| **Name** |
| --- |
| Greg Boechler |
| **Email** |
| greg@boechler.com |
| **Address / Neighborhood (Optional)** |
| 6233 E Milton Dr |
| **Support Comments** |
| please, please ignore comments by uninformed emotional knuckleheads. they should put a group together and buy it and let it sit just to look at if they are so passionate. Maybe a kitty petting zoo?????? |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:47:37 PM

| **Name** |
| --- |
| Rita Caliboso |
| **Email** |
| ritacaliboso@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 21320 N 56th St |
| **Support Comments** |
| I support a grocery store like Frys or Trader Joes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:47:59 AM

| **Name** |
| --- |
| Dinesh Chintalapuri |
| **Email** |
| dinesh.chintalapuri@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| Please bring traderJoes or Wholefoods.. no Albertsons or Frys..they are located close by. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:15:20 PM

| **Name** |
| --- |
| Marissa Cormie |
| **Email** |
| Marissakj42@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3824 E Morning Dove Trail |
| **Support Comments** |
| I would support a Trader Joe’s in this area. I think it would be very popular |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:46:55 PM

| **Name** |
| --- |
| Craig Despres |
| **Email** |
| craig@azdespres.com |
| **Address / Neighborhood (Optional)** |
| 2547 E. Robb Ln. |
| **Support Comments** |
| Grocery store would be greatly appreciated. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:13:23 AM

| **Name** |
| --- |
| Kathy deStefano |
| **Email** |
| Kdestefano@cox.net |
| **Support Comments** |
| I love just north of there and we need other options to desert ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:34:46 PM

---

| **Name** |
| --- |
| Heather Flom |
| **Email** |
| Heather.flom@gmail.com |
| **Support Comments** |
| I support this. Thank you |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 8:50:33 PM

---

| **Name** |
| --- |
| Kim Galetti |
| **Email** |
| kg2238171@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 3864 E. Melinda Drive |
| **Support Comments** |
| We think it would be great to have another grocery store in Desert Ridge. A gas station in conjunction with the grocery store would be great. Prefer not to have a fast food restaurant with a drive-up lane. A family friendly market place is preferred. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:56:47 PM

---

| **Name** |
| --- |
| Rowena Good |
| **Email** |
| rrgood127@yahoo.com |
| **Support Comments** |
| Please a Trader Joe's. Please. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:20:05 PM

---

| **Name** |
| --- |
| Betty Hatten-Ford |
| **Email** |
| bhattenford@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 5450 E Deer Valley Dr |
| **Support Comments** |
| As a senior citizen my friends and myself would love the convenience of additional businesses. We are becoming more limited in our driving. Convenient choices would be a blessing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 1:27:26 PM

| **Name** |
| --- |
| Sri Jandhyala |
| **Email** |
| sri_jandhyala@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 23008 N 38th Pl/ Aviano |
| **Support Comments** |
| Would love to see a Sprouts, Trader Joe's or similar grocery store at this intersection. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:24:14 AM

---

| **Name** |
| --- |
| Angie Jones |
| **Email** |
| angie.jones@cox.net |
| **Address / Neighborhood (Optional)** |
| Stone Butte (near Pinnacle Peak and Cave Creek) |
| **Support Comments** |
| I 100% support a grocer in the neighborhood. BUT! The intersection of Deer Valley and Black Mountain gets extremely congested (albeit dangerous) when the Pinnacle High School starts/gets out. I implore you to do a traffic study and perhaps look at a different location. I'm not a developer and don't know what the plans are for it, but what about the land just west on Deer Valley?<br>Thank you for the opportunity to comment.<br>Angie Jones |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:14:13 AM

| **Name** |
| --- |
| Lois Lembo |
| **Email** |
| lois.lembo@cox.net |
| **Address / Neighborhood (Optional)** |
| 21320 N 56Th St |
| **Support Comments** |
| I would support a AJ's. Sprouts,Whole Foods or Fry's. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:57:48 PM

---

| **Name** |
| --- |
| Ellen Lerman |
| **Email** |
| lermane@aol.com |
| **Address / Neighborhood (Optional)** |
| 4048 E. Williams Dr. |
| **Support Comments** |
| I'd love to have an alternative to Albertsons. Whole Foods is a bit of a drive and a bit expensive. However, the people who should have the final say are those who live right around the piece of land you want to develop. Their opinion counts most. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 10:54:51 PM

---

| **Name** |
| --- |
| Kyle Livingston |
| **Email** |
| kydkyle@gmail.com |
| **Support Comments** |
| Love the growth, I know everybody is worried about the school in the morning, but they are disregarding every other hour of the day and weekends. It is a perfect spot. Although the intersection is busy, the only request would be to alter to current traffic control system for everybody's benefit. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 1:08:15 PM

| **Name** |
| --- |
| dawn mannon |
| **Email** |
| dawnmannon@gmail.com |
| **Address / Neighborhood (Optional)** |
| 1727 E Mohawk lane |
| **Support Comments** |
| trader Joe's please! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:41:59 PM

---

| **Name** |
| --- |
| Alicia Messing |
| **Email** |
| aliciamessing23@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tatum/Bell |
| **Support Comments** |
| I do not support any oversized shopping centres. My husband and I avoid Desert Ridge as much as we can, only going there when friends suggest an eatery. If we do go to Desert Ridge, we make sure to go during off hours because the traffic is so horrific. We would never consider purchasing a home north of Loop 101 because of all the congestion these mega-shopping centres bring to the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 12:29:09 PM

---

| **Name** |
| --- |
| Corinna Munson |
| **Email** |
| CDMUNSON@COX.NET |
| **Support Comments** |
| Sprouts or Trader Joe’s. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:15:53 PM

---

| **Name** |
| --- |
| henry ritter |
| **Email** |
| h_ritter912@yahoo.com |
| **Support Comments** |
| We would love another grocery store. Not worried about school traffic as we would just go in off hours. Glad to see this going up |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:03:13 PM

---

| **Name** |
| --- |
| Shari Rotherham |
| **Email** |
| Sarotherham@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments** |
| Trader Joe’s and other high quality restaurants. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 2:11:41 PM

| **Name** |
| --- |
| Amber Shahebrahimi |
| **Email** |
| amberlenglish@gmail.com |
| **Address / Neighborhood (Optional)** |
| Redhawk |
| **Support Comments** |
| Sounds good |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:33:58 PM

---

| **Name** |
| --- |
| Kim Smazal |
| **Email** |
| Kimsmazal@msn.com |
| **Support Comments** |
| We could use another grocery |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 3:43:53 PM

| **Name** |
| --- |
| judy tarwater |
| **Email** |
| murphy911@cox.net |
| **Support Comments** |
| need more commercial and less housing |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 11:14:56 AM

---

**Name**

Joyce Tawes

**Email**

jtawes@cox.net

**Address / Neighborhood (Optional)**

7511 E mariposa grande Dr

**Support Comments**

I am an Associate Real Estate Broker and have worked in this area for 20 years. There are so many naysayers and "no more infrastructure" posted on Next Door that I find to be completely ignorant of facts. I have served on the Government Affairs Committee for the Scottsdale Board of Realtors for about 17 years and also on the RAPAC committee (Political Action) for several years. Perhaps of my interest in what is going on in our communities, I'm more likely to research something before I comment.

I do believe there is a great need for the type of stores you are suggesting will be built in this area. It should be so convenient and helpful to the growth of homes and families in that particular area.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:33:52 PM

| **Name** |
| --- |
| Jordi Villanueva |
| **Email** |
| jovi@hotmail.com |
| **Support Comments** |
| Yes please |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 5:02:01 AM

---

| **Name** |
| --- |
| Bruce Wayne |
| **Email** |
| batmobile789@gmail.com |
| **Address / Neighborhood (Optional)** |
| 4609 E Swilling Road, Phoenix AZ 85050, DesertRidge |
| **Support Comments** |
| I Agree NOT a big box, yet a supermarket strip mall is ideal. If the high school is a problem, the utilize the Southeast corner of Tatum and Pinnacle Peak Road. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Saturday, September 30, 2023 6:46:57 PM

| **Name** |
| --- |
| Brock Wilson |
| **Email** |
| Bwilson11711@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Desert Peak Neighborhood |
| **Support Comments** |
| Trader Joe’s for the Win! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:32:10 AM

---

| **Name** |
| --- |
| Kelley Pavkov |
| **Email** |
| kelleydvorak@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Mountain Gate II |
| **Support Comments** |
| We are in full support of adding retail space |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 2:17:03 PM

---

| **Name** |
| --- |
| Jean Batson |
| **Email** |
| traveljean87@yahoo.com |
| **Address / Neighborhood (Optional)** |
| 21320 N. 56th Street |
| **Support Comments** |
| Desert Ridge could use a small BASHA's where you can get excellent meat etc. We can use a chicken fast food...Popeye's is always good |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 5:17:32 PM

| **Name** |
| --- |
| Michele Borrillo |
| **Email** |
| mborr70@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky crossing |
| **Support Comments** |
| I am in favor of an upscale center. Don’t really care for gas stations |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:21:48 AM

---

| **Name** |
| --- |
| Zaira Chacon |
| **Email** |
| zairachacon@hotmail.com |
| **Support Comments** |
| We need it! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:56:06 AM

---

| **Name** |
| --- |
| Angela Chevalier |
| **Email** |
| Angchev@hotmail.com |
| **Support Comments** |
| I support giving our community more options. As we grow we need more facilities and accessible grocery shopping. The city needs to redone some areas to allows businesses such as Sprouts, Trader Joe's etc to join and serve our community. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:52:35 AM

---

| **Name** |
| --- |
| Carol Ditmore |
| **Email** |
| carolditmore@cox.net |
| **Address / Neighborhood (Optional)** |
| 3418 E Robin Lane |
| **Support Comments** |
| I am very supportive of this proposed use and change of zoning. A small, but very vocal, number of residents in the Sky Crossing subdivision where I live are doing everything they can to kill this project. It is my impression that the majority of residents are very much looking forward to the development of a small grocery on this corner or are neutral. I would hate for this proposed project to fail due to the NIMBY attitude of a few. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:37:50 AM

---

| **Name** |
| --- |
| Michelle Foster |
| **Email** |
| mshndv@cox.net |
| **Address / Neighborhood (Optional)** |
| 22001 N 43rd Place |
| **Support Comments** |
| This area needs a grocery store to meet the needs of Aviano and SkyCrossing. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:24:16 AM

| **Name** |
| --- |
| Ted Hauptman |
| **Email** |
| Hauptmanpainting@gmail.com |
| **Support Comments** |
| Support this development and more options |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:27:10 AM

| **Name** |
| --- |
| TJ Hauptman |
| **Email** |
| tphauptman@gmail.com |
| **Support Comments** |
| I support new development |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:16:28 AM

---

| **Name** |
| --- |
| Sandy Jablon |
| **Email** |
| sandysjab@hotmail.com |
| **Address / Neighborhood (Optional)** |
| 3935 E ROUGH RIDER RD #1227 Villages at Aviano |
| **Support Comments** |
| Hoping we have a Trader Joe's.<br>Good luck with this project! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:16:19 AM

| **Name** |
| --- |
| Ann Jankes |
| **Email** |
| abjankes@cox.net |
| **Support Comments** |
| Support a grocery and gas station! Maybe a Trader Joe’s. Also an auto repair would be great. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:38:10 PM

---

**Name**

Bill Knapp

**Email**

bill@knapp-homes.com

**Address / Neighborhood (Optional)**

Sky Crossing

**Support Comments**

I love this idea. Not sure why others are so against it. In my opinion your plan will be much better than apartments or higher density residential. I love the idea of being able to walk to grocery store, restaurants and shops. I just hope this will be an upscale development like Desert Ridge, well landscaped, and attractive architecture. It is true that traffic is horrible in the mornings with the school, but hopefully this development will open up more ingress/egress options for people at the school. If you can convince the naysayers of this then I think you could change some minds.
My vote is yes, and hurry up and get started on it so we can enjoy it sooner than later!

Bill

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:04:56 AM

| **Name** |
| --- |
| Angie Kory |
| **Email** |
| angiekory@yahoo.com |
| **Support Comments** |
| I support a new grocer in the neighborhood. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 9:01:33 PM

---

**Name**

Sheena Lamon

**Email**

Sheenamlamon@gmail.com

**Address / Neighborhood (Optional)**

Mountain Gate North/cave creek and deer valley

**Support Comments**

I am so excited about getting a grocery store close to my home. I have lived in this neighborhood for 13 years and it is truly the one thing I dislike about my home's location. Everyone I know who lives in the Phoenix metro area has multiple grocery store options within a few miles of their home and I believe this addition will bring value and a sense of community to the area. Family and friends have all commented about how there is a lack of grocery store options by my home and I don't always need Costco size quantities (our closest store). If I could chose what to put in that location a Trader Joe's would be ideal. Please don't let people who complain about the traffic that happens before and after the high school starts and ends change your minds- this is just an hour out of the day total during school time which is also not the time when this grocery store would be busy to make a difference.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 5:34:23 AM

| **Name** |
| --- |
| Angela Marnell |
| **Email** |
| Marnella0509@gmail.com |
| **Address / Neighborhood (Optional)** |
| Pinnacle at Desert Peak |
| **Support Comments** |
| A Trader Joe’s would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:48:56 PM

| **Name** |
| --- |
| Yvette Mayo |
| **Email** |
| yvette_mayo@msn.com |
| **Support Comments** |
| Would love to have a Fry's close!!!! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:58:20 AM

---

**Name**

Hannah McCaffrey

**Email**

hannahmccaffrey.hm@gmail.com

**Address / Neighborhood (Optional)**

Cave Creek Rd and Deer Valley Rd

**Support Comments**

I think it would be lovely to have a smallish retail center on that corner. You mentioned there would not be a big store/grocer. I think it would be great to put a Trader Joe's or a Sprouts, or some other smallish grocery store. A Dutch Bros would also be great, and the high schoolers next door would go CRAZY for that! Also perhaps some food stores as well. Like a breakfast place, a sandwich shop, or a restaurant. I think this sounds great and it sounds like you all are paying close attention to make sure it does well and is not some ugly looking thing sitting on the corner. :)

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:33:25 AM

| **Name** |
| --- |
| Tara Moore |
| **Email** |
| 4moore218@gmail.com |
| **Support Comments** |
| A grocery store would be very convenient. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 4:19:33 PM

---

| **Name** |
| --- |
| Prathap Mahesh |
| **Email** |
| prathaptcs@yahoo.com |
| **Support Comments** |
| I certainly don’t want those gas station convenience stores near a school. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 8:42:03 AM

| **Name** |
| --- |
| Brad Otoupalik |
| **Email** |
| otoupalik@gmail.com |
| **Support Comments** |
| Totally support all development in this location. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:41:46 AM

| **Name** |
| --- |
| Jeff Renick |
| **Email** |
| jrenick@cox.net |
| **Support Comments** |
| I support this proposed development. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:43:32 AM

| **Name** |
| --- |
| Kim Renick |
| **Email** |
| kimrenick@yahoo.com |
| **Support Comments** |
| There is a need for this type of services in this area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:21:31 AM

| **Name** |
| --- |
| Lynn Roberts |
| **Email** |
| Wadenlynn@yahoo.com |
| **Support Comments** |
| Yes I support this |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 7:03:19 AM

| **Name** |
| --- |
| William Sipich |
| **Email** |
| Terrabella4@comcast.net |
| **Support Comments** |
| I like the idea of a Fry's , Safeway or Trader Joe's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:03:19 AM

| **Name** |
| --- |
| Tara Smith |
| **Email** |
| tarasmith@hotmail.com |
| **Support Comments** |
| Trader Joe’s or aldi would be great! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 11:06:13 AM

| **Name** |
| --- |
| PETER Smithu |
| **Email** |
| pete.c.smith0529@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3901 E PINNACLE PEAK RD #121 |
| **Support Comments** |
| We need more shopping options than are offered at Desert Ridge. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:55:18 AM

| **Name** |
| --- |
| Jeffrey Swierski |
| **Email** |
| jswierski@gmail.com |
| **Support Comments** |
| This would be a terrific addition to the infrastructure of the area. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 6:50:15 AM

| **Name** |
| --- |
| Danielle Walker |
| **Email** |
| D_hauptman2012@yahoo.com |
| **Support Comments** |
| Yes |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Sunday, October 1, 2023 10:49:01 AM

| **Name** |
| --- |
| claude zajac |
| **Email** |
| claudezajac@gmail.com |
| **Support Comments** |
| Trader Joes,Sprouts, A j's |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 5:09:07 AM

| **Name** |
| --- |
| Robin Cain |
| **Email** |
| robin@robincain.com |
| **Address / Neighborhood (Optional)** |
| 10883 E La Junta Rd |
| **Support Comments** |
| Area desperately needs another grocery store. |

**From:** Rick Fifield
**To:** Michelle Santoro
**Subject:** Deer Valley & Black Mtn
**Date:** Sunday, October 1, 2023 3:54:20 AM

---

To whom it may concern,

I would love to se some more fast food options in this location.

An Aldi or Sprouts would be nice.

Support what you are doing.

Rick

Breath In, Breath Out, Move On.

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 12:33:30 PM

---

| **Name** |
| --- |
| Gayle Griffin |
| **Email** |
| ga.griffin@comcast.net |
| **Address / Neighborhood (Optional)** |
| Let’s all me smart. |
| **Support Comments** |
| We all know , you would frequent this center. |

| | |
|---|---|
| **From:** | Jean Kantaros |
| **To:** | Anthony M Grande |
| **Subject:** | Rezoning of Black canyon and Deer Valley |
| **Date:** | Monday, October 2, 2023 2:19:10 PM |

Hello,
I am totally in favor of this new development. I have a few questions,
How firm is it that a 98,000 sq ft grocery store will be there. This seems to be quite large, many are complaining fuel to this. Also, how firm is it that there is guel pumps associated to said grocer. I for one. am not in favor of any fuel there.
How will traffic be handled for those trying to go into shopping center and exit
Will there be modifications on Deer Valley?
Asthetics of location, what type of landscaping and lighting. For example, when going to other communities in Scottsdale and Greyhawk, it's not blatant in your face a shopping center is there.

A new grocery store is most definitely needed to serve this community, and long over due. Been herebin this community for 22 years. I truly hope this passes.

Thank you,

Jean Kantaros

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 7:55:20 PM

| **Name** |
| --- |
| William King |
| **Email** |
| williamaking@gmail.com |
| **Address / Neighborhood (Optional)** |
| 20925 N 37th pl, phoenix AZ 85050 |
| **Support Comments** |
| That size i would assume Fry's. But as.long as Target and Walmart are out I suppot it. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 3:17:25 PM

---

| **Name** |
| --- |
| Amy Maynard |
| **Email** |
| amy@amymaynard.net |
| **Address / Neighborhood (Optional)** |
| 29266 N. 49th St |
| **Support Comments** |
| I would support this especially if a Trader Joe's were to be a tenant. Everyone in the Cave Creek area & south of Cave Creek has been wanting one for quite a long time now. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 12:12:57 AM

---

| **Name** |
| --- |
| Tony Rodriguez |
| **Email** |
| cartbarb2@gmail.com |
| **Support Comments** |
| I would love to see a retail center for our growing community too many poeoole to just go to surrounding malls |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 10:06:45 AM

---

| **Name** |
| --- |
| Michael Smith |
| **Email** |
| trace.smith27@gmail.com |
| **Support Comments** |
| Please, the nearest grocery store is miles away! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 2, 2023 9:49:23 PM

---

| **Name** |
| --- |
| Deanna Sutton |
| **Email** |
| deanna_lynn1@msn.com |
| **Address / Neighborhood (Optional)** |
| Mountain gate North |
| **Support Comments** |
| Please bring a closer option for groceries! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, October 3, 2023 11:35:24 AM

| **Name** |
| --- |
| Jim Benjamin |
| **Email** |
| jimbenj@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3901 E Pinnacle Peak Road |
| **Support Comments** |
| It would be nice to have a McDonalds near Desert Ridge |

**From:** Tanner Davis
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** DATA INSIDE - Please SUPPORT Commercial Rezoning for Black Mountain Village/Superblock 12
**Date:** Tuesday, October 3, 2023 11:03:51 AM
**Attachments:** Opposition Post 3.pdf
Opposition Post 2.pdf
Opposition Post Number 1.pdf
Pro Grocery Store FB Post.pdf

---

Hello Anthony,

I just wanted to give you some data around how many people support the grocery store going in and also some valid counterarguments to the current opposition. I plead with you to please use data in approving this development and please do not listen to the few voices who oppose it, even if they are loud. Here are all of the data points/counter arguments you should need to rationally approve this:

1) The majority of people SUPPORT this grocer store. This is evidenced by general research about housing prices/demand for homes that are close to a grocery store. In fact, the data shows home values get higher as they get closer to the grocery store - https://urldefense.com/v3/__https://www.homes.com/blog/2020/08/how-do-grocery-stores-affect-home-values/__;!!LkjWUF49MRd51_ry!fYeUGyEWYAC5aqleNJ48NjTEm8fSb23H3apmdeENqeBYjdDZhfwQGTHpPBCVFiPiaYyrsR21Lpz9EZrk2BTR_FG0iA$

I also have local data based on my facebook post in the Sky Crossing Community website, which is arguably the most impacted community from this development going in. Attached are screenshots of the support that my Pro-Grocery Store post received vs 3 opposition posts within a couple of days of each other. As you can see, my pro grocery store post received 54 likes compared to 3 other examples of opposition posts that received 23,20, and 10 likes. This is up to 5X the amount of likes in support!!

2) The opposition is going to state that there are 500-600 signatures against the development. This is not correct. There are 500-600 EMAIL ADDRESSES that are against this development. When you specify email addresses instead of households, the opposition doesn't come anywhere close to the majority. there are around 3000 homes in the 3 closest neighborhoods to this development (Sky Crossing, Fireside, and Aviano). When you take into account the fact that the people who are opposed are very furious about it, they probably had their spouses sign the petition AND most likely signed it with more than one of their email addresses. Even conservatively, the 500-600 signatures probably represents 200-300 households, which is only about 10% of the households of the sorrounding communities, MAX.

Alexis Spence
Top contributor · 4 hours ago

Defend the original desert ridge plan! Join the rally against the rezoning prior to the October 3rd planning committee. Come 5:45 at the paradise valley community center (not sky crossing community center) Keep the residential area safe, beautiful and keep traffic down ! Flyer attached with more details




20 4 comments

Like Comment Send

Michael Coppola
Top contributor · September 22 at 1:40 PM ·

STOP THE REZONING
Here is what the developer doesn't want you to realize because it doesn't serve their needs !

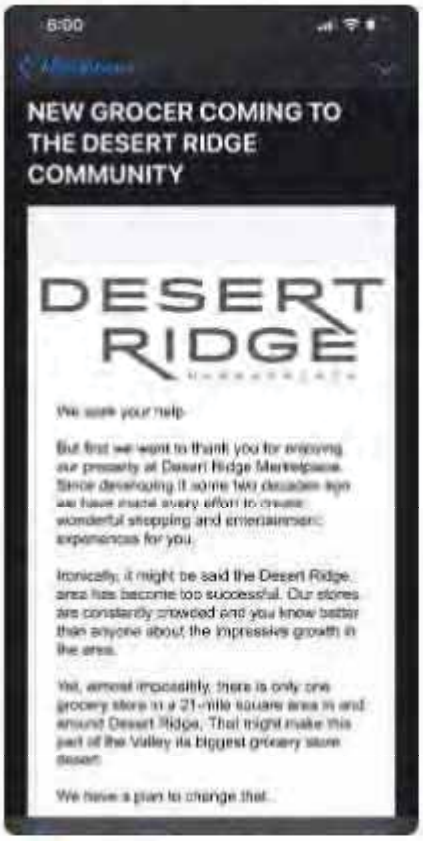
PDF
Grocery Store Flyer.pdf

23 92 comments

Like Comment Send

Karissa Barber Ma
Top contributor · September 21 at 6:04 PM ·

I know there are two sides - not hard to guess mine. This email that Desert Ridge Mall just sent out pisses me off! How can we even make a difference with this large conglomerate.










10 148 comments

Like Comment Send

Tanner Davis
Top contributor · 5 days ago ·

If anyone is interested in what the data/research says about home values when a grocery store is close, here's an article - https://www.homes.com/.../how-do-grocery-stores-affect.../. Many other research efforts have come to the same conclusion - that grocery stores are good for home values! In fact, this article discusses some research that shows home values increase more as the grocery store gets closer. The widely available research shows people generally... See more



HOMES.COM

**Can Grocery Stores Affect Home Values?**

Living near a grocery store – or further away – could have an effect on your home's value. We ...

You, Brian Lentz and 53 others 95 comments

Like Comment Send

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Tuesday, October 3, 2023 3:49:10 PM

| **Name** |
| --- |
| jai kim |
| **Email** |
| jkim@villagemedical.com |
| **Support Comments** |
| IOOKING FORWARD TO A NEIGBORHOOD GROCERY STORE AND RESTRAUNTS....DR. KIM |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, October 4, 2023 4:51:44 PM

---

| **Name** |
| --- |
| Temple Blackburn |
| **Email** |
| Temple1313@cox.net |
| **Address / Neighborhood (Optional)** |
| Surrounding Desert Ridge neighborhood |
| **Support Comments** |
| It is really close to a High School . My vote and suggestion would be a Trader Joes - there is not one near hear - it's easily 20-30 minutes from this location. It would do rally well. I tried to get one at the corner of Deer Valley and Cave Creek Road - now there is a starbucks and a dentist. |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Wednesday, October 4, 2023 10:00:59 AM

---

| **Name** |
| --- |
| Mairyn Nielsen |
| **Email** |
| nowheremair@gmail.com |
| **Address / Neighborhood (Optional)** |
| Mountainview |
| **Support Comments** |
| Yes to development, would love a grocery store - especially a trader Joe's or AJs. Would also appreciate a chick-fil-a! |

**From:** website@gblaw.com
**To:** PDD Long Range Planning
**Subject:** New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 9, 2023 9:34:58 PM

| **Name** |
| --- |
| Manar Rassam |
| **Email** |
| manar_mm81@yahoo.com |
| **Support Comments** |
| It would be great if you open a trader Joe's. Thank you |

| | |
|---|---|
| **From:** | John Norris |
| **To:** | Anthony M Grande; msantoro@gblaw.com |
| **Subject:** | Re: Z-39-23-2 Information |
| **Date:** | Wednesday, October 11, 2023 9:13:36 PM |

Re: GPA-DSTV-3-23-2 & Zoning Case # Z39-23-2

We would support the above mentioned General Plan Amendment and Zoning application with a Recorded Stipulation prohibiting fuel dispensing of any kind, from any vendor.

We have resided 4/10ths of a mile from the subject site since 2008 and have witnessed tremendous growth in the interim. Especially with development of the fine Sky Crossing, Fireside, Ridgeview and Aviano subdivisions. Of course, with growth, pavement and traffic are sure to follow but we regard Vestar's proposed development as a neighborhood amenity because of the grocery store and dining opportunities the project will offer, and developed by an excellent developer.

Additional traffic generated by the proposed shopping center is clearly documented in the Traffic Study, and is also generally the most prevalent of opposing objections. However, the Study compares proposed traffic to the property's current vacant condition but not against potentially a more intense rezoning in the future. During the 68 years I have resided in Phoenix, I have observed numerous parcels that have been leap-frogged over by residential development, and then these properties were ultimately infilled by significantly more intense zoning. So the question is, what would the traffic look like with twenty acres of high density multi-family development? Apartment traffic is 24/7 and not limited to commuter traffic like it is currently. The Traffic Study also presumes that a neighborhood center would reasonably generate a number of persons choosing to walk to the grocery store or restaurants, at least during the eight months of beautiful weather, in lieu of driving to Desert Ridge Marketplace.

Again, no gasoline vending and we are in favor of the proposal.

John Norris

On Tue, Aug 1, 2023 at 12:22 PM John Norris <johnnorrisccc@gmail.com> wrote:

> Anthony - Thank you so much for sending the link and for speaking with you this AM.
>
> Best regards,
>
> John S Norris
>
> On Tue, Aug 1, 2023 at 9:37 AM Anthony M Grande <anthony.grande@phoenix.gov> wrote:
>
> > Hi John,

I found the link to the website for this project. See the URL below. You can find information about the case and the contact information for the applicants.

https://www.gblaw.com/blackmountainvillage/ [gblaw.com]

Please let me know if you have any other questions.

Thanks,

Anthony

**Anthony Grande**

Planner II – Village Planner

City of Phoenix

Planning & Development Department

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003

**From:** Adam Polson
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Black Mountain Village / Superblock 12
**Date:** Friday, October 13, 2023 6:50:34 PM

---

We need the Vestar project. I am IN FAVOR of it, and so are a lot of neighbors. We just have a few NIMBYs who are against progress and change. A lot has changed since Desert Ridge was originally designed. Once the 51 entrance/exit came to Black Mountain, that changed everything. It is disingenuous for people to claim a bait and switch when there is a freeway entrance/exit right in their backyard. Moreover, there are a lot more homes going to be built in desert ridge and this proves that we need the project even more. The bottom line is that Vestar is proposing to pay for a lot of infrastructure upgrades to the area. If Vestar is not going to be able to build, who is going to pay for such work? I'm sure the City does not want to. And, I'm sure a lot of the NIMBYs won't want to pay for it either.

Sincerely,
Adam Polson
Sky Crossing resident
2845 E. Cashman Dr.
Phoenix, AZ 85050
602 750 0036

Get Outlook for Android [aka.ms]

| | |
|---|---|
| **From:** | Melissa Gitt |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for Vestar"s new project proposal GPA-DSTV-2-23-2/GPA-DSTV-3-32-2/Z-39-23-2 |
| **Date:** | Monday, October 16, 2023 12:13:05 PM |

Hi There,

My name is Melissa Gitt and I'm a resident in the Sky Crossing neighborhood. I wanted to reach out and express our families support for the proposed project in Black Mountain Village (off of Deer Valley and Black Mountain in Phoenix). I believe the case numbers are GPA-DSTV-2-23-2 and GPA-DSTV-3-32-2/Z-39-23-2.

We appreciate how Vestar has gone above and beyond to ensure that the shops across the street from our neighborhood are safe and make sense for this community. It would be a huge benefit to have a grocery store, gas station and restaurants to dine in that are so close to us!

I realize many are not in favor, but please understand that many of us ARE in favor and we'd love to have Vestar's plans get approved. Please let me know if you have any questions.

Warm regards,

Melissa Gitt
melissagitt@gmail.com

| | |
|---|---|
| **From:** | Monica Litt |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | In favor of Black Mountain Village |
| **Date:** | Tuesday, October 17, 2023 8:12:54 AM |

Case numbers:
GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2

Hi,
I wanted to send an email that our family, who live in Sky Crossing, are in favor of the Black Mountain Village. We moved from another state 3 years ago and had a grocery store and gas station built connected to our development a year before we moved. It was absolutely wonderful to have a spot so close to our home and our neighbors there loved having it as well.

We are in favor of having Black Mountain Village as it will be nice to have that convenience, an additional grocery option (hopefully better than our closest grocery), and a spot that my teenage kids can bike to if they are hungry.

I have not been able to attend the meetings as I drive my kids to their sports in the evenings.

We really hope this comes together and the neighbors realize that this is a good thing for our neighborhood.

If you are taking requests- would love a Trader Joe's and a Dutch Bros!

Thanks,
Monica

## Racelle Escolar

**From:** Jean Kantaros <jkantaros@gmail.com>
**Sent:** Wednesday, October 18, 2023 2:48 PM
**To:** PDD Planning Commission
**Subject:** GPA-DSTV-2-23-2/GPA-DSTV-3-23-2/Z-39-23-2. Rezoning of parcel 12c Black Mtn Blvd-Deer Valley

Hello,
My name is Jean Kantaros. I live at 20925 N 37th Pl, which is in Desert Ridge for 22 years and have watched the community grow exponentially and have waited a long time for an additional grocer to be in our community.

I am writing to you regarding the above-mentioned rezoning hearing which will take place on Nov 2 in front of the Planning and Zoning commission board, then in City council chambers Dec 6. The hearing is regarding Deer Valley Blvd and Black Mtn Blvd intersection, super block 12, Parcel 12C from R2 to C2 which is only approx. 20 acres in total.

Vestar has proposed to build a development, Black Mountain Village, on this corner to bring a "VERY MUCH" needed grocery store to this community, which has been drastically under-served.

Currently, within the Desert Ridge community, the only available grocery store is Albertsons, at the Desert Ridge Marketplace Tatum/101, and Deer Valley.

The proposed new development, Black Mountain Village, is directly off the Black Mtn Blvd exit, off the 51 freeway, cornering Deer Valley and Black Mtn Blvd and also backing Mayo Blvd. Please note these 2 Blvds. are major arterial roads. This is an optimal location for commercial, AND a grocery store. The convenience alone of being off the freeway is perfect for those of us on the way home from work.

This also would be a prime location to serve those who are west of Tatum/Deer Valley intersection and alleviate the overwhelming traffic in that **EXTREMELY** dangerous intersection, AND allowing people who live West of Tatum Blvd the ability to utilize the freeway 51 exit, closer to their homes to shop, rather than exit off the 101 to shop and back track.

With all the ongoing "new" construction, the currently in progress construction (i.e.): complexes with over 2000 multi family apts (city north and Tatum/ Deer Valley), ALSO taking into account the recent new homes being built in Talin, and the most recent purchase by Taylor Morrison on Pinnacle Peak and Cave Creek for another 1500 homes, and the already existing homes in Desert Ridge, how can it be justified to only have ONE grocery store in Desert Ridge to serve this entire community? That is an AWFUL lot of people directed to one grocery store. Don't the people of Desert Ridge deserve more? Did anyone consider if Albertsons can keep up with the demand for **ALL** these families? Let's not forget escalating an already traffic nightmare at that intersection by 100%.

I understand there are many concerns regarding Pinnacle High School. The high school is directly off the 51 freeway exit THAT originally should've been planned better in my opinion. But that's a done deal. Therefore, no development or progress for the rest of the community should exist because a high school is there, **AND ONLY WHEN** school is in session, and **SPECIFICALLY** 2 times a day, 7 am and 2 pm for a 1/2 hr it is busy with drop off and pick up? What about the other times from 8am-1pm Mon-Fri. Or after 3pm Mon-Fri, EVERY Sat-Sun, School Holidays, School Breaks AND ALL summer during vacation. What about all those " non-busy" times? How is that logical? The drop off/pick up back up occurs at every school and not just that one, so it's not new news. If crossing Mayo Blvd during the specific drop off and pick up times is the problem, and students **CANNOT** follow traffic signals, maybe arrangements need to be made with the High School to add a crossing guard for these students, like they have for the "elementary students".

I listened to Vestars proposal on Oct 3. and they have laid out a very well-thought-out plan to assist with all the safety concerns regarding the high school. They will implement a Barricade on Mayo Blvd once it's expanded to four lanes to ensure people use the traffic signal. This Barricade is similar to the one on Black Mtn Blvd off the freeway exit, in the median. They are also putting in a 50ft Barrier on Mayo Blvd from the street to the Block wall which will be on the side

facing the school. Plus putting in the HAWK crossing system on Deer Valley. This is ALOT and very generous, more than other High Schools have such as Paradise Valley, where students cross 40th Street to get to the shopping center at any point on 40th street or cross Bell Rd.

Is this proposal perfect? NO.
Can stipulations be added by the city to Vestar to obtain the optimal proposal to satisfy 95% of this community? **ABSOLUTELY**!!
For example:

1. Smaller size grocer 65,000 sq ft +/-
2. No Fuel at all

**BUT** to be close minded, and totally deny this opportunity to an entire community to satisfy a selected few? Is biased and immoral.

State trust land that is sold or leased assists Arizona's economy, public education K-12, as well as other beneficiaries. By limiting the ability of this sale and keeping this **VERY** small parcel zoned status quo, provides ZERO benefits.
The ONLY ones benefiting are the ones who are opposing, due to buying a house backing to either Black Mtn or Deer Valley, which are major roads that are off a freeway exit. Their opposition is purely self-serving AND selfish.

These people are also fully aware that this parcel is too small to build any type of residential home community. They know that there is no reputable builder that will invest millions of dollars for a loss. This discussion has been had multiple times on neighborhood chats.Here is my reasoning, which was also posted in these chats:

> There is a total of 20 acres. By the time all the barriers are built, sidewalks, landscaping, etc., and Mayo Blvd widened to 4 lanes with a center median, it leaves ~15 acres. With that remaining buildable space you can build approx. 70 homes at 5 homes per acre, and that's still questionable if you also factor in streets, sidewalks, and a small community park. I do not foresee a builder investing millions of dollars to build the infrastructure surrounding this parcel, to only build 70 homes. Which will be NEXT door to a high school, SURROUNDED by 2 major arterial roads, AND off a freeway on ramp/exit. Those homes would HAVE to sell for a min of $1mil+ In order for homes in the vicinity to keep their values. I myself WOULD NEVER buy a home and invest that amount of money in that scenario, **WOULD YOU**?
> I have lived in the valley for 40 years, and personally have never seen any residential home community built with the similar description as above, BUT I have seen apartments built in that size lo which would be a disaster. That is the LAST thing that is needed there!! The typical builder will buy Trust Land over 200+ acres to build any type of community. Again, I mention, this scenario was brought up to these individuals who are opposed, and their responses were " I don't care if it can't be built on" it can stay vacant, we want it to stay zoned as is. Pretty selfish. Where is the benefit in that!!

If this zoning change is approved, it will benefit an entire community, as well as providing a positive economic impact for our schools and the other entitled beneficiaries. Also, the revenue generated, and tax proceeds will benefit the City of Phoenix.
The Desert Ridge Master Plan always had plans for another grocery store. It has somehow been forgotten along the way. It was never intended to have SO many residents utilize one neighborhood grocery store to purchase their day-to-day needs. To date, there have been SO MANY revisions to the "Master Plan" therefore, there is no logical reason as to why this request should not be approved since its long overdue.

The people from Sky Crossing and Copper Canyon at Fireside that specifically have homes backing to these major roads (Black Mtn and Deer Valley) have now organized meetings and using scare tactics and lies to support their agenda. Telling them to write to Councilman Jim Waring and this commission to oppose this development.

They are telling people there will be over 200 stores and a shopping center filled with junk food for starters, plus much more. This is a LIE! Desert Ridge Marketplace has 111 stores WITH quality restaurants and is 10 times the acreage of this proposal.
This shopping center is **NOT** big enough for 200 stores. The only store Vestar mentioned besides an un-named grocery store is Chick-fil-a. And a Dutch Bros to date, and to be honest Chick-fil-A is the #1 healthiest fast food out there. This is much better than students DRIVING to In and Out for lunch, possibly getting into an accident due to time constraints. They can actually walk there.

They can actually go to the grocery store and grab a HEALTHY LUNCH as well, since I've heard so many people grumble about "junk food". **MUCH** Safer than driving and crossing Tatum Blvd. Again, deceit AND scare tactics to promote their agenda. They are also stating having a grocery store next to a high school will change students' behavior. HOW, I ask? That is the most ludicrous statement I heard. Not sure how that works. Oh wait, they can grab a fresh deli sandwich, or a salad and that's a bad thing? A shopping center is **NOT** meant to be a babysitting venue for people's children. I mention Paradise Valley High School again, which has Rosati's, pizza, Walgreens, KFC, a Jack in the Box, and a Village Inn, plus more directly adjacent to the school across 40th street. That does not include the Paradise Valley Burger shop and Icee shop directly across the street. Has that changed the student's behavior??? I think not!! Ask the principal. There are many other High Schools in the valley that have "fast food", across from them.

My hopes are that the Planning and Zoning commission board can read between the lines, and see they are looking out for themselves, and not for the betterment of the community and what the community wants.
Desert Ridge Marketplace should NOT be the only commercial place WITH A GROCERY STORE to go to for this entire community. A solution to this **ONE** grocery store issue is needed, AND quickly. The current path is NOT sustainable as this community continues to grow. It cannot or should not be swept under a rug and continue status quo. The people of Desert Ridge deserve more options.
Thank you for your time and consideration in reading my letter. I am open to any future discussion if needed regarding this rezoning project. 602.326.6561.

Kind regards.

Jean Kantaros

Enc:
Propaganda they are saying

# It's still under review - You can still STOP this proposal !

There is an active proposal by a developer who wants to COMMERCIALLY rezone the land near Pinnacle High School.
The land has **NOT** been bought yet and the rezoning has **NOT** been approved yet.
When you bought your home, the expectation was that our community would remain residential.
If our community would start allowing commercial zones- it will set a precedent for future proposals.
They will not stop adding shopping centers, fast food restaurants and gas stations.
*The proposed zoning allows **200 other types of shops!** **THIS IS A LIE***
Going forward, they will NOT stop requested amendments to change their initial proposal.

We need everyone in Desert Ridge to voice their opposition and write an email to:
Anthony.grande@phoenix.gov (Village Planner assigned to this proposal).
and include council.district.2@phoenix.gov (Councilman Jim Waring)

# Consider these concerns :

1. It will add more traffic problems to all parts of the community. *With all the new builds that will add more traffic to all parts of the community.*
2. It will affect the safety of our kids going to Pinnacle High School and Fireside Elementary.. *Elementary school is off Lone Mountain it is nowhere near the shopping center.*
3. High School students' behaviors will change for the worse with these shops close by. *This was already mentioned above*
4. It will add to noise, littering, light and other pollutions. *Noise pollution will happen no matter what you live on a major road off a freeway! I have never seen Desert Ridge trashed with litter, and any type of build will add additional light. If they paid attention, Vestars lighting is non impactful from their proposal. The lighting is actually lower than streetlights and lower than the HIgh Schools.*
5. Traffic from delivery trucks will increase at all hours of the day. *Traffic is a given off the freeway*

6. It will attract all of the problems you see already at Desert Ridge Marketplace; ie: fast food restaurants and gas stations today. *Desert Ridge has In and Out. It has high quality restaurants. If you consider the Keg, BJ's, Jin JIa and more fast food that's a whole different issue. If the Desert Ridge Marketplace is SO BAD, perhaps consider* ***NOT****allowing your teenager to hang out there.*

## Stand with your community.

For most residents, it may not affect you directly, but please consider your neighbors and consider what a great community Desert Ridge is today.

We have all bought our homes knowing we have great schools, parks and playgrounds and above all, that it was a Planned Residential Community.

There are pre-approved commercial lots available for this developer on Cave Creek and Pinnacle Peak to add a new grocer.

Let's not ruin our community for the residents and children that will live here after we're gone and want the same great experience we enjoyed.

## What can you do?

CLICK TO EXPAND THE ACTION ITEM

Continue to Email the City Planner and your council man

Join the opposition group for more information and action

Attend City Planning Committee meeting November 2nd

Sign our Petition

**From:** Chris Sinclair
**To:** Anthony M Grande
**Subject:** Black Mountain Village
**Date:** Wednesday, October 18, 2023 3:35:47 PM

---

hi, are you able to put this in for the next meeting? thanks:
hi, I'm writing in support of the Black Mountain Village Development project. we've heard for years that we were getting a second grocery store, most likely Fry's. bought our house in Aviano in 2009. most of the opposition are people backing the major roads in question. I think we need to look at the big picture of the neighborhood as opposed to a few who decided to buy a house backing a major road. so many more homes/residences are going up in the area and more retail is needed. Vestar develops top notch properties and this will be a plus to the community. thanks.

--
Chris Sinclair
Sinclair Engineering LLC
23251 N.38th Place
Phoenix, AZ 85050
480-695-9734

| | |
|---|---|
| **From:** | James Patterson |
| **To:** | Council District 2 PCC; Anthony M Grande; PDD Central City VPC; PDD Long Range Planning; Mayor Gallego |
| **Subject:** | Black Mountain Village Support |
| **Date:** | Friday, October 20, 2023 9:37:18 AM |

Hello,

My name is James Patterson and I am a resident of Sky Crossing (moved here in 2019) and I am a supporter of this project. That being said, I am nervous/afraid to voice my support in a public setting because the neighborhood's loudest voices (via FaceBook) are so against it. If anyone posts something that is remotely in support of, multiple neighbors shoot it down which makes a constructive discussion impossible.

I would normally not have a problem being the antagonist but this is where I live. I don't want to put myself or my family in this kind of negative spotlight.

The people making this decision should know that there are many many many residents who support this but are being overshadowed by a few loud/rude voices.

Thanks,
James

--
James Patterson
(480) 390-4288

**From:** PDD Long Range Planning
**To:** Anthony M Grande
**Subject:** FW: New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, October 23, 2023 12:00:41 PM

---

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




---

**From:** website@gblaw.com <website@gblaw.com>
**Sent:** Sunday, October 22, 2023 2:25 PM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** New Support for Vestar's Black Mountain Village / Superblock 12 Proposal

| **Name** |
| --- |
| Craig Despres |
| **Email** |
| craig@azdespres.com |
| **Address / Neighborhood (Optional)** |
| 2547 E. Robb Ln. |
| **Support Comments** |
| Grocery store would be greatly appreciated. |

**From:** Mike Head
**To:** Anthony M Grande
**Subject:** Zoning
**Date:** Thursday, October 26, 2023 8:46:11 PM

---

I am in favor of the commercial re zoning of the corner of Pinnacle Peak road and Black Mountain Blvd.
Mike Head

| | |
|---|---|
| **From:** | Amber Shahebrahimi |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for rezoning request ahead of 11/2 meeting |
| **Date:** | Thursday, October 26, 2023 8:11:16 PM |

Hello!

It has come to my attention that a number of my neighbors are upset about the proposed rezoning at Black Mountain and Deer Valley (rezoning proposal case GPA-DSTV-2-23-2 and Case GPA-DSTV-3-23-2 and Case Z-39-23-2).

I am unable to attend the 11/2 meeting but I would like to express my strong support for the proposal. If there's any way in which this support could be recorded despite my absence, I would greatly appreciate it.

Thank you!
Amber Shahebrahimi

**From:** sonia Whig
**To:** Anthony M Grande
**Subject:** In favour of Black Mountain Village
**Date:** Thursday, October 26, 2023 7:14:15 PM

---

I am definitely FOR this development. Please just make sure it is tastefully done and with retail options that are appealing to adults not just the high school kid's lunch time eats. It will be great to have a nice coffee shop (not commercial drive thru joe), maybe a local donut shop or cafe.

I love to think that this will develop our corner into an upscale little neighbourhood. Please don't bring in big box stuff.
I'd rather have apartment bldg if that's the plan.

And safety of our properties and life are of importance.
Nothing that will attract unpalatable encroachment.

Hoping this goes through!
Thanks

Sent from my iPhone

**From:** Mehlhorn, Joshua
**To:** Anthony M Grande; council.district2@phoenix.gov
**Subject:** Commercial Development by Pinnacle High School
**Date:** Friday, October 27, 2023 3:18:00 PM
**Attachments:** image001.png

---

Hello,

I wanted to write you that I am in support of getting a grocery store in near Pinnacle High School by Deer Valley Road. Overall, I agree with a lot of people complaining about all the new developments. It's a shame all that natural land is getting houses. That being said, if we are getting all these new houses, we might as well get a grocery store to shop at. Thanks.

**Josh Mehlhorn**
Sr Manager I O Engineering OptumRx | Infrastructure Operations and Engineering (IOE)
Desk: +1-623-238-7075
josh.mehlhorn@optum.com

Optum
**Upcoming PTO**

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| | |
|---|---|
| **From:** | MJ Dubya |
| **To:** | Council District 2 PCC; Anthony M Grande |
| **Subject:** | Support for Desert Ridge Shopping Center |
| **Date:** | Monday, October 30, 2023 11:30:59 AM |

Hello,

I'm writing to offer my support for the development of the commerical land at Deer Valley and Black Mountain Parkway. The area is in desperate need of additional shopping and restaurants and this would be a welcome development!

Thank you!
MJ Dubya

| | |
|---|---|
| **From:** | Catherine Chisholm |
| **To:** | Anthony M Grande; Council District 2 PCC |
| **Subject:** | Support for development at Black Mountain and Deer Valley |
| **Date:** | Tuesday, November 28, 2023 1:32:22 PM |

Hi, Anthony. I am writing in support of the development at Black Mountain and Deer Valley. I live north of the planned development and with the influx of residential housing east, west and north of Desert ridge we are in desperate need of additional options for grocers, restaurants, gas and shopping, particularly on East-West running rds between Cave Creek Blvd and Scottsdale Rd. Having an additional shopping center option would take much traffic pressure off of Desert Ridge shopping center, and help alleviate their constant underparking issue. This would be a benefit to not only the 85050 and 85054 zip codes, but the impact would also benefit 85331 and 85266. It is a natural location for additional development with the location of the 51S on-ramp, and I sense this is supported not only by most residents in Desert Ridge but also the southern parts of Cave Creek and N. Scottsdale.

Thanks,
Catie Chisholm
480-235-7152

**From:** PDD Long Range Planning
**To:** Anthony M Grande
**Subject:** FW: New Support for Vestar"s Black Mountain Village / Superblock 12 Proposal
**Date:** Monday, December 4, 2023 8:21:51 AM

---

Thank you,

Sarah Stockham
Planner III
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-261-8701
sarah.stockham@phoenix.gov




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**From:** website@gblaw.com <website@gblaw.com>
**Sent:** Saturday, December 2, 2023 2:43 PM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>
**Subject:** New Support for Vestar's Black Mountain Village / Superblock 12 Proposal

| **Name** |
| --- |
| Dani Cook |
| **Email** |
| Uadanilynn@yahoo.com |
| **Support Comments** |
| Would like another grocery option! |

**From:** Adam Polson
**To:** Anthony M Grande; Council District 2 PCC
**Subject:** Re: Black Mountain Village / Superblock 12
**Date:** Tuesday, January 2, 2024 4:16:14 PM

---

Hi. I am resending my email below to voice my continued support for this proposed project. I ask again. If Vestar doesn't pay for this infrastructure, will the City pay for it?

Get Outlook for Android [aka.ms]

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**From:** Adam Polson <adampolson@hotmail.com>
**Sent:** Friday, October 13, 2023 7:50:27 PM
**To:** anthony.grande@phoenix.gov <anthony.grande@phoenix.gov>; council.district.2@phoenix.gov <council.district.2@phoenix.gov>
**Subject:** Black Mountain Village / Superblock 12

We need the Vestar project. I am IN FAVOR of it, and so are a lot of neighbors. We just have a few NIMBYs who are against progress and change. A lot has changed since Desert Ridge was originally designed. Once the 51 entrance/exit came to Black Mountain, that changed everything. It is disingenuous for people to claim a bait and switch when there is a freeway entrance/exit right in their backyard. Moreover, there are a lot more homes going to be built in desert ridge and this proves that we need the project even more. The bottom line is that Vestar is proposing to pay for a lot of infrastructure upgrades to the area. If Vestar is not going to be able to build, who is going to pay for such work? I'm sure the City does not want to. And, I'm sure a lot of the NIMBYs won't want to pay for it either.

Sincerely,
Adam Polson
Sky Crossing resident
2845 E. Cashman Dr.
Phoenix, AZ 85050
602 750 0036

Get Outlook for Android [aka.ms]

| | |
|---|---|
| **From:** | ROBERT J MAYO |
| **To:** | Anthony M Grande |
| **Subject:** | GPA-DSTV-2-23-2, GPA-DSTV-3-23-2,Z-39-23-2 |
| **Date:** | Thursday, September 19, 2024 1:48:01 PM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mr. Grande,

I am writing this in regard to above noted rezoning cases.

My family is COMPLETELY IN FAVOR OF THIS PROJECT.

As a 17-year resident of Fireside Desert Ridge, we look forward to having a neighborhood retail center in the area. It has been long overdue. In my opinion this project, instead of more residential will reduce traffic at the times that some of my neighbors believe it will increase.

Thank you.

Sincerely,
Bob & Yvette Mayo
21622 N. 39th Pl
Phoenix, AZ 85050
(602)793-8249
Former Managing Partner Roy's Desert Ridge
Current Managing Partner Village Tavern Scottsdale

| | |
|---|---|
| **From:** | Dan Oseran |
| **To:** | Anthony M Grande |
| **Subject:** | Support for BMB/deer valley development |
| **Date:** | Wednesday, September 18, 2024 10:39:34 PM |

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hi Anthony,
I support Vestar's proposed new development south of Deer Valley and Black mountain Blvd.

I know that you are probably being inundated with emails against the project, and I think that's due to a very organized and loud group of homeowners that border the area and are against any sort of development on that property.

Vestar seems to have listened to criticism in the first round and made this lower density and smaller stores to keep it more in line with the neighborhood and schools immediately surrounding the area.  I think a tasteful retail area can be beneficial to property values.

Thank you,
Dan Oseran

**From:** website@gblaw.com
**Sent:** Sunday, September 15, 2024 2:43:59 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Christine Alexander |
| **Email** |
| christinegutek@yahoo.com |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:25:16 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Lindsey Barrett |
| **Email** |
| lindseypeelebarrett@gmail.com |

**From:** website@gblaw.com
**Sent:** Wednesday, September 11, 2024 10:54:15 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Marie Bauer-Stanley |
| **Email** |
| bauerstan@me.com |
| **Address / Neighborhood (Optional)** |
| 3112 E Half Hitch Pl. Phx, 85050 |
| **Support Comments (Optional)** |
| After meeting with the planning committee for this project, I was happy to see the changes from this first meeting I like the project and it is much needed in our community. I look forward to finished project<br><br>Again thank you your work in bringing this development to us |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 21:27:42
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Morgan Bircher |
| **Email** |
| morgantanabe@gmail.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments (Optional)** |
| To Whom it May Concern:<br><br>I cannot attend this upcoming hearing, but I am a Sky Crossing resident in the parcel located on the corner of Black Mountain and Deer Valley. I wholeheartedly support this proposal and am looking forward to the many amenities that this will bring the community. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:22:15 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Avik Biswas |
| **Email** |
| avik.tcs@gmail.com |
| **Address / Neighborhood (Optional)** |
| talinn at desert ridge |
| **Support Comments (Optional)** |
| Need frys grocery store and kids play area/ splash pad for family traffic increase |

**From:** website@gblaw.com
**Sent:** Saturday, September 7, 2024 12:01:01 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Ivaylo Botev |
| **Email** |
| botev@msn.com |
| **Address / Neighborhood (Optional)** |
| 3901 E Monona Drive |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:03:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Kristen Cassuto |
| **Email** |
| kristencassuto@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21612 N 60th Ter., Phoenix AZ 85054 |
| **Support Comments (Optional)** |
| Love this! |

**From:** website@gblaw.com
**Sent:** Monday, September 9, 2024 1:36:58 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Kristen Cassuto |
| **Email** |
| kristencassuto@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21612 N 60th Ter. |
| **Support Comments (Optional)** |
| Our family would love this! We support this plan! The faster the better! |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 20:22:07
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Jamie Colwell |
| **Email** |
| jamie.cruse21@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| My family is all in for this development! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:06:03 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Irena Dailey |
| **Email** |
| nightlilly05@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn |

**From:** website@gblaw.com
**Sent:** Monday, September 16, 2024 10:59:17 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Neal Dubey |
| **Email** |
| neal.dubey@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22313 N 36th Street |
| **Support Comments (Optional)** |
| Thank you for making revisions to the plan. I would like to understand what guarantees we have that we won't revert back to the previous plan that included a gas station and a large grocery store. It would also be good to avoid any drive through fast food, which could lead to traffic congestion within the complex. I'm looking forward to the development and hope that Vestar can get Trader Joes as a tenant.<br><br>Regards,<br>Neal Dubey |

**From:** website@gblaw.com
**Sent:** Tuesday, September 10, 2024 6:02:57 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Solomon Fink |
| **Email** |
| sol_fink@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Asterea at SkyCossing |
| **Support Comments (Optional)** |
| My wife and I would like to see a Trader Joes's or Whole foods grocery store. In addition, a couple restaurants and a breakfast cafe style place to eat. |

**From:** website@gblaw.com
**Sent:** Sunday, September 15, 2024 10:09:14 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| ANDREW GADDIS |
| **Email** |
| andrew@pricore.com |
| **Address / Neighborhood (Optional)** |
| Sky Crossing |
| **Support Comments (Optional)** |
| I live in Sky Crossing, right next to corner of Deer Valley Rd and 32nd St.<br><br>I would LOVE to see this land developed into commercial space. Grocery store, shops, retail, food, restaurant, and drive thru -- would all be a huge benefit to surrounding communities.<br><br>Currently the closest place you can go is Desert Ridge. And honestly I hate going there because it is so congested and busy from people coming to it from other parts of valley. It would be amazing to have something closer to home and less busy. It would also be nice to have a food option less than 5 minutes away.<br><br>To avoid Desert Ridge, the next best and closest hub of stores/restaurants/etc is like Bell Rd / 7th St, which is a good +20-25min drive one way. Which is ridiculous. We need options closer to our community.<br><br>There are a small dozen or so loud and vocal residents who dont want this development. They post about it on facebook group. They dont want anything to get built there except houses. If you went door to door and get signatures, you would likely find the VAST MAJORITY would support having amenities across the street.<br><br>Please get some food and retail options close to our Sky Crossing community with this development! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 1:27:29 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Tami Gephardt |
| **Email** |
| tamigephardt@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21205 N. 59th Terr |
| **Support Comments (Optional)** |
| a trader joe's or AJ's would be fantastic and a drive thru starbucks or coffee shop or even a drive thru food place since the only one in desert ridge is in and out …..chic filet maybe? another ice den would be great too! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 11:09:56 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Nicole Hansen |
| **Email** |
| pawloverx2@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21523 N 61st street Phoenix 85054 |
| **Support Comments (Optional)** |
| Please put a Trader Joe's, Sprouts or AJ's. No more apartments!!! We certainly don't need another big box grocery store. |

**From:** website@gblaw.com
**Sent:** Tuesday, September 17, 2024 6:21:19 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Caitlin Hull |
| **Email** |
| caitmsheedy@gmail.com |
| **Address / Neighborhood (Optional)** |
| 21825 N 48th Place, Phoenix, AZ, 85054 |
| **Support Comments (Optional)** |
| I am very much in support of this development. In Desert Ridge our only grocery option is Albertsons but I would love to have another option that is close and provides competition. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:23:55 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Kristen Hunn |
| **Email** |
| kmhunn@asu.edu |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| In support of grocery/retail area. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:49:04 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Staci Ignoffo |
| **Email** |
| stacibeisenberg@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| Hi There—My family would much prefer a retail development over more apartments. This area is already congested and there are not enough grocery stores/businesses to service it.<br><br>Thank you! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:30:09 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Hayley Jamison |
| **Email** |
| hayley@am1realty.com |
| **Address / Neighborhood (Optional)** |
| Talinn @ Desert Ridge |
| **Support Comments (Optional)** |
| All for this! We would love to have either a Whole Foods here! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:20:04 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Melody London |
| **Email** |
| melody75@aol.com |
| **Support Comments (Optional)** |
| Please bring a Trader Joe's 😀 |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:54:44 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Cynthia Maxwell |
| **Email** |
| maxwellcynthia@sbcglobal.net |
| **Support Comments (Optional)** |
| I support incoming grocery stores! Fry's or Trader Joe's please. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:10:20 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Kris Mel |
| **Email** |
| dancerkmm@aol.com |
| **Support Comments (Optional)** |
| Hi! Interested in a Trader Joe's in this community - thank you! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:01:39 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Avinash Reddy Nandyala |
| **Email** |
| avinash.149@gmail.com |
| **Address / Neighborhood (Optional)** |
| Tallinn |

**From:** website@gblaw.com
**Sent:** Saturday, September 14, 2024 12:41:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| John Norris |
| **Email** |
| johnnorrisccc@gmail.com |
| **Support Comments (Optional)** |
| I believe the proposed neighborhood shopping center will be an amenity because the site plan and zoning stipulations, as amended, satisfied all of my concerns and the developer, Vestar, has a long track record of successful development and management of shopping centers. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:05:33 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Toby Ownby |
| **Email** |
| ericandtoby@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| Would love to have a Trader Joe's!! We have a sprouts near by, whole food is off of Scottsdale road but we need a Trader Joe's! That would be amazing! |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 7:28:20 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| **Name** |
| --- |
| Hiten Patel |
| **Email** |
| hiten.m.patel@gmail.com |
| **Address / Neighborhood (Optional)** |
| 3745 E Ember Glow Way |
| **Support Comments (Optional)** |
| I think it would be a great asset to the community. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:38:16 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Rona Polizano |
| **Email** |
| rgruia18@gmail.com |
| **Address / Neighborhood (Optional)** |
| 6138 E Louise Dr Phoenix AZ 85054 |
| **Support Comments (Optional)** |
| Voting for Trader Joe's in desert ridge |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:29:38 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Kristin Powell |
| **Email** |
| kpazhome@outlook.com |
| **Address / Neighborhood (Optional)** |
| 5957 e quail avenue phx 85054 |
| **Support Comments (Optional)** |
| More rental?! Yes please!! A Trader Joe's?! 200%. Would also LOVE a Houston's and some concept restaurants and more high end shipping. Thank you!!! |

**From:** website@gblaw.com
**Sent:** Wednesday, September 11, 2024 6:36:52 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Brett Puleio |
| **Email** |
| bpuleio@aol.com |
| **Address / Neighborhood (Optional)** |
| 21905 N. 34th Way |
| **Support Comments (Optional)** |
| Being a resident of SkyCrossing, I support the project development on Deer Valley and Black Mountain as the area needs additional amenities to support growing families. |

**From:** website@gblaw.com
**Sent:** Tue, 10 Sep 2024 15:07:48
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Bobbie Ralhan |
| **Email** |
| bobbie.zimny@gmail.com |
| **Address / Neighborhood (Optional)** |
| Desert Ridge |
| **Support Comments (Optional)** |
| I really feel that our community would benefit if we had a grocer in the area like a Trader Joes, Frys or Sprouts. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:49:56 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Jai Kumar Rangaraj |
| **Email** |
| sensejai@gmail.com |
| **Support Comments (Optional)** |
| I support |

**From:** website@gblaw.com
**Sent:** Tuesday, September 10, 2024 10:02:11 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Erin Reese |
| **Email** |
| ereese1212@gmail.com |

**Archived:** Thursday, September 19, 2024 10:24:35 AM
**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 10:22:46 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Raymond Rita |
| **Email** |
| raymond3213@hotmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 11:43:34 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| **Name** |
| --- |
| Sean Salvas |
| **Email** |
| stsalvas85@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| A Trader Joe's would be perfect here. Having previously lived at Sky Crossing, Trader Joe's was always a talking point for being put there. It's an ideal location with a ton of population to support. Trader Joe's needs to happen! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:48:31 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Mac Slane |
| **Email** |
| taskbar.0.eldest@icloud.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| Yes. Support Trader Joe's |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:39:30 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Srie P |
| **Email** |
| sriepati665@gmail.com |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 6:52:26 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Dmitry Streblechenko |
| **Email** |
| dmitry@dimastr.com |
| **Address / Neighborhood (Optional)** |
| 3846 E. Cat Balue Dr. |
| **Support Comments (Optional)** |
| Can't way to see a small grocery store and a restaurant within a walking distance from my house! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 12:10:57 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Jenna Turner |
| **Email** |
| jennanturner@gmail.com |
| **Address / Neighborhood (Optional)** |
| 22028 N 59th Way Phoenix, AZ 85054/ Talinn |
| **Support Comments (Optional)** |
| We have lived in desert ridge since 2015 and often have to travel to go to any grocery store other than Albertsons. It would be so beneficial to have another option up in our area. We have seen so much growth it doesn't make sense to only have one grocery option. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:47:14 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Chris Waranch |
| **Email** |
| cwaranch@gmail.com |
| **Support Comments (Optional)** |
| I would like to see a grocery store go in this location |

**From:** website@gblaw.com
**Sent:** Monday, September 9, 2024 1:28:00 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Vanessa Weber |
| **Email** |
| vanessacweber@gmail.com |
| **Address / Neighborhood (Optional)** |
| Talinn |
| **Support Comments (Optional)** |
| Would love to see a grocer, local coffee and local restaurants |

**From:** website@gblaw.com
**Sent:** Wednesday, September 18, 2024 9:32:00 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| claude zajac |
| **Email** |
| claudezajac@gmail.com |
| **Address / Neighborhood (Optional)** |
| saguaro valley |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 7:37:51 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| Name |
| --- |
| Margaret Ewald |
| **Email** |
| margaretbski@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Taking @Desert Ridge |
| **Support Comments (Optional)** |
| I am in support of adding a Trader Joe's to the area! |

**From:** website@gblaw.com
**Sent:** Friday, September 20, 2024 7:46:52 AM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Jessica Hardman |
| **Email** |
| kamin.jessica@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn and Desert Ridge |
| **Support Comments (Optional)** |
| Please give us a trader joes or a whole foods or a sprouts!!! |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 9:17:54 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

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| Name |
| --- |
| Mitch Murillo |
| **Email** |
| mmurillo1218@gmail.com |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 4:49:25 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Liz Schachter |
| **Email** |
| Lizprice88@aol.com |
| **Address / Neighborhood (Optional)** |
| 22007 N 59th Terrace |
| **Support Comments (Optional)** |
| Prefer Whole Foods, Trader Joe's or high end grocery store. |

**From:** website@gblaw.com
**Sent:** Thursday, September 19, 2024 7:37:52 PM
**To:** pdd.longrange@phoenix.gov
**Subject:** Support for proposed Black Mountain Village neighborhood commercial center
**Importance:** Normal
**Sensitivity:** None

---

| **Name** |
| --- |
| Seth Ewald |
| **Email** |
| tupihed@yahoo.com |
| **Address / Neighborhood (Optional)** |
| Talinn at Desert Ridge |
| **Support Comments (Optional)** |
| I am in support of adding a Trader Joe's to this area |

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-39-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 1, 2024 |
| **Request From** | S-1 DRSP (Approved R1-6 DRSP)<br>S-1 DRSP (Approved R-2 DRSP) |
| **Request To** | C-2 DRSP |
| **Proposed Use** | Commercial shopping center |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Approval, per the staff recommendation |
| **VPC Vote** | 10-1 |

**VPC DISCUSSION:**

*Item No. 4 (GPA-DSTV-2-23-2), Item No. 5 (GPA-DSTV-3-23-2), and Item No. 6 (Z-39-23-2) are companion cases and were heard together.*

*Fifty-two members of the public registered to speak on this item, 18 in opposition, 34 in support.*

*Twelve members of the public registered in opposition, not wishing to speak.*

*Twenty-six members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. Mr. Grande further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Ashley Marsh**, representing the applicant with Gammage & Burnham, PLC, provided a presentation, highlighting the work the applicant has done with the community since the last meeting and the aspects of the proposed development that have been modified. **Ryan Ash** with Vestar provided an overview of the company and the project, including the process of deciding on the subject site for this project. **Dawn Cartier** with CivTech

described the proposed street improvements in the surrounding area and the impacts on the traffic.

QUESTIONS FROM COMMITTEE

**Vice Chair Lagrave** asked about the provision of crossing guards and whether the applicant would be open to prohibiting car washes. **Ms. Marsh** stated that the applicant would provide the crossing guards and would be open to prohibiting car washes.

**Committee Member Israel** asked about the enforceability of the requirements of the Desert Ridge Specific Plan and about the responsibility to street improvements. **Mr. Grande** replied that the requirements of the specific plan are regulatory and would be enforced for any future development at the site and that developers are generally responsible for street improvements on their half of the street.

**Committee Member Younger** asked about auto-oriented businesses. **Ms. Marsh** replied that the zoning would allow what's found in the C-2 zoning use list.

**Committee Member Nowell** asked about drive throughs and the traffic and noise generated from them. **Ms. Marsh** stated that every drive through is different and has to be reviewed through a use permit for each one.

**Mr. Nowell** asked about the timing of street improvements. **Ms. Marsh** replied that all street improvements would need to be done first before development of the site.

**Committee Member Kollar** asked about the bus stop pad. **Ms. Marsh** replied that it would be incorporated for any future bus routes that may serve the area.

**Mr. Younger** commented on the traffic pattern example mentioned at Xavier College Preparatory School and asked if it would be similar here. **Ms. Cartier** replied that these would be more controlled movements because of the medians.

**Committee Member Carlucci** asked about signal timing changes at Black Mountain Boulevard and Deer Valley Drive. **Ms. Cartier** replied that the timing would be adjusted to allow pedestrians time to cross. **Mr. Carlucci** asked about the overall traffic modeling. **Ms. Cartier** provided details of the level of service in several scenarios.

**Committee Member Kirkilas** asked about the size of the grocery store and asked for clarification on the definition of adult uses. **Mr. Ash** replied that the site plan is conceptual and that negotiations will begin after zoning is in place, which will solidify the store size. **Ms. Marsh** provided a clarification on adult uses.

**Mr. Israel** asked about limiting all auto-oriented uses in C-2. **Mr. Grande** explained that individual uses could be prohibited in the Desert Ridge Specific Plan.

**Mr. Younger** asked about the height limit. **Mr. Ash** replied that it would be two stories, 30 feet.

**Mr. Carlucci** asked about the estimated investment in infrastructure for this project and whether prohibiting drive throughs would negatively impact the project. **Mr. Ash** replied with investment details and stated that prohibiting drive throughs would limit many future restaurant options. **Chair Bowser** added that in the post-Covid market, there are many more pick-up windows and drive throughs than before.

PUBLIC COMMENTS

**Ted Weis** introduced himself and spoke in support of the proposal, highlighting that it will provide more options for the area.

**Stephen Applebaum** introduced himself and spoke in opposition to the proposal, stating that it will provide opportunities for bad behavior for students.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that this will only shift where people spend money, and that housing would be more important to building due to the housing crisis.

**Gary Smith** introduced himself and spoke in support of the proposal, stating that Desert Ridge Marketplace is too crowded, and this will provide an alternative.

**Yana Dashevsky** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**Aimee Sinclair** introduced herself and spoke in support of the proposal, stating that Desert Ridge is growing, and this proposal will make it safer to walk and bike.

**Kristen Cassuto** introduced herself and spoke in support of the proposal, highlighting the parking issues at Desert Ridge Marketplace.

**David Barge** introduced himself and spoke in support of the proposal, stating that he did not like the original proposal but is in support due to the changes Vestar made.

**Allie Lucyk** read a letter from **Geraldine Belafsky** in support of the proposal.

**Roland Ward** introduced himself and spoke in support of the proposal, stating it will provide an alternative to Desert Ridge Marketplace, which is too busy.

**Payton Sinclair** introduced himself and spoke in support of the proposal, stating it would be good to have job opportunities nearby.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating she bought her home to be able to safely walk to school, not to have retail neaby.

**Mike Coppola** introduced himself and spoke in opposition to the proposal, stating that it will cause a traffic nightmare.

**Suzanne Sayegh** introduced herself and spoke in opposition to the proposal, stating that this is not a neighborhood shopping center, that stores people are looking for do not want to locate here, and that street improvements would be made by any new development.

**Chris Sinclair** introduced himself and spoke in support of the proposal.

**Allie Lucyk** introduced herself and spoke in support of the proposal.

A member of the public read a letter of support from **Greg Abrams**.

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating this will have a negative impact on the nearby schools and highlighting the issue of child trafficking.

**William King** introduced himself and spoke in support of the proposal, stating they expected new retail to be built to accommodate new housing coming in.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, highlighting a petition submitted of people against the proposal.

**Jason Epstein** introduced himself and spoke in opposition to the proposal, stating there are too many unknowns.

**Megan Lloyd** introduced herself and spoke in support of the proposal, stating that having closer retail options is a good thing.

**Ben Butler** introduced himself and spoke in support of the proposal, stating support for additional retail and that Vestar is a good developer.

**Ron Bookholder** introduced himself and spoke in opposition to the proposal, stating the retail center will be regional due to the presence of the SR-51 and that this will be detrimental to the kids.

**Aaron Lloyd** introduced himself and spoke in support of the proposal, stating it will bring amenities to the area.

A member of the public read a letter of support from **Bob Hamer**.

**Layla Saikley** introduced herself and spoke in opposition to the proposal, stating that the area is a quiet, peaceful community.

A member of the public read a letter of support from **Erin Reese**.

A member of the public read a letter of support from **Richard Kovacik**.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that he moved to the area to enjoy the distance from retail, that he was told this parcel would be residential, and that the shopping center is not needed.

A member of the public read a letter of support from **Rick Merritt**.

**Ronald Diamant** introduced himself and spoke in opposition to the proposal, stating it will bring in more traffic with the proximity of the SR-51.

**Helen Doyle** introduced herself and spoke in opposition to the proposal, stating that this intersection will end up busier than Tatum Boulevard.

**Neeraj Chandak** introduced himself and spoke in opposition to the proposal, stating that the shopping center will be just as bad as Desert Ridge Marketplace and highlighting the issue of homelessness.

**Irina Butler** introduced herself and spoke in support of the proposal, stating that Vestar did a good job of responding to the community's concerns.

**Linda Miles** introduced herself and spoke in support of the proposal.

**Sara Johnson** introduced herself and spoke in support of the proposal.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, stating that it is spot zoning and should be invalidated, and that the existing allowed use is single-family residential.

**Carolyn Dunn** introduced herself and spoke in opposition to the proposal, playing a video showing the traffic issues around the school.

A member of the public read a letter of support from **Harrison Cole**, stating the need for new commercial development to support the new housing.

A member of the public read a letter of support from **Caryn Marchuk**, stating the peak times are better with retail than with residential.

**Nathan** and **Ilene Friedland** introduced themselves and spoke in support of the proposal.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that parking and crime are issues, noting the issue of children crossing the street.

**Robert Miles** introduced himself and spoke in support of the proposal, stating the area is not currently walkable and that this proposal will take vehicles off the road.

**John Norris** introduced himself and spoke in support of the proposal, stating it will enhance the value of the area by providing an amenity.

**Jim Farley** introduced himself and spoke in support of the proposal, stating that Vestar responded to community concerns.

**Greg Collins** introduced himself and spoke in support of the proposal, stating this will provide options for kids and enhance walkability.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that people bought homes based on the Desert Ridge Specific Plan and highlighting the issues with drive throughs.

A member of the public read a letter of support from **Bill Knapp**.

**Christian Jacob** introduced himself and spoke in support of the proposal, stating that friendships are formed at spaces like this and that other similar centers provide a safe space.

**Peggy Neely** introduced herself as the former Councilperson for the area and spoke in support of the proposal, stating that Vestar is a good developer and that the project will benefit the area.

APPLICANT RESPONSE

**Ms. Marsh** showed a drone video highlighting the traffic conditions of the area and discussed the history of the Desert Ridge Specific Plan being amended in the past.

COMMITTEE DISCUSSION

**Committee Member Warren** stated a concern about having retail next to the school, adding that he would be supportive if it was in a different location.

**Vice Chair Lagrave** commented about other examples of shopping centers near schools and noted that he was previously opposed to this because of the size of the grocery store and the gas station, which have been addressed by the applicant, adding that he would be supportive with the condition that there is no car wash.

**Committee Member Younger** asked about the bid process and timing. **Ms. Marsh** provided clarification.

**MOTION**
**Vice Chair Lagrave** made a motion to recommend approval of Z-39-23-2 per the staff recommendation. **Richard Carlucci** seconded the motion.

**VOTE**
**10-1;** motion to recommend approval of Z-39-23-2 per the staff recommendation passed; Committee Members Barto, Carlucci, Israel, Kirkilas, Kollar, Nowell, Reynolds, Younger, Lagrave, and Bowser in favor; Committee Member Warren opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-39-23-2

| | |
|---|---|
| **Date of VPC Meeting** | October 3, 2023 |
| **Request From** | S-1 DRSP (Approved R1-6 DRSP)<br>S-1 DRSP (Approved R-2 DRSP) |
| **Request To** | C-2 DRSP |
| **Proposed Use** | Commercial shopping center |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| **VPC Recommendation** | Denial |
| **VPC Vote** | 9-1 |

**VPC DISCUSSION:**

*Item No. 5 (GPA-DSTV-2-23-2), Item No. 6 (GPA-DSTV-3-23-2), and Item No. 7 (Z-39-23-2) are companion cases and were heard together.*

*Twenty members of the public registered to speak on this item, 17 in opposition, three in support.*

*Thirty-three members of the public registered in opposition, not wishing to speak.*

*Three members of the public registered in support, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the location of the subject site and the surrounding area, the proposed amendments to the General Plan Land Use Map and the Desert Ridge Specific Plan, and the rezoning request. He further described the proposed development, the correspondence received from the public, and the staff recommendations on all three cases, including recommended stipulations for the rezoning case.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, provided a presentation, describing the need for an additional grocery store in the area and highlighting details of the proposed development, including limitations on uses and upgrades to the adjacent streets. Mr. Anderson further noted responses to concerns raised and reviewed data regarding support for the proposal in the community.

QUESTIONS FROM COMMITTEE

**Committee Member Bunnell** asked about the ownership of the property. **Mr. Anderson** replied that the property is owned by the Arizona State Land Department and provided clarification about the future auction process.

**Committee Member Nowell** asked if alcohol sales would be permitted at the grocery store. **Mr. Anderson** replied that it would be permitted.

**Chair Bowser** asked for clarification on uses allowed in proximity to the school. **Mr. Anderson** stated that alcohol is not permitted within 300 feet of the school and that the proposed specific plan text would not permit alcohol sales as a primary use, but it would be allowed as an accessory use.

**Committee Member Kirkilas** asked if the gas station would be permitted to sell alcohol. **Mr. Anderson** replied that a gas station with a convenience store would not be permitted on the site.

**Committee Member Younger** asked whether dispensaries would be allowed on the site. **Mr. Anderson** replied that they would be prohibited by the proposed text.

**Committee Member Kollar** asked about parking management plans for the site. **Mr. Anderson** replied that the developer has experience managing complex parking situations, including at Desert Ridge Marketplace.

**Committee Member Kirkilas** asked about the distance from the site to the Albertsons and if there is a standard distance expected between grocery stores. **Mr. Anderson** stated that the distance is about two miles and noted that the distance to the nearest grocery store from Albertsons is currently around five miles, which is an unusually large separation for the Phoenix area.

**Committee Member Nowell** asked about the median extension stipulation. **Mr. Anderson** provided clarification, noting that the curbing would be added where it is currently striped.

**Committee Member Israel** asked about street conditions on Mayo Boulevard before and after the proposed development. **Mr. Anderson** stated that Mayo Boulevard is currently a half-street and described the proposed street improvements.

**Committee Member Bunnell** stated that bike lanes should be provided in both directions.

PUBLIC COMMENTS

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area did their research and expected this parcel to be residential and

that the proposed commercial use will bring customers from the SR-51 freeway and create issues with lighting, safety, loitering, and property values.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that neighborhood retail is limited to three acres in the specific plan and it doesn't need to be changed because it already accomplishes the goals of the General Plan, further noting safety concerns with students walking to school and pedestrian and bike fatalities in relation to Vision Zero.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that commercial activity should take place in the core and reduce in intensity away from the core, further noting that there are other shopping options nearby and that people bought their homes expecting this parcel to be residential.

**Paul Dunn** introduced himself and spoke in opposition to the proposal, highlighting the large footprint of the proposed grocery store and stating that the proposal will not be low impact and will cause traffic issues, in addition to air and light pollution.

**Jackie Zicarelli** introduced herself and spoke in opposition to the proposal, stating that the statements made by the applicant, including alcohol sales prohibition and the inclusion of Trader Joes or Whole Foods, are misleading and that C-1 zoning would be neighborhood retail, rather than C-2.

**Mallorie Laforest** introduced herself and spoke in opposition to the proposal, highlighting issues related to light pollution, traffic, and parking.

**Todd Laforest** introduced himself and spoke in opposition to the proposal, stating there was no immediate need for the development and that it would cause traffic issues, further noting that the development will not necessarily be done by Vestar.

**Randal Spence** introduced himself and spoke in opposition to the proposal, stating that there are many grocery store options in the area and that people supporting the proposal only want small grocers.

**Jeanette Vespalee** introduced herself and spoke in opposition to the proposal, stating that the master plan does not call for commercial use and that the proposal will cause congestion, traffic, and crime issues.

**Candy Huether** introduced herself and spoke in opposition to the proposal, stating that homeowners with exterior view fencing on neighboring developments expected the site to develop with residential, rather than commercial, and that crime, homeless, and human trafficking are important issues.

**Tom Carlson** introduced himself and spoke in opposition to the proposal, stating that it has transportation engineering issues and will draw traffic into the neighborhood.

**Nathan Goldberg** introduced himself and spoke in support to the proposal, stating that he is generally in favor of the proposal and the area needs more grocery stores, but he noted that he is concerned about the size of the grocery store and that the plan could be modified to include pick up and drop off areas for the school.

**Joe Hudock** introduced himself as a former chair of the committee and spoke in opposition to the proposal, stating that the purpose of the specific plan was to concentrate commercial activity in the core and that there will be opportunities to build with C-2 zoning to the north.

**Laurie Smith** introduced herself and spoke in opposition to the proposal, stating that the plan raises security concerns because residential development allows people to monitor the streets more than with commercial development.

**Jeff Smith** introduced himself and spoke in opposition to the proposal, highlighting that there is uncertainty in the final product because a different developer could come in later with a different proposal.

**Patty Farley** introduced herself and spoke in support to the proposal but noted that there should be no gas station and that a pedestrian bridge should be constructed over Deer Valley Drive.

**Jim Farley** introduced himself and spoke in support to the proposal, stating that the HAWK will be a great device for Mayo Boulevard and that there should be overhead walkways installed.

**Nathan Friedland** introduced himself and spoke in opposition to the proposal, stating that he moved to the location to get away from the lights of Reach 11 and this proposal would introduce more lighting to the area, further noting that there should be no gas station.

**Connie Ahlman** introduced herself and spoke in opposition to the proposal, stating agreement with many of the comments made and adding that Mayo Boulevard will continue to have a parking issue and that C-1 zoning would be neighborhood retail, rather than C-2.

**Andrea Remke** introduced herself and spoke in opposition to the proposal, stating that people bought homes in this area to be away from commercial growth and allow kids to safely walk to school, knowing the proposed site would be residential.

APPLICANT RESPONSE

**Mr. Anderson** stated that Black Mountain Boulevard connections to the north will be in the distant future, the adjacent streets are major arterials designed to handle a large amount of traffic, lighting limits would be in place through stipulations, and this proposal

will not set a precedent for additional commercial in the area, further reviewing Desert Ridge Marketplace traffic issues.

COMMITTEE DISCUSSION

**Committee Member Warren** stated that the concerns raised by the community about commercial activity next to the school are valid and that he has traffic concerns. **Mr. Warren** further stated that it is not a good idea to put commercial activity next to a school and that he is not supportive of the proposal.

**Vice Chair Lagrave** asked for clarification about the Arizona State Land Department's role in the process. **Mr. Grande** stated that ASLD is the property owner and submitted an authorization to allow Vestar to apply to rezone the property.

**Vice Chair Lagrave** stated that he does not support gasoline sales, that car washes should be prohibited at this location, and that 96,000 square feet is not a neighborhood grocery store. He further stated that if the application is approved, stipulations should be added to limit the size of the grocery store to 64,000 square feet, require a 50-foot building setback on Black Mountain Boulevard and Deer Valley Drive, and prohibit gasoline sales and car washes.

**Committee Member Bunnell** provided clarification on the ASLD process for auction.

**Committee Member Younger** stated that he hopes the shopping center would be moved to a different location.

**MOTION**

**Committee Member Mark Warren** made a motion to recommend denial of Z-39-23-2. **Committee Member Rick Nowell** seconded the motion for denial.

**VOTE**

**9-1**, motion to recommend denial of Z-39-23-2 passed; Committee Members Barto, Bunnell, Israel, Kirkilas, Kollar, Nowell, Warren, Younger, and Lagrave in favor; Committee Member Bowser opposed.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

Desert View
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-39-23-2
## INFORMATION ONLY

| | |
|---|---|
| **Date of VPC Meeting** | August 1, 2023 |
| **Request From** | S-1 DRSP (Approved R1-6 DRSP)<br>S-1 DRSP (Approved R-2 DRSP) |
| **Request To** | C-2 DRSP |
| **Proposed Use** | Commercial shopping center |
| **Location** | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |

**VPC DISCUSSION:**

*Item No. 3 (GPA-DSTV-2-23-2), Item No. 4 (GPA-DSTV-3-23-2), and Item No. 5 (Z-39-23-2) are companion cases and were heard together.*

*Committee Member Michelle Santoro declared a conflict of interest, bringing quorum to 10 members.*

*Eight members of the public registered to speak on this item, seven in opposition, one with questions.*

*One member of the public registered in support, not wishing to speak.*

*One member of the public registered in opposition, not wishing to speak.*

STAFF PRESENTATION
**Anthony Grande**, staff, provided an overview of the process to amend the Desert Ridge Specific Plan and the amendment proposed by the applicant, further describing the proposed General Plan Land Use Map amendment and rezoning.

APPLICANT PRESENTATION
**Stephen Anderson**, representing the applicant with Gammage & Burnham, described the proposed commercial development, noting that the anchor would be a grocery store, described the process for development of Arizona State Land Department property and the City of Phoenix zoning and development process. He further described the proposed text change to the Desert Ridge Specific Plan, in addition to the General Plan Amendment and rezoning cases.

QUESTIONS FROM COMMITTEE

**Committee Member Kirkilas** suggested adding a prohibition on smoke shops.

**Committee Member Powell** asked about the size of the grocery store. **Mr. Anderson** stated that the size was not defined yet.

**Committee Member Nowell** stated a concern about light pollution from the proposed gas station. **Mr. Anderson** stated that there was interest in a gas station in their outreach, but they could consider shifting it south.

**Committee Member Younger** asked if the applicant had spoken with the school leadership and whether electric vehicle charging would be provided. **Mr. Anderson** replied that they had recent discussions with the school leadership, but no specific agreements have been reached. He further stated that there would be EV charging on site.

**Committee Member Kollar** asked about safety issues related to foot traffic around the school. **Mr. Anderson** replied that it was the subject of discussions with the school, adding that a safe crossing is going to be needed for Mayo Boulevard. **Dawn Cartier**, a member of the development team with CivTech, stated that a HAWK crossing is under discussion for Mayo Boulevard.

**Committee Member Kollar** asked about a traffic study for the project, citing gridlock on surrounding streets. **Ms. Cartier** stated that the traffic study is in process, noting that there will be different peak times for the proposed use and the school.

**Chair Bowser** stated that there are a lot of illegal left turns on the surrounding streets.

**Committee Member Dickson** stated that the applicant presented to the Desert Ridge organization and that people in Desert Ridge want a grocery store and gas station.

**Committee Member Kollar** asked about the presentation slides showing geographic limits on certain uses. **Mr. Anderson** replied that the graphics related to liquor licensing.

**Committee Member Nowell** asked for clarification on the proposed prohibition on liquor sales. **Mr. Anderson** replied that it would only be prohibited as a primary use but that a business like the grocery story could sell liquor as an accessory use.

PUBLIC COMMENTS

**Justin Popnoe** introduced himself and spoke in opposition to the proposal, stating that the community doesn't have interest in a gas station or any alcohol sales at this site.

**Wouter Roodenburg** introduced himself and spoke in opposition to the proposal, stating that traffic is an issue around the school in the mornings and that safety of the kids is a concern.

**Robin Bowie** introduced herself and spoke in opposition to the proposal, citing issues related to traffic in the area, crime, and homelessness, suggesting the commercial use could be located elsewhere.

**Dan Richards** introduced himself and spoke in opposition to the proposal, stating that residents in the area don't want a gas station and that the volume of traffic is very high in the area.

**James Tuffin** introduced himself and spoke in opposition to the proposal, stating that the neighborhood is clean and quiet because there is no commercial in the area and that kids going to the shopping center will be a problem.

**Taylor Moskovich** introduced herself and spoke in opposition to the proposal, stating that people bought in the area with the expectation there would be no commercial uses and that it is a family friendly area with no need for businesses.

**Amanda Jane** introduced herself and spoke in opposition to the proposal, noting that residents of Sky Crossing should be considered, even though they are not in Desert Ridge.

**Frank Soldano** introduced himself and asked for more information about the size of the grocery store, as that would make a difference on the impact, noting he would like to see a gas station at this location.

APPLICANT RESPONSE

**Mr. Anderson** stated that the applicant team will consider all of the comments made and that written comments can be submitted to City staff.

COMMITTEE DISCUSSION

**Vice Chair Lagrave** stated that the developer is going to need to work with the community to find solutions to many of the issues raised at the meeting.

**Committee Member Younger** stated that the public discussion brought up an important issue about lighting, in addition to other issues raised.

# ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
November 7, 2024

| | |
|---|---|
| ITEM NO: 14 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | Z-39-23-2<br>(Companion Cases GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2)<br>(Continued from January 4, 2024) |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | S-1 DRSP (Approved R1-6 DRSP) and S-1 DRSP (Approved R-2 DRSP) |
| To: | C-2 DRSP |
| Acreage: | 20.52 |
| Proposal: | Commercial shopping center |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Ashley Z Marsh, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.
**Desert View** 10/1/2024 Approval, per the staff recommendation. Vote: 10-1.

Planning Commission Recommendation:
11/2/2023 Continued to the January 4, 2024 Planning Commission Hearing, without fee. Vote: 9-0.
1/4/2024 Continued to a date uncertain and remanded back to the Desert View Village Planning Committee for reconsideration. Vote: 7-0.
111/7/2024 Approval, per the Desert View Village Planning Committee recommendation.

Motion Discussion: None

Motion details: Commissioner Matthews made a MOTION to approve Z-39-23-2, per the Desert View Village Planning Committee recommendation.

Maker: Matthews
Second: Read
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the proposed General Plan Land Use Map designation and will contribute to a mix of land uses in the surrounding area.

2. As stipulated, the proposal enhances the surrounding area with features promoting pedestrian safety, facilitating alternative transportation, and providing pedestrianized amenity spaces for the community.

3. As stipulated, the proposal provides trees and shade, promoting thermal comfort for users of the site and pedestrians on adjacent sidewalks.

Stipulations:

1. All on site lighting shall comply with the following:

    a. Maximum of 20 feet in height including lamp, pole, and base.

    b. All outdoor lighting fixtures must be designed, installed, and maintained to prevent light trespass, glare, and skyglow.

    c. All outdoor fixtures must be full cutoff, ensuring zero light output emitted above the horizontal (90-degree plane).

    d. Utilize LED lights with a correlated color temperature (CCT) of 3000K or lower.

2. A minimum 5,000-square-foot pedestrian plaza shall be provided and maintained by the developer as a gathering place for the public, adhering to the following standards, and as approved by the Planning and Development Department.

    a. The plaza shall be designed to allow pedestrian access and shall not be restricted during the time the shopping center is open.

    b. The plaza shall include seating for public use and a minimum of two additional amenities, such as a water feature, outdoor game area, splash pad, shaded seating, enhanced landscaping, performance stage, fire pit, or other similar amenities.

3. A minimum 6-foot-wide pedestrian pathway, providing cross-block access and connecting with the public plaza, shall be provided consistent with the following standards, and as approved by the Planning and Development Department.

    a. The pathway shall adhere to the requirements of Section 1304.H of the Phoenix Zoning Ordinance.

    b. The pathway shall connect with the HAWK crossing provided at Mayo Boulevard.

    c. The pathway shall be lined on both sides with either of the following elements, or a combination of the two, except where a pedestrian pathway is a minimum of 16 feet wide:

        (1) A minimum 5-foot-wide landscape strip, except where drive aisles cross the pathway where necessary. Structural shade elements may be used, and footers may be placed within the landscape strip along the pathway.

(2) Building frontages meeting the glazing requirements of a minimum of 75 percent of the ground floor frontages facing the pedestrian pathway, measured as the area between 3 and 8 feet above grade for the entire width of the facade, consisting of clear windows that will allow a minimum of 75 percent of the visible light (as specified by the manufacturer) to be visible on either side of the window.

4. 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.

5. All pedestrian pathways, including sidewalks and shared-use paths, shall be shaded by a structure or landscaping at maturity, or a combination of the two to achieve a minimum of 75 percent shade, as approved by the Planning and Development Department.

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

7. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance, except that Section 1307.H.6.c shall not apply, as approved by the Planning and Development Department.

8. A minimum of 2 percent of the required parking shall be EV installed.

9. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

10. The developer shall dedicate right-of-way and construct a bus stop pad on southbound Black Mountain Boulevard. Bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from Deer Valley Drive according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to bus stop pad at full maturity.

11. A minimum number of pedestrian connections shall be provided from the development to the adjacent sidewalk, as follows: 2 connections to Deer Valley Drive, 3 connections to Mayo Boulevard, and 3 connections to Black Mountain Boulevard, as approved by the Planning and Development Department. Pedestrian connections shall be sufficiently spaced to allow convenient pedestrian access to the sidewalk from any portion of the proposed development.

12. The landscape planters along all streets, separating the curb from the sidewalk, shall be planted to the following standards, as approved or modified by the Planning and Development Department.

    a. Minimum 2-inch caliper shade trees planted 20 feet on center or in equivalent groupings to provide a minimum of 75 percent shade at tree maturity.

b. Drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

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

13. A 20-foot-wide shared-use path easement (SUPE) shall be dedicated along Black Mountain Boulevard and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

14. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk, shall be provided along 34th Street, as approved or modified by the Planning and Development Department.

15. A minimum 70 feet of right-of-way shall be dedicated for the west half of Black Mountain Boulevard, adjacent to the development.

16. A minimum 55 feet of right-of-way shall be dedicated for the north half of Mayo Boulevard, adjacent to the development.

17. Mayo Boulevard shall be consistent with the Desert Ridge Specific Plan and the approved cross sections in the forthcoming Super Block 12 Master Street Plan.

18. The existing median in Black Mountain Boulevard shall be modified to extend northward to the Deer Valley Drive intersection.

19. The existing traffic signal at the intersection of Mayo Boulevard and Black Mountain Boulevard shall be fully funded and reconstructed to meet City of Phoenix standards.

20. A Traffic Impact Analysis (TIA) and Master Street Plan shall be submitted to the City for this development and Super Block 12 of the Desert Ridge Specific Plan. The Traffic Impact Analysis (TIA) shall also be expanded to address the proposed development's impact and funding responsibility on the Sonoran Desert Drive Corridor. No preliminary approval of plans shall be granted until the study and master street plan are reviewed and approved by the Street Transportation Department.

21. A HAWK traffic control device shall be fully funded and constructed on Mayo Boulevard between 34th Street and Black Mountain Boulevard, as approved by the Street Transportation Department.

22. Decorative metal view fencing shall be constructed in the landscape median along Mayo Boulevard, as approved by the Street Transportation Department.

~~22.~~ 23. Acquire, dedicate sufficient right-of-way, and construct a southbound right turn lane, including incidental intersection improvements, on the northwest corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

24. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and Black Mountain Boulevard intersection.

25. Acquire, dedicate sufficient right-of-way, and construct an eastbound right turn lane, including incidental intersection improvements, on the southwest corner of the Deer Valley Drive and 40th Street intersection.

26. Acquire, dedicate sufficient right-of-way, and construct a westbound right turn lane, including incidental intersection improvements, on the northeast corner of the Deer Valley Drive and 40th Street intersection.

27. All streets within and adjacent to the development shall be constructed 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.

28. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

29. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

30. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

31. 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.

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

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
January 4, 2024

| | |
|---|---|
| ITEM NO: 4 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | Z-39-23-2 (Companion Cases GPA-DSTV-2-23-2 and GPA-DSTV-3-23-2) |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | S-1 DRSP (Approved R1-6 DRSP) and S-1 DRSP (Approved R-2 DRSP) |
| To: | C-2 DRSP |
| Acreage: | 20.52 |
| Proposal: | Commercial shopping center |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham, PLC |

**ACTIONS:**

Staff Recommendation: Continuance to a date uncertain.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.

Planning Commission Recommendation: Continued to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to continue Z-39-23-2, to a date uncertain, without fee; and remand the case back to the Desert View Village Planning Committee for reconsideration. Direction was given to have the applicant notify everyone that registered to speak at the meeting.

Maker: Gorraiz
Second: Perez
Vote: 7-0
Absent: Mangum
Opposition Present: Yes

Findings: The applicant requested a continuance to a date uncertain and to be remanded back to the Desert View Village Planning Committee.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

REPORT OF PLANNING COMMISSION ACTION
November 2, 2023

| | |
|---|---|
| ITEM NO: 9 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | Z-39-23-2<br>(Companion Cases GPA-DSTV-2-23-2 & GPA-DSTV-3-23-2) |
| Location: | Southwest corner of Black Mountain Boulevard and Deer Valley Drive |
| From: | S-1 DRSP (Approved R1-6 DRSP) and S-1 DRSP (Approved R-2 DRSP) |
| To: | C-2 DRSP |
| Acreage: | 20.52 |
| Proposal: | Commercial shopping center |
| Applicant: | Ryan Ash, Vestar |
| Owner: | Arizona State Land Department |
| Representative: | Stephen Anderson, Gammage & Burnham |

**ACTIONS:**

Staff Recommendation: Continuance.

Village Planning Committee (VPC) Recommendation:
**Desert View** 8/1/2023 Information only.
**Desert View** 10/3/2023 Denial. Vote: 9-1.

Planning Commission Recommendation: Continued to the January 4, 2024 Planning Commission hearing, without fee.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to continue Z-39-23-2, to the January 4, 2024 Planning Commission hearing, without fee.

Maker: Perez
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings: The applicant requested a continuance to allow more to time to work with the State Land Department and the community.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz 602-602-291-2559, TTY use 7-1-1

# ATTACHMENT F

For additional correspondence, please see GPA-DSTV-2-23-2,

GPA-DSTV-3-23-2, and Z-39-23-2 on the following website:

https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports

City of Phoenix

Report

**Agenda Date:** 12/4/2024, **Item No.** 79

## (CONTINUED FROM NOVEMBER 13, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-58-24-8 - Approximately 710 Feet North and 305 Feet West of the Northwest Corner of 20th Avenue and South Mountain Avenue (Ordinance G-7322) - District 8

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-58-24-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

## Summary

Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 4.54
Proposal: Single-family residential

Owner: Dorothy M. Hallock
Applicant/Representative: John Fox

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on July 9, 2024, and recommended a continuance to the August 13, 2024, Village Planning Committee meeting, by a vote of 11-3. The South Mountain Village Planning Committee heard this item on August 13, 2024, and recommended a continuance to the September 10, 2024, Village Planning Committee meeting, by a vote of 12-0. The South Mountain Village Planning Committee heard this item on September 10, 2024, and recommend approval, per the staff recommendation, with additional stipulations, by a vote of 7-5.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, with a modification, by a vote of 7-2.
The Planning Commission recommendation was appealed by a community member and a petition for a 3/4 vote was submitted on October 15, 2024. **A 3/4 vote is required.**

## Location
Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
Council District: 8
Parcel Address: N/A

## 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-58-24-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 4.54-acre site located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue in a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence) to “R1-10” (Single-Family Residence).

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 conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green

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Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. All streets within and adjacent to the development shall be constructed 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

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

16. Prior to final 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 development shall be limited to a maximum of 18 units.

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18. A minimum of 30% of building elevations shall include covered porches in the front yard and rear yard at a minimum of 60 feet each and at a depth of at least 6 feet, as approved by the Planning and Development Department.

19. The maximum building height for 80% of the lots shall be limited to one story and 26 feet, as approved by the Planning and Development Department. Two-story lots shall be south of lots 5 and 15, as shown on the site plan date stamped September 5, 2024.

20. A minimum of 8% of the gross project area shall be retained as common area, as approved by the Planning and Development Department.

21. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

22. All street-facing garage doors lengths shall be less than 50% of the total width of the façade, as approved by the Planning and Development Department.

23. Front setbacks for covered building elements shall be staggered by a minimum of 5 feet, as approved by the Planning and Development Department.

24. Lot widths shall vary, as approved by the Planning and Development Department.

25. The southern end of the street shall have landscaping and wrought iron view fencing to enhance the view of South Mountain, until 20th Lane is constructed to the south of the property, as approved by the Planning and Development Department.

26. A retaining wall shall be provided along the northern boundary of Tract A, as approved or modified by the Planning and Development Department.

27. The development shall be in general conformance with the site plan date stamped September 5, 2024, as modified by the above stipulations and as approved by the Planning and Development Department.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

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PASSED by the Council of the City of Phoenix this 13th day of November, 2024.

_____
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

LEGAL DESCRIPTION FOR Z-58-24-3

THE NORTH 595.00 FEET OF THE WEST HALF OF THE WEST HALF OF FARM UNIT H, MORE PARTICULARLY DESCRIBED AS THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA.

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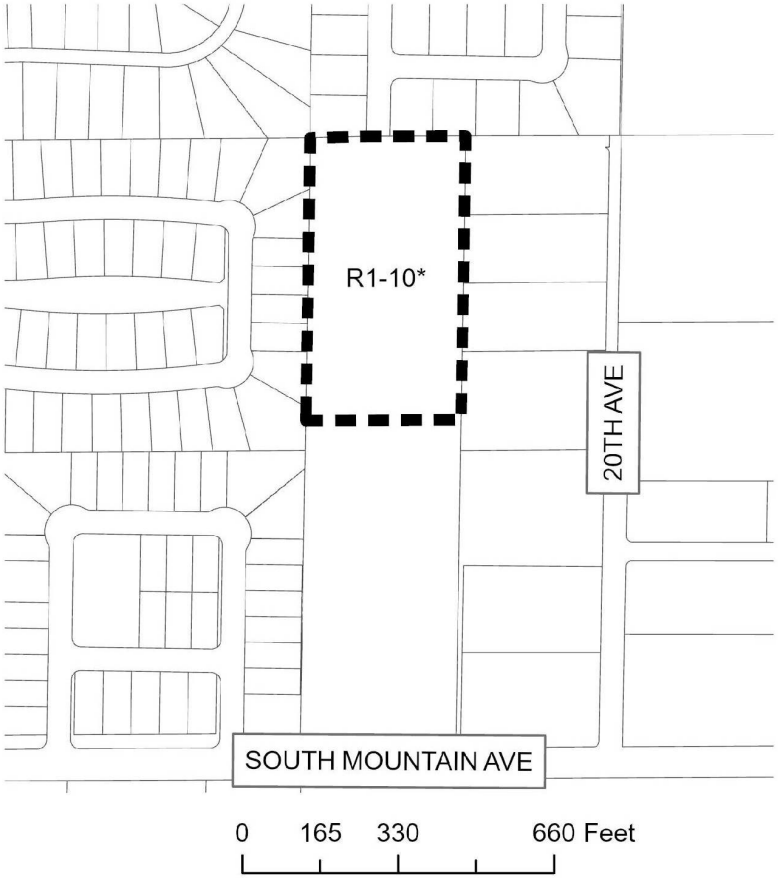
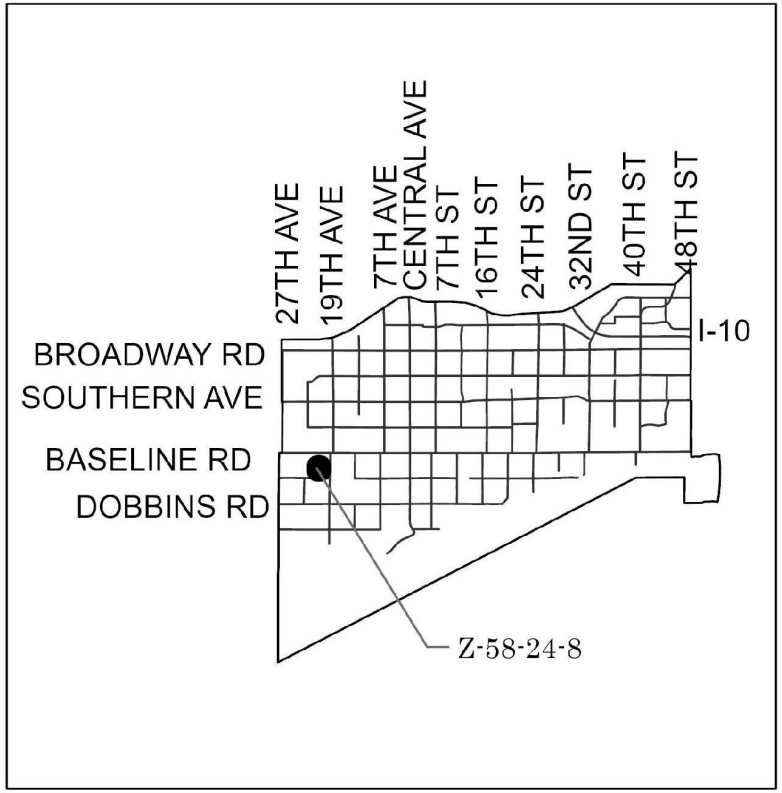
# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-58-24-8
Zoning Overlay: N/A
Planning Village: South Mountain




NOT TO SCALE

N

Drawn Date: 10/11/2024

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2024 Ord\11-13-24\11-13-24.aprx

# ATTACHMENT B

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-58-24-8**
**June 25, 2024**

| | |
|---|---|
| **South Mountain Village Planning Committee Meeting Date:** | July 9, 2024 |
| **Planning Commission Hearing Date:** | August 1, 2024 |
| **Request From:** | S-1 (Ranch or Farm Residence) (4.54 acres) |
| **Request To:** | R1-10 (Single-Family Residence District) (4.54 acres) |
| **Proposal:** | Single-family residential |
| **Location:** | Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue |
| **Owner:** | Dorothy M. Hallock |
| **Applicant/Representative:** | John Fox, William Seymour Co. Inc. |
| **Staff Recommendation:** | Approval, subject to stipulations |

| General Plan Conformity | | | |
|---|---|---|---|
| General Plan Land Use Map Designation | | Residential 2 to 3.5 dwelling units per acre | |
| Street Map Classification | 20th Lane | Local | 0-foot full street |
| ***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.***<br><br>The proposal, as stipulated, will facilitate development of this vacant lot in a manner that will be compatible in scale and character with the adjacent single-family residential uses. | | | |
| ***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.*** | | | |

As stipulated, the proposal will promote neighborhood identity by requiring the site plan, landscape plan, and elevations be reviewed and approved by the Planning Hearing Officer through a public hearing process, including review by the South Mountain Village Planning Committee. This will also promote the existing character of the area and the vision for the Rio Montaña Area Plan.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The proposal includes detached sidewalks within the development that will be planted with shade trees and enhanced landscaping within the front yards of individual lots. These improvements will be required to earn the necessary bonus points to achieve the proposed density. The proposal, will create a comfortable pedestrian environment within the development, reduce the urban heat island effect, and make the walk to nearby destinations safer and more comfortable.

| Applicable Plans, Overlays, and Initiatives |
|---|
| **Rio Montaña Area Plan:** Background Item No. 6. |
| **Housing Phoenix Plan:** Background Item No. 7. |
| **Phoenix Climate Action Plan:** Background Item No. 8. |
| **Conservation Measures for New Development:** Background Item No. 9. |
| **Tree and Shade Master Plan:** Background Item No. 10. |
| **Complete Streets Guiding Principles:** Background Item No. 11. |
| **Zero Waste PHX:** Background Item No. 12. |

| Surrounding Land Uses and Zoning | | |
|---|---|---|
| | **Land Use** | **Zoning** |
| **On Site** | Vacant | S-1 |
| **North** | Single-family residential | R1-10 |
| **South** | Single-family residential | S-1 |
| **East** | Single-family residential | S-1 |

| | | |
|---|---|---|
| **West** | Single-family residential | S-1 (Approved R1-10) |

| **R1-10 – Single-Family Residence District (Planned Residential Development Option)** | | |
|---|---|---|
| **Standards** | **R1-10 Requirements** | **Provisions on the proposed site plan** |
| Gross Acreage | - | 4.54 |
| Total Maximum Number of Units | 16; 20 with bonus | 20 with 90 bonus points required (Not specified) |
| Maximum Density | 3.5; 4.5 with bonus | 4.4 (Met) |
| Minimum Lot Width | 45 feet | 50 to 60 feet (Met) |
| Minimum Lot Depth | None, except 110 feet adjacent to freeway or arterial | 110 to 140 (Met) |
| Maximum Building Height | 2 stories and 30 feet | 2 story (24 feet and 4 inches) (Met) |
| Maximum Lot Coverage | 50 percent, up to 60 percent for an ADU and/or attached shade structures | Not specified |
| ***Minimum Building Setbacks*** | | |
| Perimeter Streets | 15 feet (in addition to landscape setback) | No perimeter street |
| Perimeter Property Lines (Side and Rear) | Rear<br>1-story building: 15 feet<br>2-story building: 20 feet<br><br>Side<br>1-story building: 10 feet<br>2-story building: 15 feet | Rear: Not specified<br><br>Side: Not specified |
| ***Minimum Landscape Setbacks and Standards*** | | |
| Common landscaped setback adjacent to perimeter streets | 15 feet average, 10 feet minimum | No perimeter street |
| Minimum Common Area | 5 percent of gross site area | Not specified |

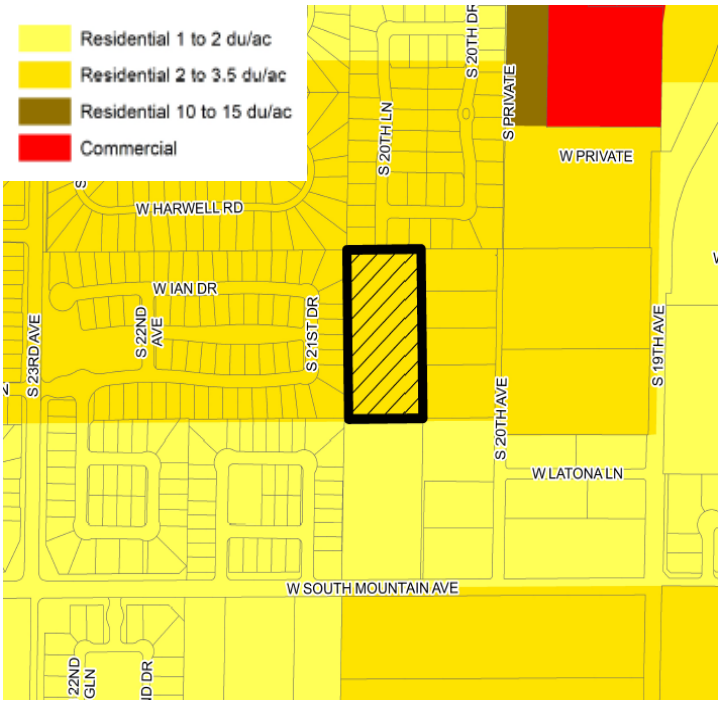
## Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for a detached single-family residential subdivision. The subject site is presently vacant.

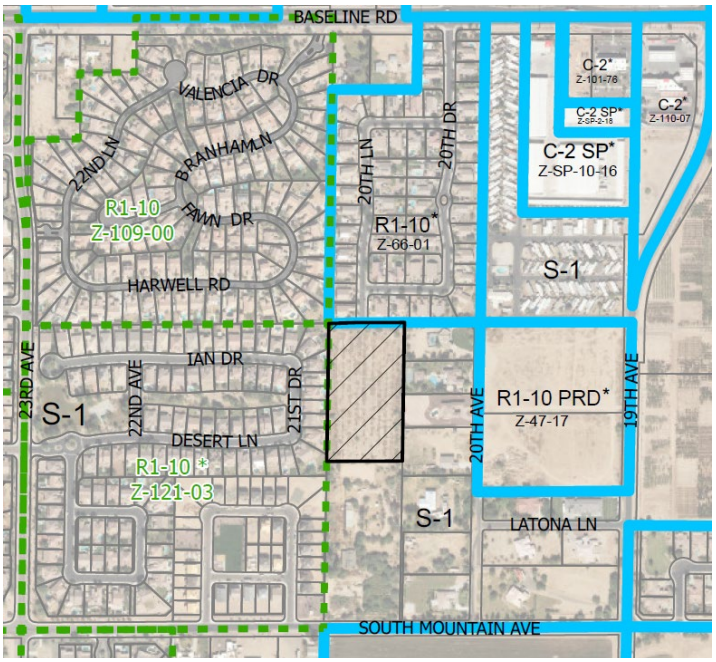
2. The subject site is designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map. The areas to the north, east, and west are also designated Residential 2 to 3.5 dwelling units per acre. The area to the south is designated as Residential 1 to 2 dwelling units per acre. The request to rezone to R1-10 is consistent with the General Plan Land Use Map designation on the site.

*General Plan Land Use Map; Source: Planning and Development Department*



SURROUNDING LAND USE AND ZONING

3. To north is a single-family subdivision zoned R1-10; to the east are single-family residences zoned S-1; to the west is a single-family subdivision zoned S-1 (Approved R1-10); and to the south is a single-family residence zoned S-1.

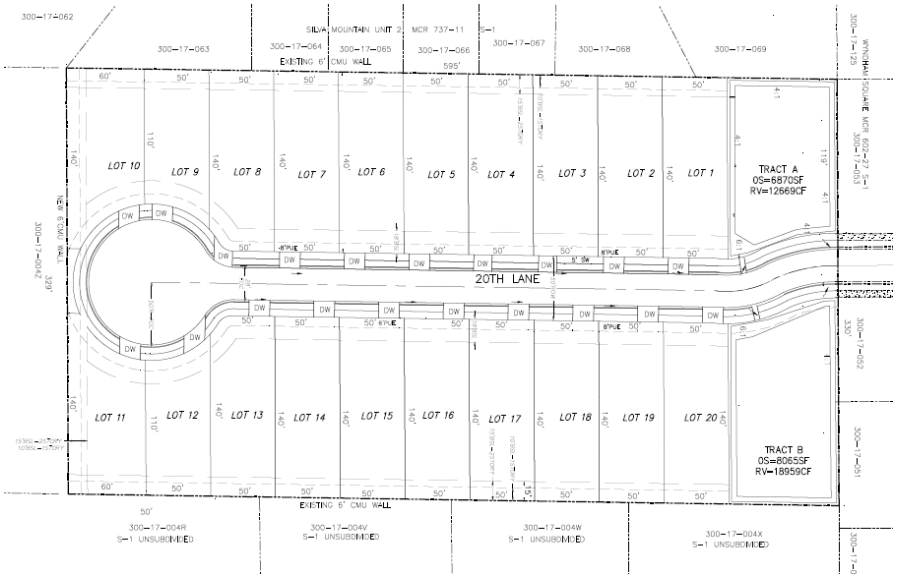



*Location Map; Source: Planning and Development Department*

PROPOSAL

4. *Site Plan*

*Conceptual Site Plan; Source: William Seymour Co. Inc.*




The proposal is for a 20-lot subdivision. The requested R1-10 zoning district allows for 16 units, and up to 20 units with a density bonus. To achieve 20 units the development will need 90 bonus points, the development proposes to achieve the 90 bonus points through the provision of detached sidewalks, enhanced landscaping, additional open space, enhanced architectural design, and entry monuments. The proposed bonus points will be reviewed through the development review process.

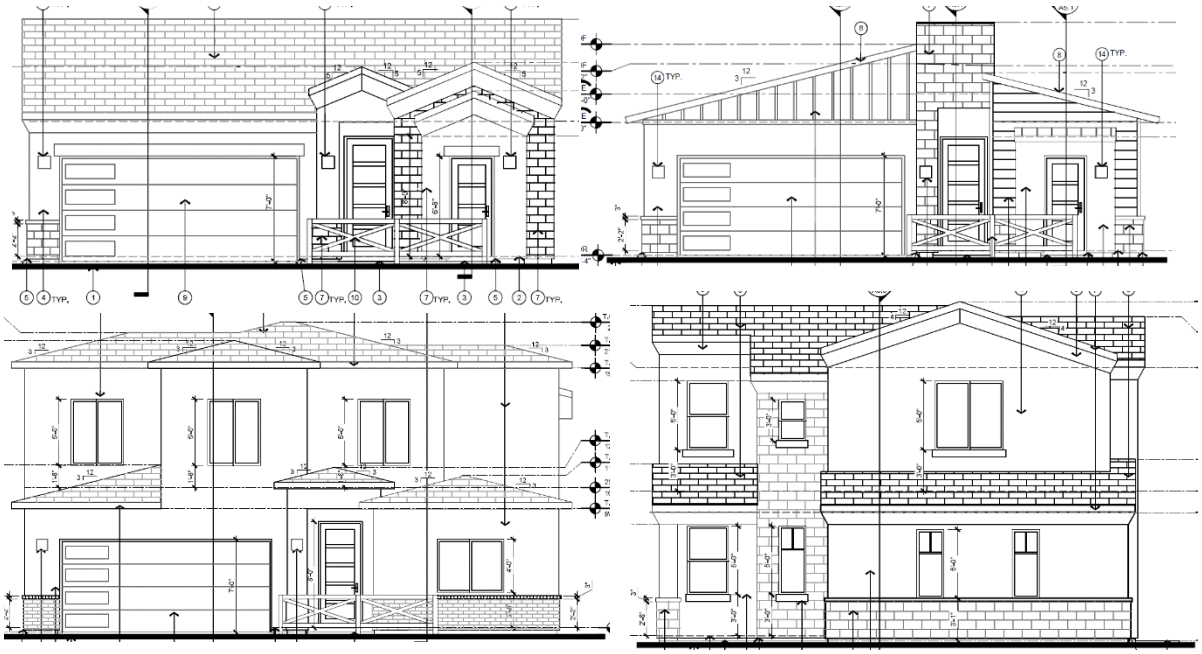
The conceptual site plan, attached as an exhibit, depicts the site layout including the location of each lot, the open space areas, proposed lot widths, proposed lot depths, the connection to the existing subdivision to the north, and pedestrian circulation. The site will have access to Baseline Road through the subdivision to the north. A temporary cul-de-sac will be constructed at the southern portion of the site until a future connection to South Mountain Avenue is constructed.

To ensure compatibility with the surrounding area and the Rio Montaña Area Plan, staff recommends Stipulation No. 1 to require that the site plan and landscape plan for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee.

5. *Conceptual Building Elevations*

The conceptual building elevations and renderings, attached as an exhibit, feature two, one-story and two, two-story elevations. Each elevation highlights four-sided architecture and a diverse mix of building materials. The designs incorporate enhanced architectural variation that is needed to earn the necessary bonus points to achieve the proposed density. Staff recommends Stipulation No. 2 to require that the building elevations for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee.

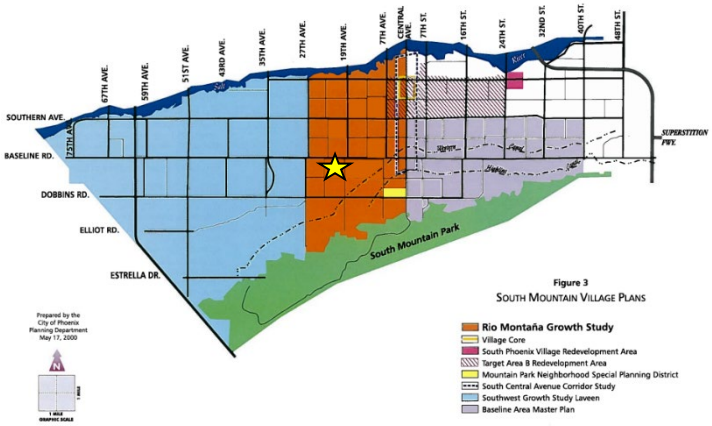
*Conceptual Building Elevations; Source: E-Project International*



STUDIES AND POLICIES

6. **Rio Montaña Area Plan:**
The Rio Montaña Area Plan encourages preservation of the rural character of the area and incorporates transition zones to protect desert and open space areas. The plan also encourages pedestrian and equestrian activities through a network of trails and aspires to develop a sense of community while encouraging investment in the community.

*Source: Planning and Development Department*




The Rio Montaña Area Plan intended to accomplish this vision through seven goals that include: promoting balanced, high quality development; protecting and improving neighborhoods through maintenance, rehabilitation and infill projects; keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture; protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project; promoting future business development and economic growth; developing the tourism industry through a wide range of opportunities; and providing a variety of transportation options.

This site is located in the center of the Rio Montaña Area Plan boundaries in an area with a mix of rural residential neighborhoods, single-family subdivisions, commercial, and agricultural uses. The development of this vacant parcel will further the Rio Montaña Area Plan goal of promoting infill projects.

The proposal will further address design and pedestrian connectivity goals by providing detached sidewalks within the development, entry monuments, enhanced landscaping, and enhanced building elevations. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the development is compatible with the Rio Montaña Area Plan design goals, Stipulation Nos. 1 and 2 require that the site plan, landscape plan, and elevations for future development of the site be reviewed and approved

by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee

Other design elements of the Rio Montaña Area Plan will be addressed through the design guidelines of the Phoenix Zoning Ordinance in Chapter 5, Section 507 Tab. A (Guidelines for Design Review).

7. **Housing Phoenix Plan:**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by providing housing that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

8. **Phoenix Climate Action Plan**
In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Metro Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 8, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

9. **Conservation Measures for New Development:**
In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - Build the Sustainable Desert City. The Conservation Measures for New Development policy includes

direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 3 through 10.

10. **Tree and Shade Master Plan:**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontage should be detached from the curb to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal will create a comfortable streetscape environment with enhanced landscaping and shaded, detached sidewalks within the development. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the proposal provides adequet shading and landscaping, the landscape plan for future development, as stipulated, will be required to be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee. This is addressed in Stipulation No. 2.

11. **Complete Streets Guiding Principles:**
The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The proposed development, as stipulated, will support walking, bicycling, and transit-use by proposing sidewalks along both sides of 20th Lane. This is addressed in Stipulation No. 13. Additionally, to earn the necessary bonus points to achieve the proposed density, detached sidewalks within the development are proposed.

12. **Zero Waste Phoenix PHX:**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

The city provides recycling service to single-family developments.

COMMUNITY CORRESONDENCE

13. At the time this staff report was written, staff has received two letters of opposition regarding the request. Concerns include increased traffic congestion, developer's credibility, public outreach, impact on community character and quality of life, and environmental and infrastructure strain.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requested that right-of way be dedicated for 20th Lane; a temporary turnaround easement be dedicated until 20th Lane is extended to the south, alternatively, a permanent turn around design may be considered and shall include a center landscaped island; and all improvements in the right-of-way be constructed with all required elements and to ADA standards. These are addressed in Stipulation Nos. 11 through 13.

15. The Aviation Department requested the airport disclosure stipulation. This is addressed in Stipulation No. 14.

OTHER

16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 15.

17. 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 final site plan approval. This is addressed in Stipulation No. 16.

18. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

## Findings

1. The proposal is consistent with the General Plan Land Use Map designation, the Rio Montaña Area Plan, and with the character of the surrounding area.

2. The requested R1-10 zoning district is consistent with surrounding zoning and development patterns in the general area.

3. The proposal will offer additional housing options within the area, contributing to the mix of housing types in the vicinity, and aiding in alleviating the housing shortage in Phoenix.

**Stipulations:**

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas

within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. All streets within and adjacent to the development shall be constructed 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

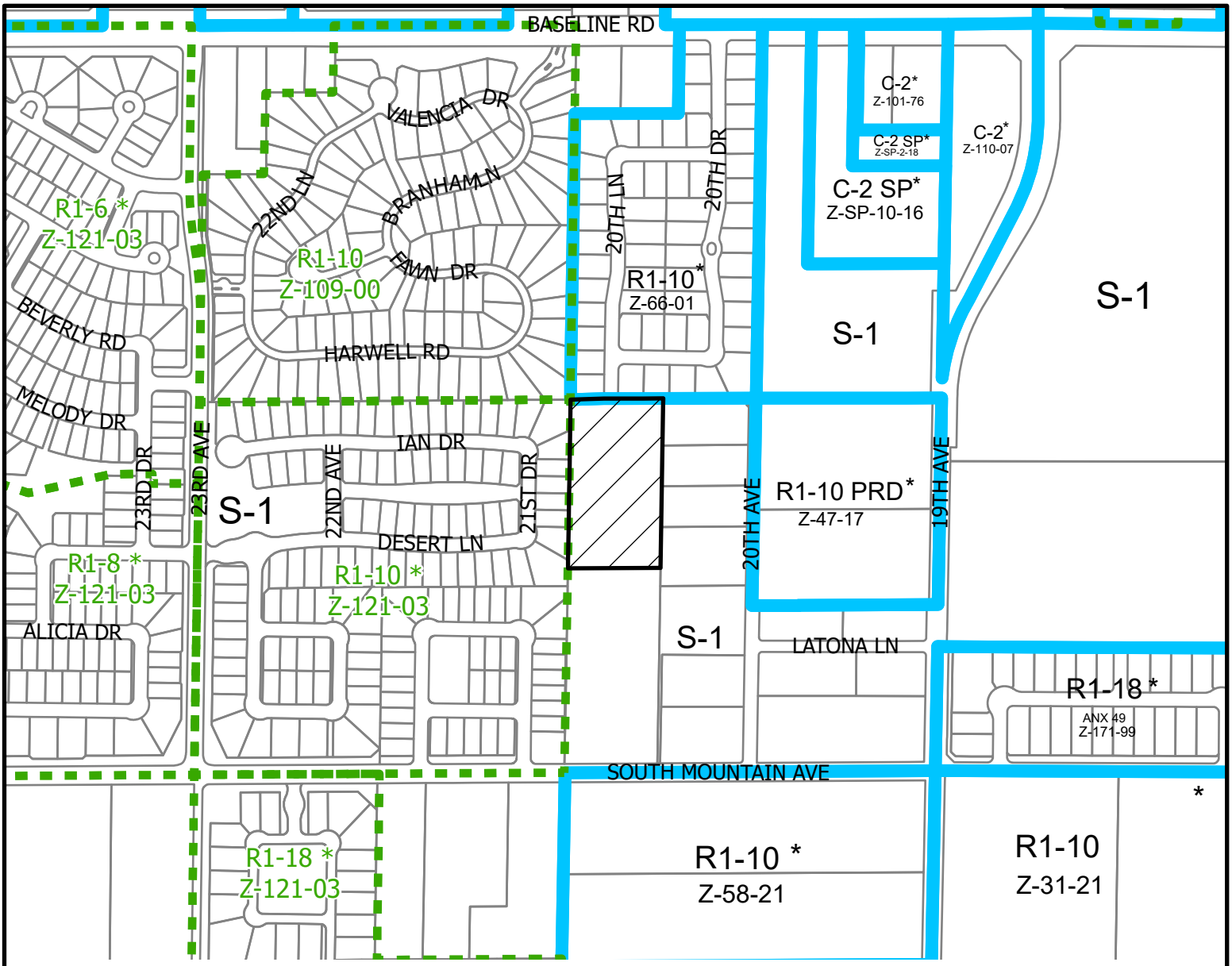
15. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

16. Prior to final 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**
Samuel Rogers
June 25, 2024

**Team Leader**
Racelle Escolar

**Exhibits**
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped April 23, 2024
Conceptual Building Elevations and Renderings date stamped April 23, 2024 (6 pages)
Conceptual Landscape Plan date stamped April 23, 2024
Correspondence (7 pages)




N

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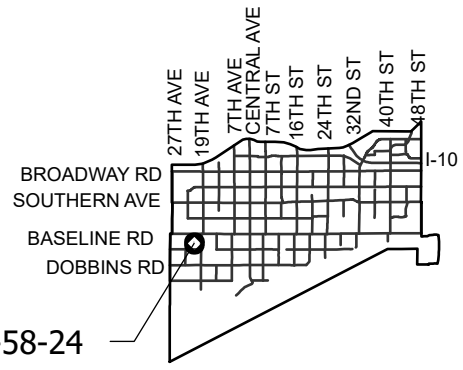
**SOUTH MOUNTAIN VILLAGE**

COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT




| | |
|---|---|
| APPLICANT'S NAME: | John Fox |
| APPLICATION NO: | Z-58-24 |
| DATE: | 4/30/2024 |
| REVISION DATES: | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. | 4.54 Acres |
| AERIAL PHOTO & QUARTER SEC. NO. | QS 01-24 |
| ZONING MAP | D-7 |

REQUESTED CHANGE:

FROM: S-1 ( 4.54 a.c.)

TO: R1-10 ( 4.54 a.c.)

| MULTIPLES PERMITTED | CONVENTIONAL OPTION | * UNITS P.R.D OPTION |
|---|---|---|
| S-1 | 4 | N/A |
| R1-10 | 16 | 20 |

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

4041

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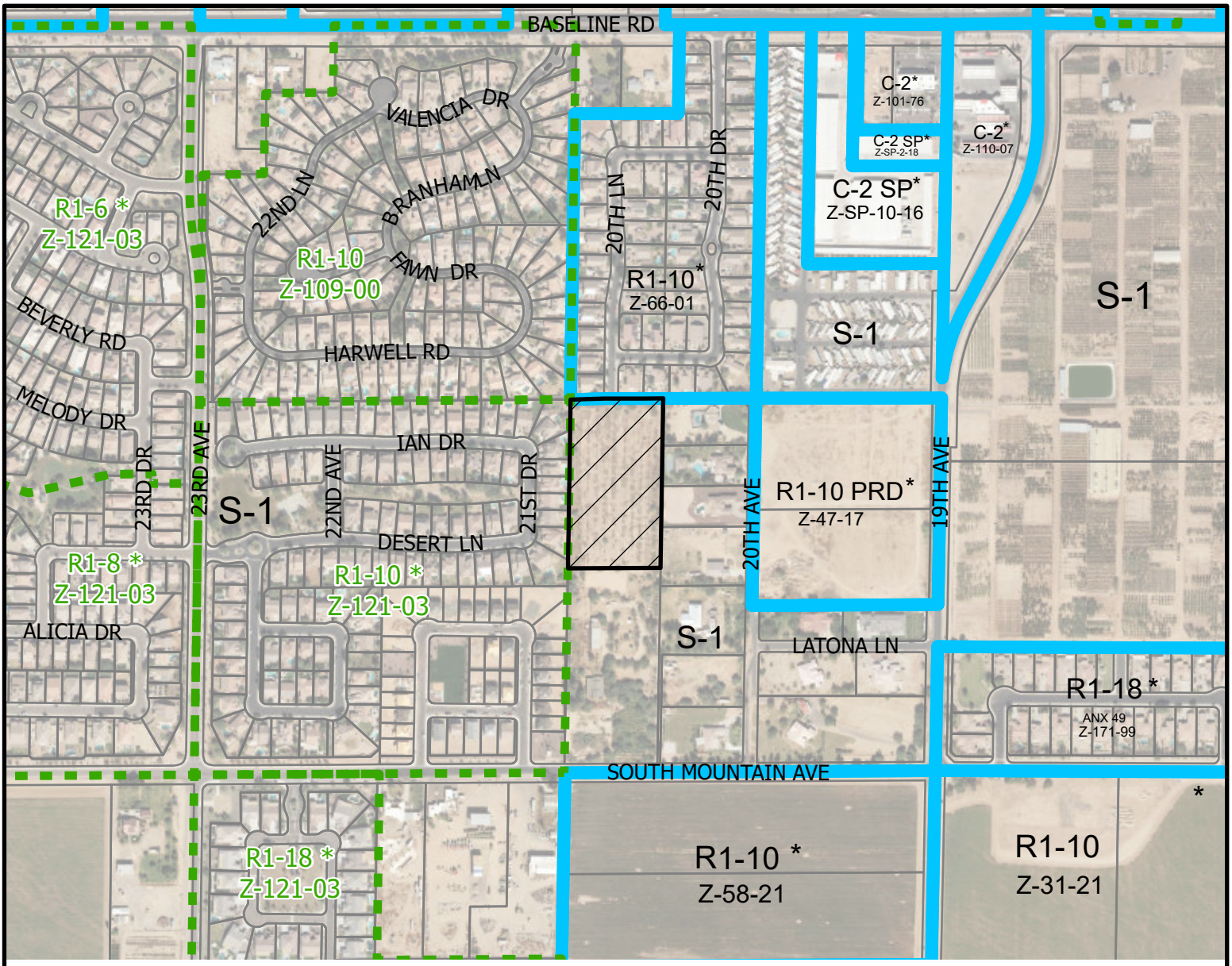


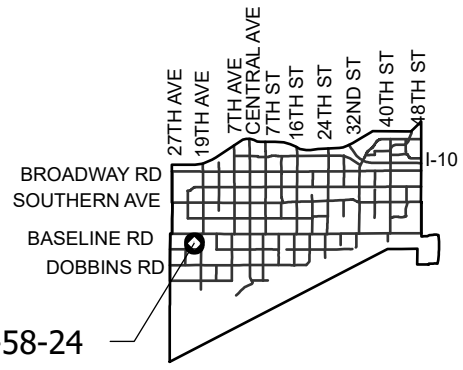

N

0 0.05 0.1 0.2 Miles

**SOUTH MOUNTAIN VILLAGE**

COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT




| | |
|---|---|
| APPLICANT'S NAME: | John Fox |
| APPLICATION NO: | Z-58-24 |
| DATE: | 4/30/2024 |
| REVISION DATES: | |
| GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. | 4.54 Acres |
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| ZONING MAP | D-7 |

REQUESTED CHANGE:

FROM: S-1 ( 4.54 a.c.)

TO: R1-10 ( 4.54 a.c.)

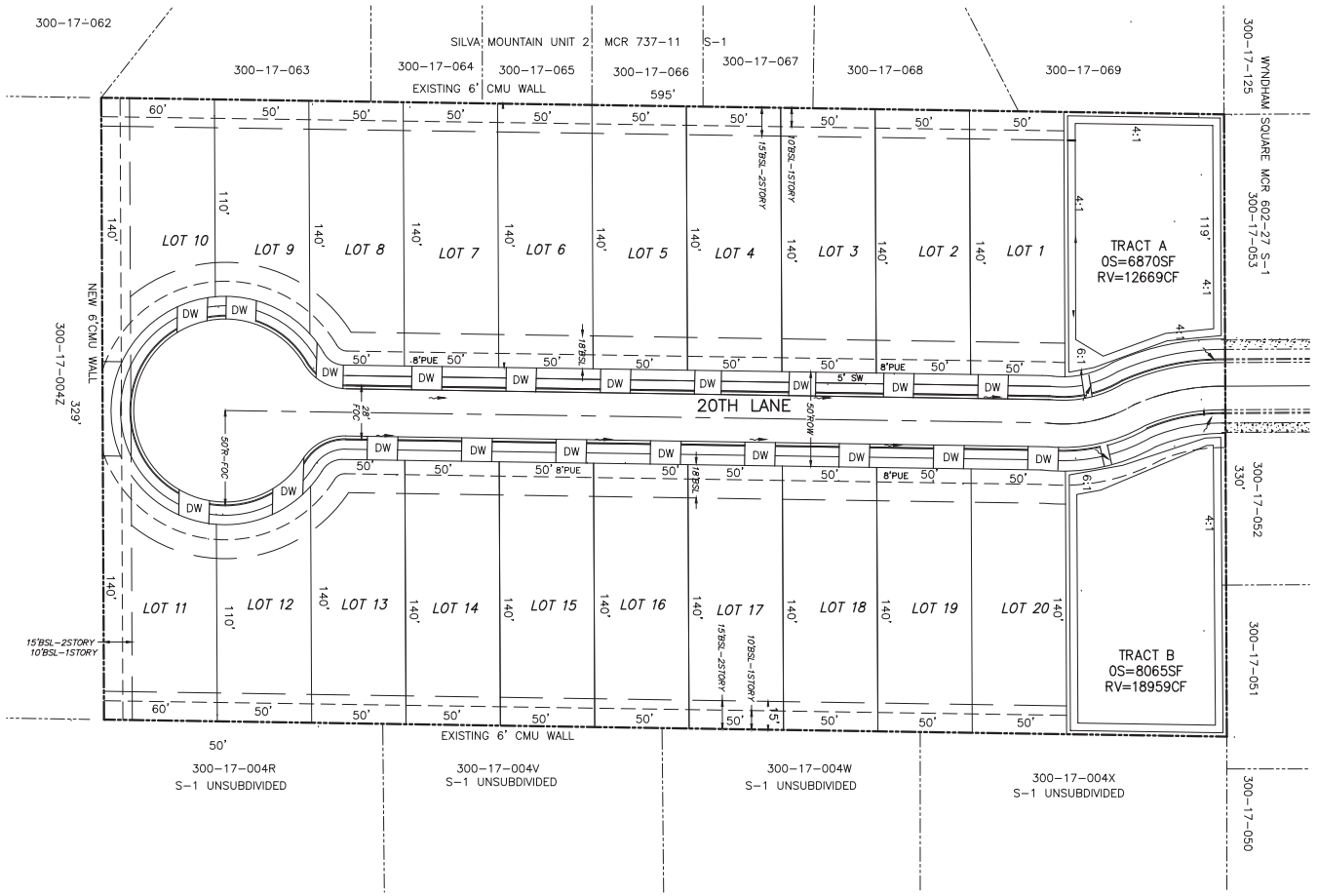
| MULTIPLES PERMITTED | CONVENTIONAL OPTION | * UNITS P.R.D OPTION |
|---|---|---|
| S-1 | 4 | N/A |
| R1-10 | 16 | 20 |

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

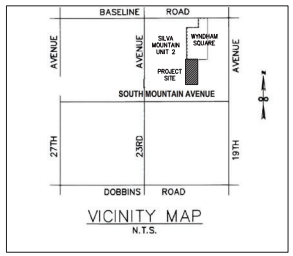
4042

Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2024\Z-58-24.aprx

# PRE-APPLICATION SITE PLAN
# SOUTH MOUNTAIN MODERN
# RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT




SITE PLAN




VICINITY MAP
N.T.S.

## PROJECT DESCRIPTION

THIS APPLICATION IS FOR THE REZONING OF THE PROPERTY FROM S-1 TO R1-10 TABLE A PLANNED RESIDENTIAL DEVELOPMENT OPTION.
PROPOSED DEVELOPMENT A 20 SINGLE FAMILY LOT SUBDIVISION, WITH ACCESSORY DWELLING UNIT ADU PROPOSED ON EACH LOT.

THE PROJECT CONSISTS OF 4.5 ACRES, NORTH OF SOUTH MOUNTAIN ROAD
ZONING CONTIGUOUS NORTH R1-10, SOUTH, EAST & WEST S-1
GENERAL PLAN IS 3.5 -5.0 DU/AC

THE ACCESS TO THE SITE IS 20TH LANE, AN EXTENSION OF WYNDHAM SQUARE SUBDIVISION TO THE NORTH.
A 50'ROW DEDICATION IS PROPOSED WITH 5' OFFSET SIDEWALKS CONSISTENT WITH WYNDHAM SQUARE
WATER AND SEWER AND DRY UTILITIES ARE IN 20TH LANE

## OWNER

DOROTHY M HALLOCK
2050 W SOUTH MOUNTAIN AVE
PHOENIX AZ. 85041
PHONE#: 480-720-6854

## CONSULTANT

JOHN FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD. #234
PHOENIX AZ. 85022
PHONE#: 602-573-2895
WSCING@COX.NET

*PROJECT NUMBERS*
*KIVA# 24-140*
*ZPA 4-24*
*QS# 01-24*
*PAPP# 2400620*

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

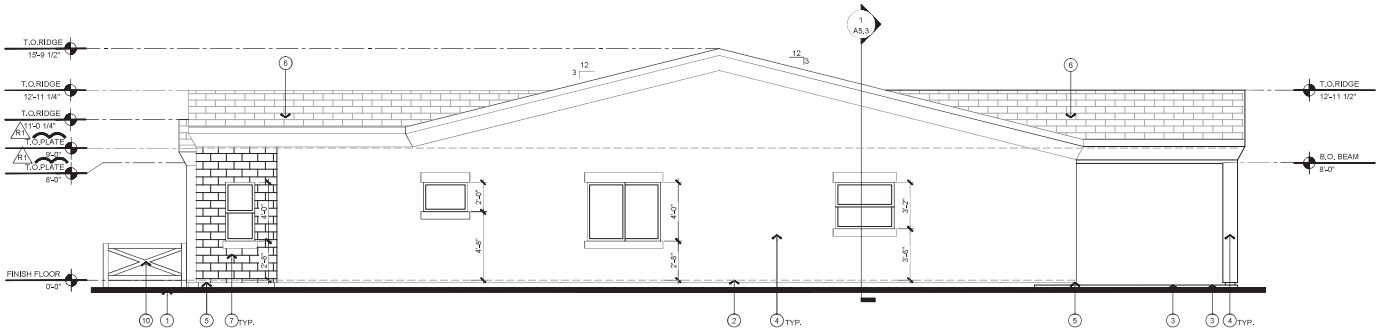
Scale 1" = 30'


**WILLIAM SEYMOUR CO, INC**
JOHN K. FOX
428 E. THUNDERBIRD RD. #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895


SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

| No. | DATE | APP. | DESCRIPTION |
|---|---|---|---|
| | | | REVISIONS |

DESIGNED:
DRAWN:
CHECKED:
DATE: MARCH 2024
SCALE: 1"=30'
PROJECT
FILE NAME
SHT: SP2




## RIGHT ELEVATION

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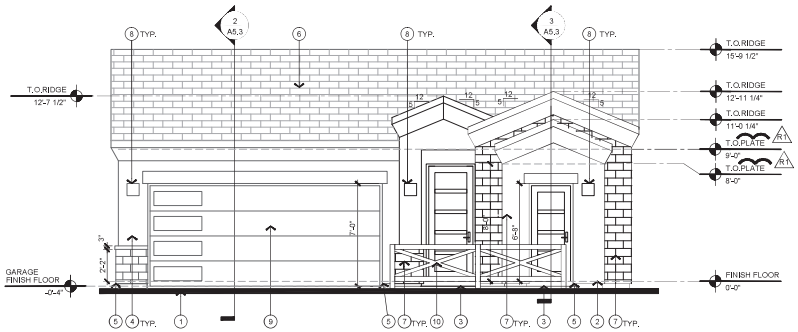
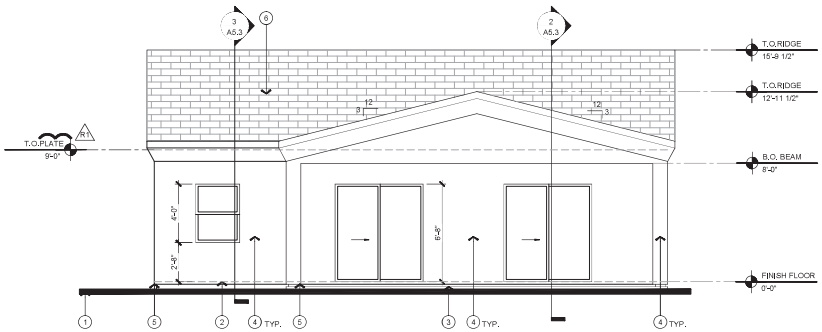


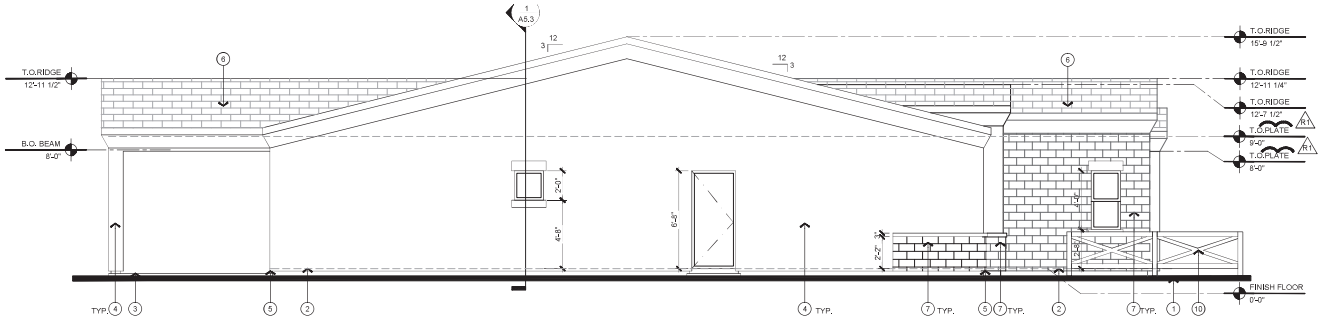

## FRONT ELEVATION

SCALE : 1/4" = 1'-0"




## REAR ELEVATION

SCALE : 1/4" = 1'-0"




## LEFT ELEVATION

SCALE : 1/4" = 1'-0"

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. LIGHT FIXTURES.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. 36" HIGH WOOD PENCE.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION


e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/626-8648
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| R1 | 11-17-2023 | Revision 1 1st Plan Review |

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023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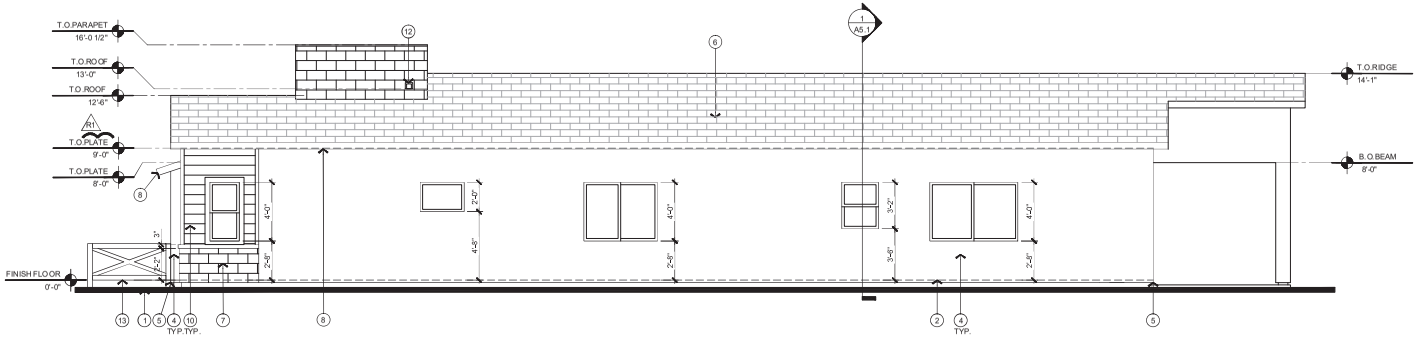
Plan 1500

Elevations
Modern
Mediterranean

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM,KV |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

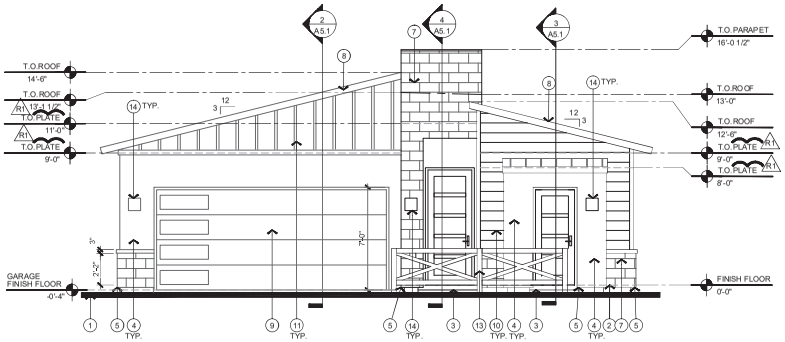
A4.3

4044



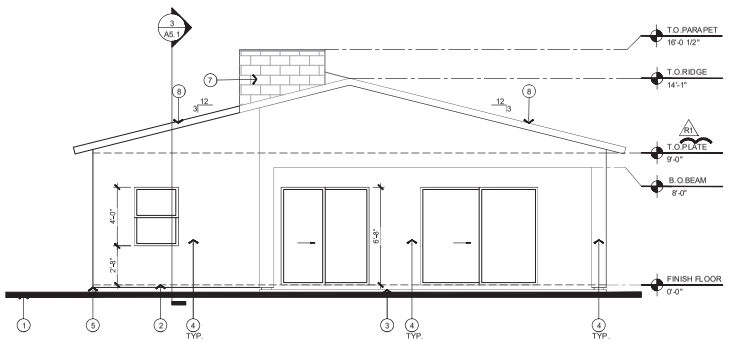

## RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



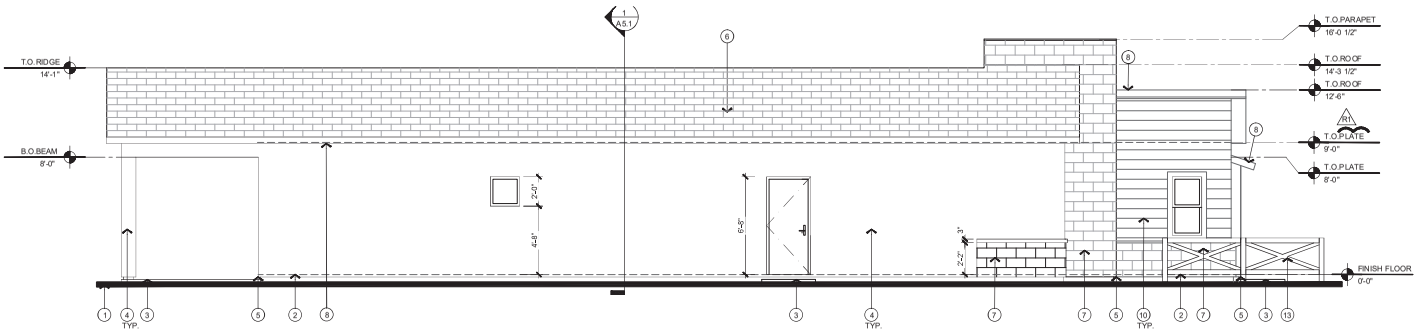

## FRONT ELEVATION

SCALE : 1/4" = 1'-0"




## REAR ELEVATION

SCALE : 1/4" = 1'-0"




## LEFT ELEVATION

SCALE : 1/4" = 1'-0"

CITY OF PHOENIX

APR 23 2024

Planning & Development Department

## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. WOOD FASCIA, PAINTED.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. SCUPPER, REFER TO DETAILS.
13. 36" HIGH WOOD FENCE.
14. LIGHT FIXTURES.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM, ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION


e project

6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/626-3648
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| R1 | 11-17-2023 | Revision 1<br>1st Plan Review |

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
11-17-2023
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-07-2023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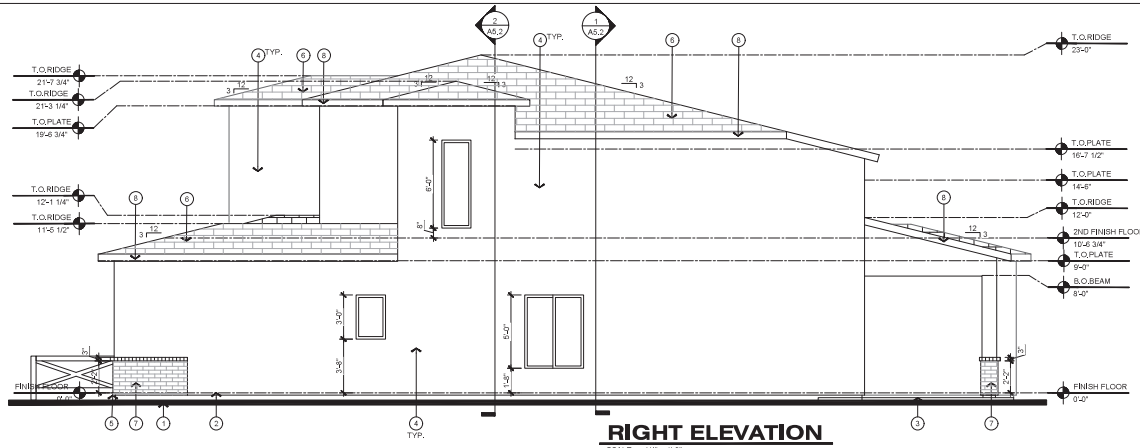
Plan 1700

Elevations
Modern Craftsman

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM,KV |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

A4.1

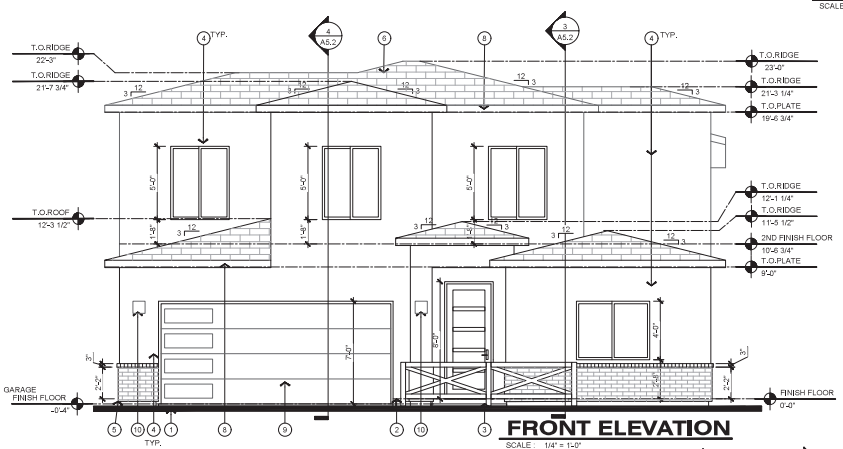
4045




## RIGHT ELEVATION

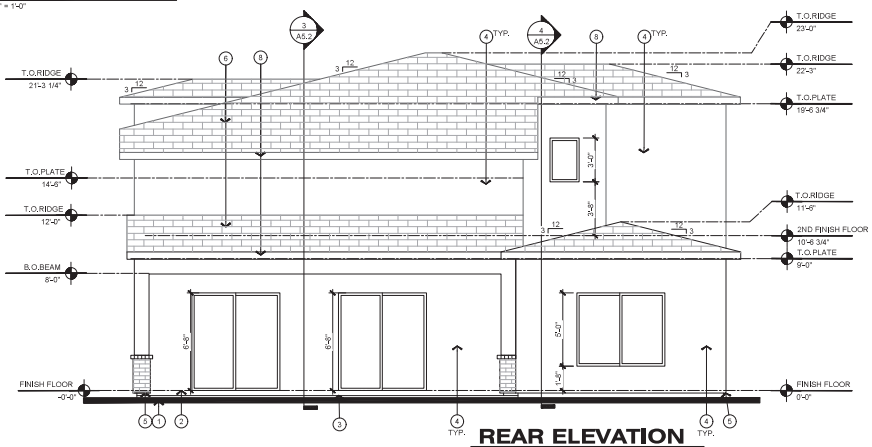
SCALE: 1/4" = 1'-0"

CITY OF PHOENIX
APR 23 2024
Planning & Development Department



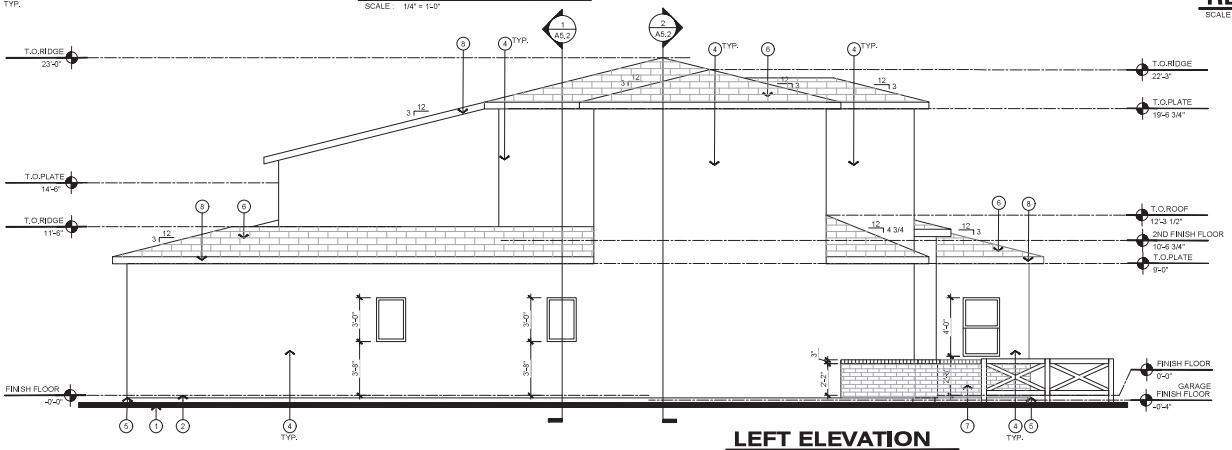

## FRONT ELEVATION

SCALE: 1/4" = 1'-0"




## REAR ELEVATION

SCALE: 1/4" = 1'-0"




## LEFT ELEVATION

SCALE: 1/4" = 1'-0"

## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. BRICK VENEER.
8. FASCIA.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. LIGHT FIXTURE TYP.

## GENERAL ELEVATION NOTES

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T = DENOTES TEMPERED GLASS LOCATION


e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480#426#648 fax: 480/359=1407
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| 1 | 11-17-2023 | Revision 1 1st Plan Review |

REGISTERED ARCHITECT 43178 EDMIR DZUDZA ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED ELECTRONICALLY 11-17-2023


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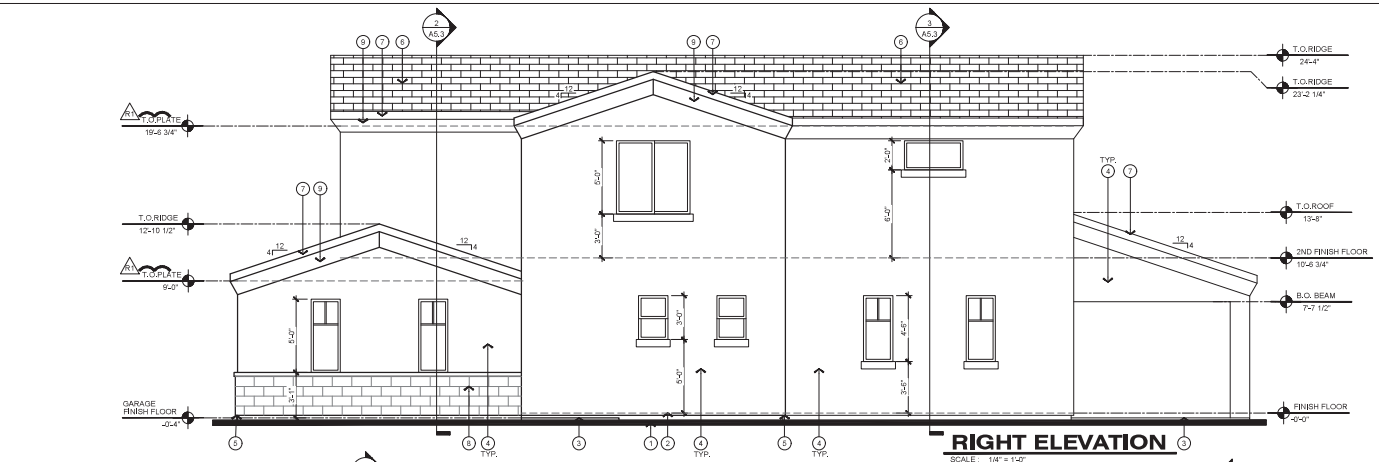
**Plan 2100**

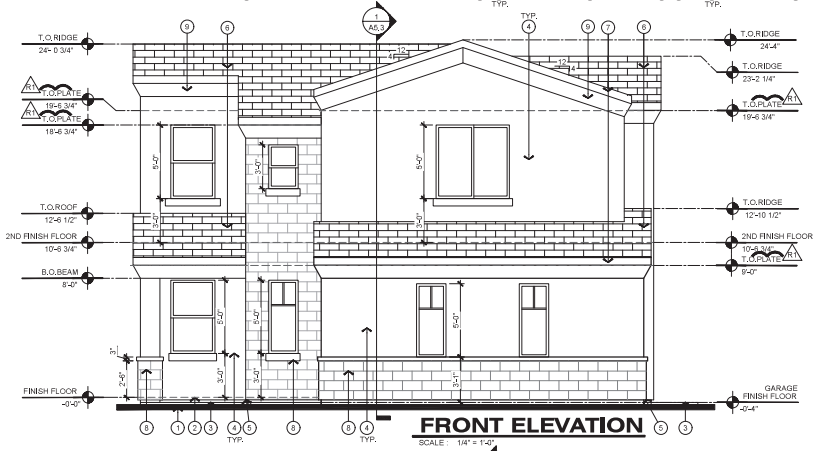
**Elevations**
**Modern Ranch**

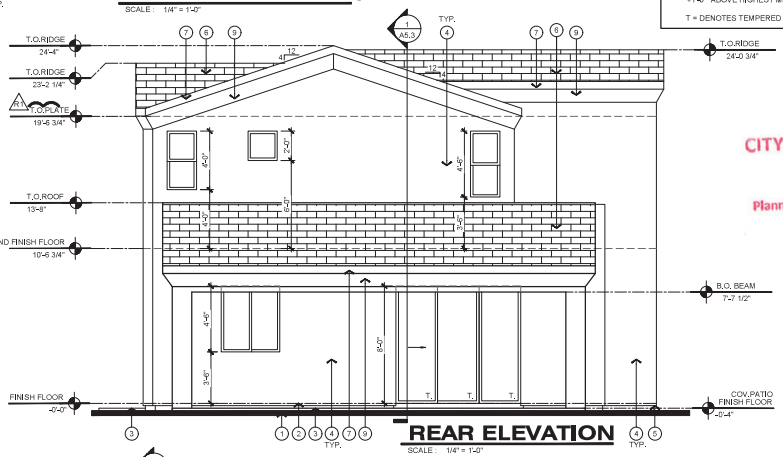
| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM&KV |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

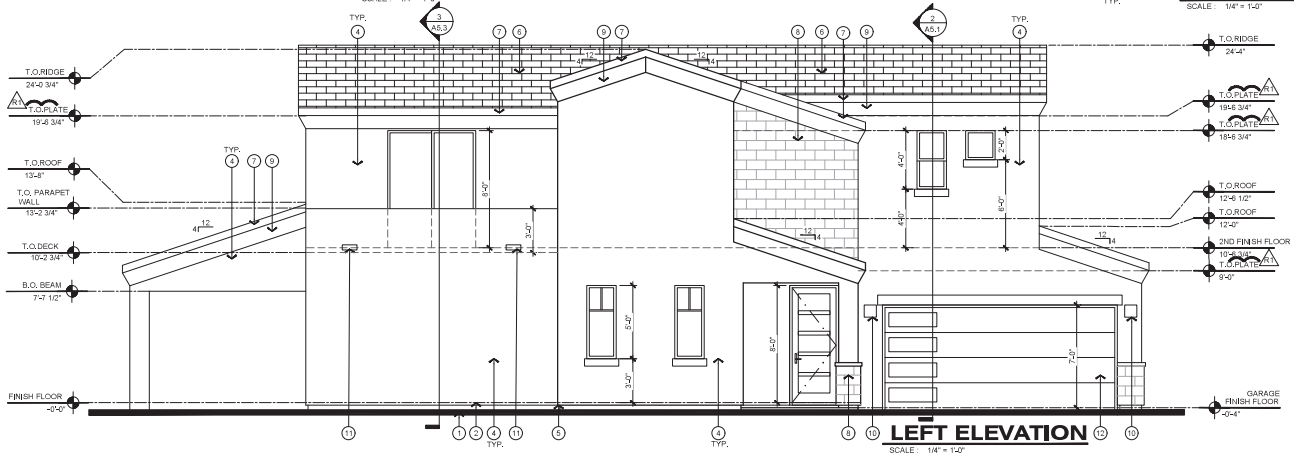
A4.2

4046




## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. FASCIA.
8. STONE VENEER.
9. STUCCO CORNICE.
10. LIGHT FIXTURES
11. SCUPPER.
12. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX. WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE III, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471), PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR ITS# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

CITY OF PHOENIX
APR 23 2024
Planning & Development Department


e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/456-9648 fax: 480/359-4497
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| R1 | 11-17-2023 | Revision 1 1st Plan Review |

REGISTERED ARCHITECT 43178 EDMIR DZUDZA ARIZONA, U.S.A.

EXPIRATION DATE 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023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Plan 2300

Elevations
Modern
Mediterranean

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | BJ&KN |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

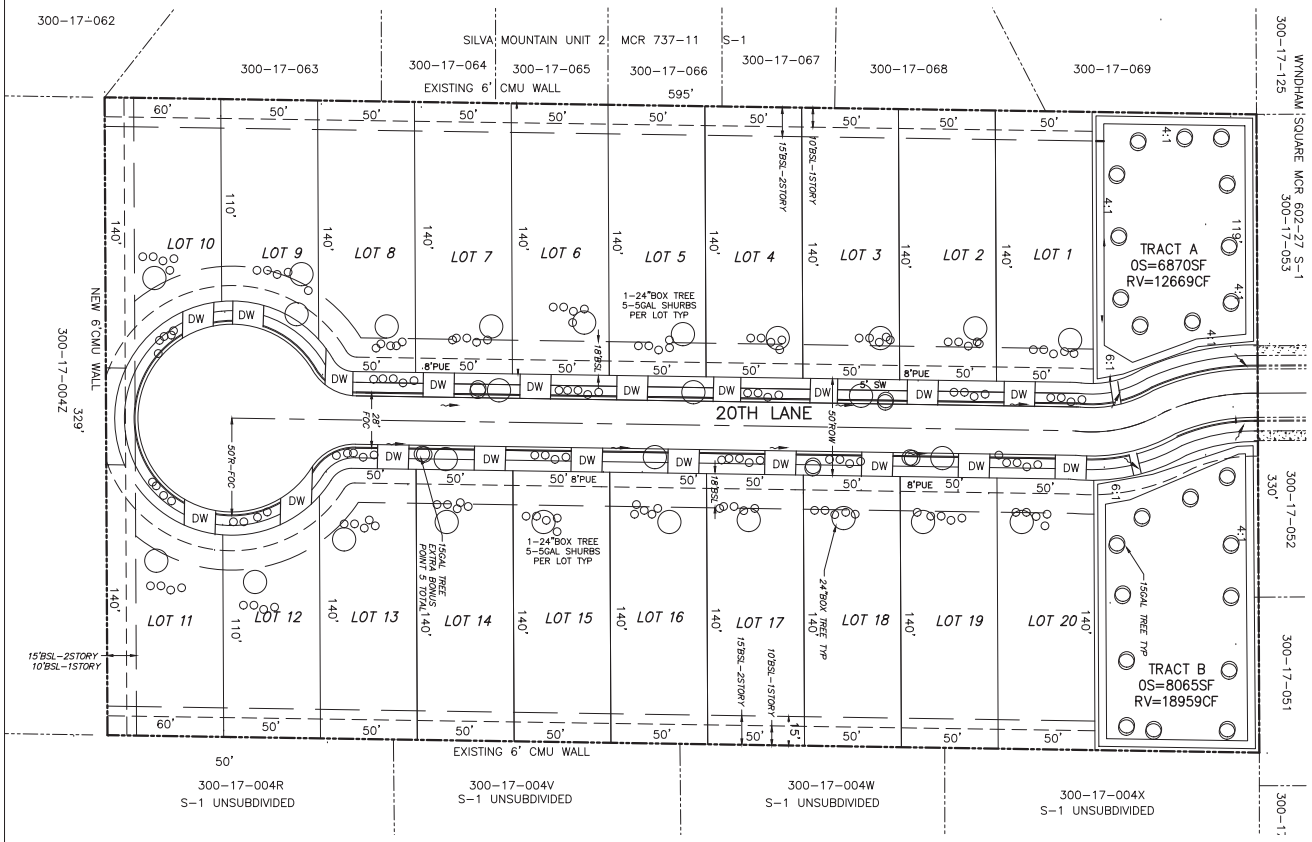
A4.3

4047

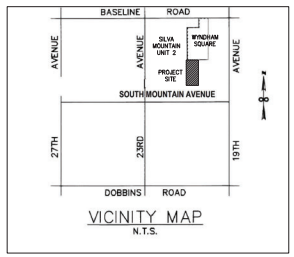
CITY OF PHOENIX
APR 23 2024
Planning & Development
Department

CITY OF PHOENIX
APR 23 2024
Planning & Development
Department

# PRELIMINARY LANDSCAPE AND DENSITY BONUS PLAN
## SOUTH MOUNTAIN MODERN
## RI-I0 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT




SITE PLAN




VICINITY MAP
N.T.S.

### OWNER

DOROTHY M HALLOCK
2050 W SOUTH MOUNTAIN AVE
PHOENIX AZ. 85041
PHONE#: 480-720-6854

### CONSULTANT

JOHN FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD. #234
PHOENIX AZ. 85022
PHONE#: 602-573-2895
WSCING@COX.NET

### NOTES

SOUTH MOUNTAIN MODERN
BONUS POINTS TABLE 608.I.2.A

STREETSCAPE
1. 20 POINTS -DETACHED SIDEWALK WITH PLANTING: 1 24'-BOX TREE OR 5-5 GAL SHRUBS/PER LOT
2. 10 POINTS -LANDSCAPE IRRIGATION FRONT YARDS 1-24' BOX TREE, 5- 5 GAL SHRUBS, GROUND COVER

2A. 25 POINTS -5 ADDITIONAL 15 GAL TREE

4. 10 POINTS -PARTIAL TREATMENT OF PAVING SURFACES

OPEN SPACE / RECREATION

1. 10 POINTS- ADDITIONAL OPEN SPACE
OPEN SPACE REQUIRED 4.5AC*43560SF/AC*5%=9801ST
1% OPENS SPACE INCREASE =980SF
1% INCREASE IN OPEN SPACE = 2PTS
OPEN SPACE SHOWN = 14,935SF
EXTRA OPEN SPACE = 5134 SF
EXTRA OPEN SPACE POINTS = 5143/980= 5.2% *2PTS = 10 PTS

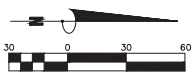
ARCHITECTURAL DESIGN
2. 25 POINTS-PROVIDE HOUSE PLANS WHICH DEMONSTRATE AN ENHANCED LEVEL OF ARCHITECTURAL DESIGN AS APPROVED BY THE DESIGN ADVISOR.

BONUS POINTS REQUIRED = 99
BONUS POINTS PROVIDE = 100

MINIMUM LANDSCAPE REQUIREMENTS PERIMETER OF COMMON AREA SPACE 1-15 GAL TREE EVERY 20-30'

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

*PROJECT NUMBERS*
*KIVA# 24-140*
*ZPA 4-24*
*QS# 01-24*
*PAPP# 2400620*



Scale 1" = 30'


**WILLIAM SEYMOUR CO, INC**
JOHN K. FOX
428 E. THUNDERBIRD RD. #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895


SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

| No. | DATE | APP. | DESCRIPTION |
|---|---|---|---|
| | | | REVISIONS |

DESIGNED:
DRAWN:
CHECKED:
DATE: APRIL 2024
SCALE 1"=30'
PROJECT
FILE NAME
SHT: SP2

4050

**Sarah Stockham**

**From:** Carlo <charles.carbaj@gmail.com>
**Sent:** Tuesday, June 18, 2024 1:57 PM
**To:** Samuel S Rogers; PDD Long Range Planning
**Subject:** Case Z-58-24 : Opposition to Proposed Zoning Development Near Wyndham Square HOA

**CAUTION: This email originated outside of the City of Phoenix.**

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Members of the Phoenix Planning and Development Department,

I am writing on behalf of the Wyndham Square HOA community, located near Baseline Rd and 20th Ln in ZIP code 85041, to express our strong opposition to the proposed development of 20 houses on the empty land adjacent to our community. As residents deeply invested in the well-being and safety of our neighborhood, we have several serious concerns regarding this development.

**1. Increased Traffic Congestion:**
Our community already faces significant congestion issues, particularly at the single exit onto Baseline Rd. The addition of 20 houses, each potentially contributing an average of 2-3 cars, would introduce approximately 50-60 more vehicles to this already congested exit. This substantial increase in traffic volume would exacerbate existing delays, increase the risk of accidents, and create a hazardous environment for both drivers and pedestrians.

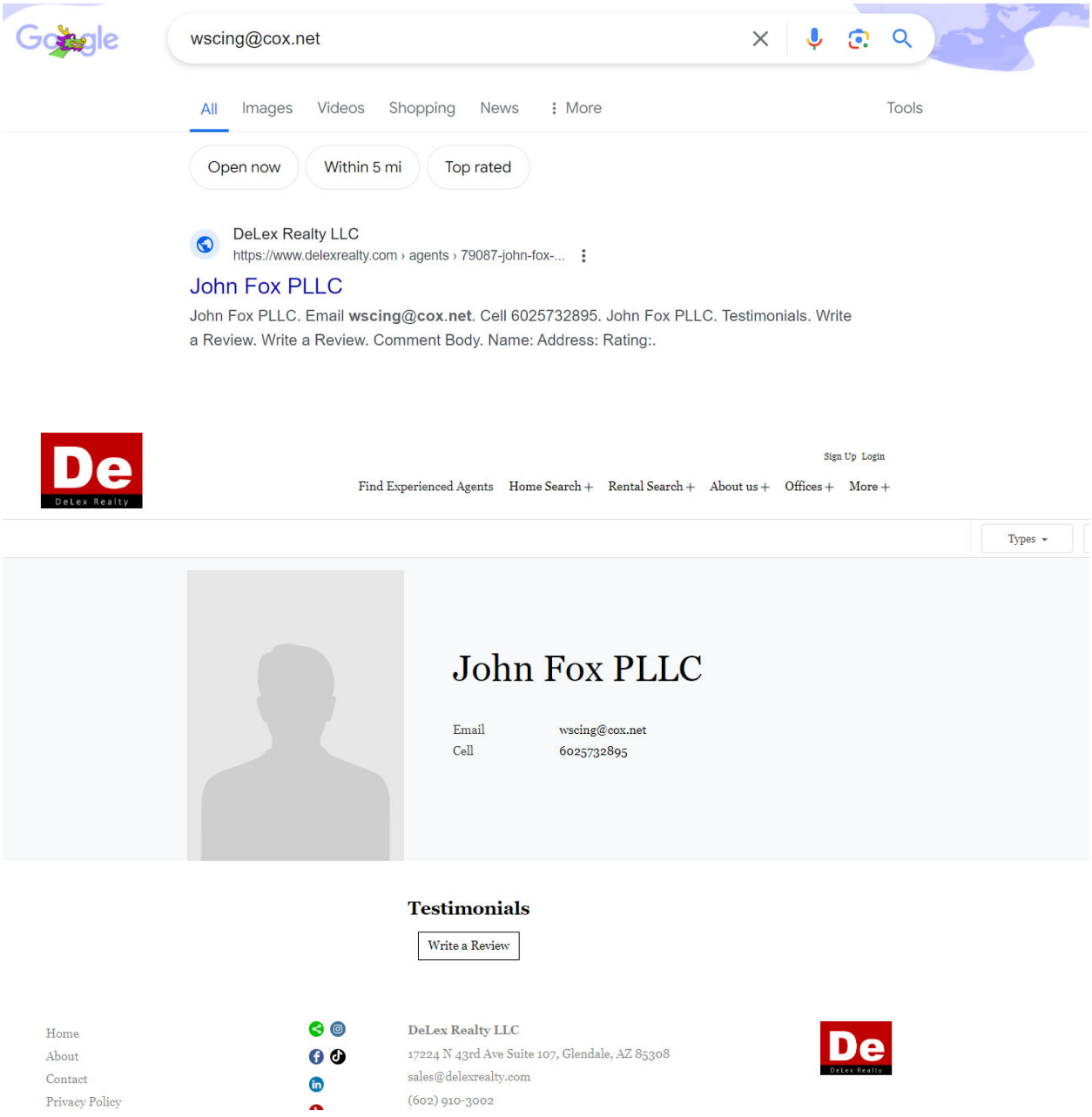
**2. Developer's Credibility:**
The developer assigned to this project, DeLex Realty LLC, is not accredited by the Better Business Bureau (BBB) and currently holds an "F" rating. This poor rating raises serious concerns about the reliability and integrity of the developer, and their ability to responsibly manage a project of this scale. We question their capacity to meet the community's standards and to follow through on commitments to mitigate negative impacts on our neighborhood.

**Evidence for #2**:

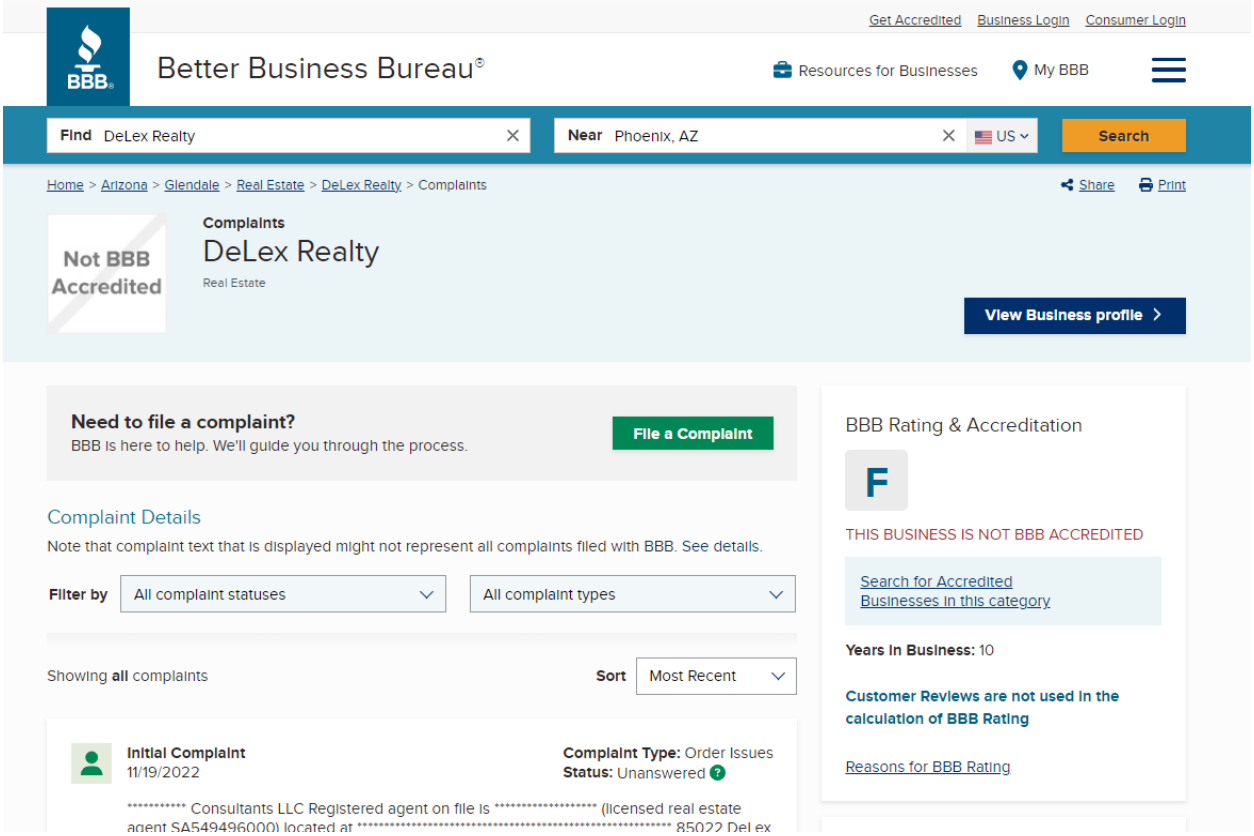
The applicant for the zoning is "John Fox", with an email of "wscing@cox.net"

A simple google search on "wscing@cox.net", reveals that "DeLex Realty LLC" is the real estate broker.

https://www.delexrealty.com/agents/79087-john-fox-pllc [delexrealty.com]




BBB rating of “F” with multiple complaints.
https://www.bbb.org/us/az/glendale/profile/real-estate/delex-realty-1126-1000047946 [bbb.org]




**3. Impact on Community Character and Quality of Life:**
The proposed development threatens to alter the character of our close-knit community. Our neighborhood values open spaces and the tranquility that comes with lower housing density. The introduction of 20 additional houses will not only strain our infrastructure but also detract from the peaceful environment that our residents cherish. Increased noise, reduced privacy, and potential overcrowding are all significant concerns that have not been adequately addressed.

**4. Environmental and Infrastructure Strain:**
The proposed development will likely put additional strain on our local infrastructure, including water supply, sewage systems, and public services. Without significant upgrades to these systems, which have not been outlined by the developer, the quality of service for current residents could deteriorate. Furthermore, we are concerned about the environmental impact, including increased runoff and potential flooding issues, due to the reduction of permeable land.

Given these substantial concerns, we urge the City of Phoenix Planning and Development Department to reconsider the approval of this zoning plan. The long-term welfare and safety of our community depend on responsible and sustainable development practices. We strongly believe that this proposed development does not align with these principles and would negatively impact our neighborhood.

We appreciate your attention to our concerns and look forward to your thoughtful consideration of our position. Please feel free to contact me at charles.carbaj@gmail.com or 480-326-1981.

Sincerely,

Carlos Carbajal

Owner of :
2017 W. Harwell Rd
Phoenix, AZ 85041

480-326-1981

# Questions and comments concerning rezoning case Z-58-24 and the proposed development

H. Jewel Clark <hjewelclark@fastmail.com>

Mon 6/24/2024 9:55 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Mike Josic <mijosic@fastmail.fm>

1 attachments (3 MB)

20th and South Mountain 24-4-18-SITE (6).pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

My name is Jewel Clark. I am writing regarding rezoning case number Z-58-24. My husband (cc'd on this email) and I own property at 2020 W. South Mountain Ave (APN # 300-17-004S). Attached you will find what we received from the applicant for your convenience and cross-reference.

The application for rezoning and development centers on a 4.5 acre parcel which we are adjacent to. While these plans were received and stamped by the planning department in November of 2023, the first meeting request the surrounding neighbors received concerning this proposal was May 17. May 17, which was a Friday, notified us of a meeting to be held by the developers on May 18. One day's notice. The letter was postmarked May 13, which was Monday. I was unable to attend because of a standing appointment that Saturday but my husband went. The developer had picked a pizza parlor for the meeting. Approximately 50 concerned neighbors attended but according to my husband it was practically impossible to hear (this was not in a reserved room away from the rest of the guests) and it was difficult for everyone to get close to the posters of the proposal for details. However, the neighbors were able to communicate opposition to key elements of the proposal: increased traffic, density and multiple stories.

Approximately 1 month later, the weekend of June 15, the developer, Mr. John Fox, held another meeting with the neighbors. We received that letter on the 10th. It was postmarked 6-4-24. Two of our neighbors whose properties are adjacent to this proposed development had not received a letter notifying them of the meeting. These neighbors are very concerned about how this proposal could affect their properties and would have been there had they known about it.

Some questions are:

1. Is there a minimum notification time for developers to alert neighbors within the 600 ft minimum for these kinds of meetings?
2. How is the 600' notification zone measured for developers to build their contact list?
3. Should the ADU's have been shown on the drawings they provided? They were not.
4. I may be misreading the plans attached but on the lot diagram page under Project Description, it appears they list R1-10 density as 3.5-5 DU/AC. My understanding is that R1-10 is 3-3.5, 4.5 with bonus. Do the submitted plans have to be correct or corrected to be allowed to move forward?
5. Should there be updated plans at this point that are not designated "pre-application"? If so, the neighbors have not seen anything different from the attachment enclosed.
6. Will this application also require a general plan amendment application?
7. My husband said the developers told the neighbors that approval for developments/rezoning no longer went through the city council. According to what I could find on the city website, rezoning requests, either opposed or unopposed were still heard by the city council as the final arbiters. Is this incorrect?

I'd also like to let you know that according to my husband, the plan had not changed at all in the month the developer had to incorporate neighbor concerns. They showed up with exactly the same designs/plans. So, on two fronts, they don't appear to be listening to or trying to work with any of the surrounding neighbors who would be affected by this development, and they said they are planning on presenting this proposal to the South Mountain Village Planning Committee at the next meeting on July 9.

Since the neighbors confronted them with the fact that nothing had changed, they said they would look into making changes and call another meeting before the SMVPC meeting but I'm concerned that yet again, the neighbors may not be notified in a timely enough fashion to attend whatever meeting is scheduled.

So to recap the timeline:

1. Application submitted Nov. '23
2. First notice to neighbors mailed May 13, 2024 for a May 18 meeting. We got our letter the day before and so did many others. Developers heard from approx. 50 people that density was too high, 2 story designs were opposed and concern about increased traffic in an existing development with only one entrance/egress point onto Baseline were paramount, among other concerns.
3. One month later, June 15, developer held another meeting. Notification letter postmarked 6-4, received on 6-10, at least by us. Some neighbors confirmed they did not receive their letters by the meeting date and missed the meeting. Plans had not changed at all. Neighbors reiterated concerns.
4. Developers said they would look at some changes and call another meeting but said they were still planning on moving the application through to the SMVPC July 9 meeting.

**The main issues: density, traffic for the north neighborhood, multiple stories**

The current plan is requesting a density of approximately 4.5, which means they are requesting a bonus designation and I do not see where they are calling out enhancements per city requirements to justify or earn the points for such density. In addition, this parcel is fully bordered on the east by S-1 acre+ homes, which would be a tremendously incongruous jump in density if approved. As well, there are no developments surrounding that are more than 3.5 R1-10 in density, making 4.5 units per acre unprecedented for the immediate area.

This new development would be an extension of an existing development to the north with only 1 entrance/exit onto Baseline Rd for an already existing 54 houses. There is no way for this addition to have another entrance/exit onto a different street because it is surrounded by already developed land. There is no light at Baseline for the current neighborhood and the residents say that getting in and out of their neighborhood is already extremely difficult. Are there any safety requirements for the number of houses in a development to the number of entrance/exits? It seems like this ratio should be a concern for the city in case of evacuation or other emergencies.

The neighborhood around this parcel has been very active in working to keep housing height to one story, per Rio Montana guidelines, which takes into account view obstruction to South Mountain for existing neighbors. This is a priority for the northbound neighborhood and the east-bordering homes who don't want 2-story houses right up on their property line looking into their backyards. The precedent for all surrounding construction we have been involved with for single family homes has been overwhelmingly single story and that is what all the neighbors want.

Any information, clarification, links to specific city web pages, etc. you can provide is most appreciated. Thank you!

Sincerely,
Jewel Clark

--

H. Jewel Clark
hjewelclark@fastmail.com

South Mountain
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-58-24-8

| | |
|---|---|
| **Date of VPC Meeting** | July 9, 2024 |
| **Request From** | S-1 |
| **Request To** | R1-10 |
| **Proposal** | Single-family residential |
| **Location** | Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue |
| **VPC Recommendation** | Continuance to August 13, 2024 |
| **VPC Vote** | 11-3 |

*Tremikus Muhammad left the meeting bringing quorum to 14 members (ten needed for a quorum).*

*Nine members of the public registered to speak in opposition to this item and 19 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark, five members of the public donated their time to Jai Goudeau, and two members of the public donated their time to Julian Galindo.*

STAFF PRESENTATION

**Samuel Rogers**, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

APPLICANT PRESENTATION

**John Fox**, representing the applicant with William Seymour Co., presented the subject site, the proposal, the surrounding zoning, alignment with the General Plan, Rio Montaña Area Plan, and other policy plans, the existing conditions, the proposed landscape plan, elevations, and site plan, project benefits, and the public outreach.

PUBLIC COMMENT

**Jewel Clark** expressed concerns about the proposed development, stated concerns about the two-story homes, and stated that the high density of the project is out of character with the area. Ms. Clark stated that there was no mention of Accessory Dwelling Units (ADUs) in the applicant presentation and raised concerns about an additional 200 trips that the development would generate. Ms. Clark emphasized that the

area currently has an open feel which would be lost, leading to an increase in heat due to reduced open space. Ms. Clark questioned whether the homes would be for rent or sale and noted that many other homes are already being introduced into the area. Ms. Clark stated that the developer has not had good conversations with the neighbors.

**Jai Goudeau** highlighted several issues, starting with the difficulty of turning left onto Baseline Road, which can take up to 15 minutes. Mr. Goudeau noted that the existing homes average 11,000 square feet, compared to the proposed 7,000 square feet. Mr. Goudeau stated he is not opposed to development with fewer homes and criticized the applicant for being unresponsive to working with the neighbors. Mr. Goudeau stated that large vehicles would struggle to maneuver and stated that the first meeting was too small, prompting him to request a second meeting. Mr. Goudeau explained that he reserved the room for the second neighborhood meeting. Mr. Goudeau also expressed concerns about the traffic circle eliminating street parking and mentioned that there are other places where such developments would make more sense.

**Jewel Clark** stated that there is no guarantee that Dorothy, the property owner to the south, will move. Ms. Clark stated that the neighborhood is healthy and diverse and does not need this development. Ms. Clark pointed out that the first notification was not received within the required 10-day notice period, and no solutions were provided.

**Julian Galindo** shared his experience as a resident for 15 years and expressed pride in the neighborhood. Mr. Galindo compared a traffic letter with a full traffic study and voiced opposition to the proposal. Mr. Galindo raised concerns about foot traffic, the safety of children, and the long-term issues related to extra traffic.

**Nicole Sordello** stated she never received notice and suggested that there wouldn't be an empty chair in the room if the notification had been proper. Ms. Sordello expressed concerns about the impact of two-story homes on her privacy, noting that several lots will back up to her property. Ms. Sordello stated the project has multiple unknowns regarding rentals and HOA prohibitions on short-term rentals.

**Joe Hernandez** stated there is already heavy traffic near his residence at the entrance of the subdivision to the north and stated that the proposal would make traffic worse. Mr. Hernandez questioned how construction crews would maneuver, stated that the neighborhood has been seeking to add an entry breezeway for the Wyndham Square neighborhood, and expressed disappointment that new subdivision name may end up on the breezeway too.

**Mike Josic** stated that the applicant does not own the property, and the sale is contingent on the rezoning being approved. Mr. Josic mentioned the lack of discussion on ADUs, which could result in about 40 households, and raised traffic concerns. Mr. Josic argued that two-story buildings are inappropriate and stated that 20th Lane would not likely connect to South Mountain Avenue in the near future because Dorothy, the

property owner to the south, is not likely to move soon. Mr. Josic urged the committee to reject the request and stated that the proposal is the wrong project in the wrong place.

**Funyung Mon** stated concerns about increases traffic, expressed frustration with the already terrible traffic, and noted that her insurance quote increased by 20% due to the area's high accident rate.

**Monica Garcia** stated she is a housing lawyer, stated the neighborhood had endured half-built houses being built and flooding issues. Ms. Garcia stated traffic concerns, stated that the homes are small, stated that insurance premiums will keep going up, and asked the VPC to oppose to the project.

**Candice McDonald Ramsey** stated she works for Corporate America, clarified that she is not trying to hinder the City's progress and understands the need for homeownership. Ms. Ramsey expressed a willingness to compromise and highlighted the potential upside for existing homeowners. Ms. Ramsey acknowledged that small homes could be a good product but considered them inferior to existing homes. Ms. Ramsey stated concerns about construction vehicle presence, stated she appreciated the VPC hearing the community, and stated she feels that the applicant was not listening to their voices.

**Jacques Phelps** spoke about the diversity in the area, mentioning that he had just closed on a home. Mr. Phelps expressed concern that the project would adversely impact home values and the recent investment, negatively affecting his family and what he has built.

**Chair Trent Marchuk** noted for the record that 29 cards had been submitted in opposition to the proposed development, with 0 cards in support. Chair Marchuk also reported that a petition opposing the development had gathered 63 signatures, 31 letters of opposition were received, and explained that of the 52 homes in the Wyndham Square neighborhood, 29 residents were in opposition to the proposal.

APPLICANT RESPONSE

**Mr. Fox** stated that South Mountain is a large area where R1-10 zoning is appropriate and explained that the size of the lots is based on the Planned Residential Development (PRD) option for R1-10. Mr. Fox emphasized that the project is designed to prevent water from flowing into the neighborhood to the north. Mr. Fox acknowledged concerns about the presence of two-story homes but stated that there are two-story homes in the subdivision to the north. Mr. Fox clarified that the project has never been intended as a rental community or proposed to include Accessory Dwelling Units (ADUs). Mr. Fox expressed frustration, suggesting that the opposition indicates a reluctance to be good neighbors. Mr. Fox affirmed that the development would consist of quality homes and foster good neighborly relations.

**Mr. Goudeau** responded by acknowledging the presence of two-story homes in the area. Mr. Goudeau expressed concerns that the proposed retention measures might create issues for existing homes.

QUESTIONS FROM THE COMMITTEE

**Committee Member Busching** asked if the applicant is interested in continuing the case to allow more time to work with the community. **Mr. Fox** stated that he does not think he can go through the process another time.

**Committee Member Darlene Jackson** remarked that Phoenix is growing and emphasized the goal of building a healthy and connected city. Committee Member Jackson inquired whether the project would contribute to building a healthy community. **Mr. Fox** stated that the project includes connected sidewalks and open space and stated that detached sidewalks could be removed to widen the street. Committee Member Jackson questioned if it is fair to take away something to give something. Mr. Fox stated that when the neighborhood to the north bought their homes Baseline Road was already there.

**Committee Member Kay Shepard** asked why a Traffic Statement was used instead of a Traffic Impact Analysis (TIA). **Mr. Rogers** explained that a Traffic Statement is appropriate for smaller developments, but not for larger ones. Committee Member Shepard asked what the current width of 20th Lane is. **Mr. Fox** explained that the current street is 28 feet wide. Committee Member Shepard stated that the development should not include two-story homes.

**Committee Member Edward Aldama** stated that the original question was about walkability and questioned why the conversation had shifted to needing wider street that do not help with walkability. Committee Member Aldama stated that detached sidewalks would improve walkability and that people generally avoid cul-de-sacs. Aldama advocated for the future residents and stated that he believes the proposed walkability would be adequate and traffic would not have a significant impact.

**Committee Member Kassandra Alvarez** stated that the South Mountain VPC has high standards for community engagement, asked what issues were encountered while working with the community, and inquired about the timeframe for connecting to South Mountain Avenue. **Mr. Fox** indicated that the Wallace Group is building high-end products in the area and stated that the timeframe for the project is to move forward as soon as possible, aiming to start around the beginning of next year. Committee Member Alvarez further asked about the timeframe for connecting to South Mountain Avenue. Mr. Fox stated that the connection to South Mountain Avenue is not an empty promise, stated that the timing of Dorothy's move is uncertain, and noted that the City of Phoenix requires 20th Lane to be built for an eventual connection to South Mountain Avenue. Mr. Fox acknowledged difficulties in working with neighborhoods, stated that his team is not

willing to change the proposed density, and stated that his team is open to adjusting lot sizes.

**Committee Member Gene Holmerud** stated that the proposal will add 20 residences to the existing 52 residences that access the neighborhood via Baseline Road and asked how the access compares other developments over the past ten years. **Chair Marchuk** asked how many homes accessed Baseline Road on the self-storage special permit case on 41st Street and Baseline Road. **Mr. Rogers** stated that over 100 homes access Baseline Road via 41st Street and stated that he does not have statistics on access. **Committee Member Tamala Daniels** stated that the VPC had approved subdivisions with limited access in the past. **Committee Member Emma Viera** argued that precedent should not dictate future decisions and emphasized the importance of unity within the community. Committee Member Viera expressed a desire for the developer to be invested in working with the community. **Mr. Fox** stated that if the neighborhood would work with him, he would reciprocate and stated that both two-story and one-story homes are planned.

**Chair Marchuk** asked the development team if they are open to stipulating a ratio of the homes be one-story. **Mr. Fox** stated that the ratio could be stipulated and stated that the mix of heights is determined by the builder.

**Committee Member T. Daniels** stated that the site to the north is also zoned R1-10 but has different dimensions. **Mr. Fox** explained the proposal is utilizing the Planned Residential Development option. **Committee Member T. Daniels** highlighted that surrounding sites are R1-10, expressed that people seem unhappy with the access being through the development, and asked if there is any stipulation requiring that the proposed subdivision eventually connect to South Mountain Avenue. **Mr. Rogers** explained that, per Stipulation No. 12, the City is requiring a temporary turn around at the terminus of 20th Lane that would eventually connect to South Mountain Avenue. Committee Member Busching asked for clarification on Stipulation No. 12. Mr. Rogers explained Stipulation No. 12 and explained the City would require 20th Lane to connect to South Mountain Avenue if the property to the south develops with a use such as a subdivision, but not if a use such as a single-family home is proposed.

**Committee Member Busching** inquired about the owner of the property to the south and asked if an access easement across the property to the south is a possibility. **Mr. Fox** stated that the subject site is owned by the same owner of the property to the south and explained that an access easement would be a burden on the property owner to the south. **Committee Member T. Daniels** asked why the property owner to the south would put an easement on a home she currently lives in. Committee Member Busching explained that the property owner to the south could sell an access easement at the same time she sells the subject site.

**Committee Member T. Daniels** stated that when the development to the north was rezoned, there were likely complaints from S-1 property owners in the area, explained

there is always resistance to smaller housing products, and stated that it is unfair to prohibit two-story homes when the neighboring area has two-story structures. **Vice Chair Arthur Greathouse III** proposed stipulating that no two-story homes be placed next to each other. Committee Member T. Daniels stated that it could be stipulated that no two-story home can be next to each other if the developer is willing to offer the concession.

**Committee Member T. Daniels** asked about using flood maps to address retention issues. **Mr. Fox** responded that the proposed retention basins will maintain any onsite water, stated that flows would be monitored by the City of Phoenix, and explained that the development team was required to overlay the flood maps during their assessment. Mr. Fox stated that he is willing to work with the neighborhood on anything other than reducing the proposed density.

**Committee Member Aldama** asked if the development would improve flooding issues in the immediate area. **Mr. Fox** confirmed the retention basins would improve water issues.

**Committee Member Jackson** expressed concerns about the number of proposed units and stated that traffic concerns are not being addressed.

**Committee Member Holmerud** stated that there was a question about requiring a ratio of single-story and two-story homes, stated that in the past the VPC had stipulated that two-story homes be in the center of the development, and stated that the stipulation will not work on the proposed development because of the small site size.

**Chair Marchuk** explained that the proposal is technically R1-10, but the housing product is more similar to an R1-6 product, stated that the density in the area ranges from 2.5 to 3.5 units per acre, and stated that proposed 4 units per acre seems aggressive. Chair Marchuk stressed the importance of community engagement and proposed taking a month-long break to continue the case to allow more time to work with the community. **Mr. Fox** agreed to continue the case and suggested that a mediator be present at the next neighborhood meeting.

**Committee Member T. Daniels** asked if information on the Rio Montaña Area Plan could be distributed to the applicant and asked for clarification on the proposed density bonus. **Mr. Rogers** explained that additionally amenities can be provided in exchange for a higher allowed density. Committee Member T. Daniels asked if the proposal had been reviewed to ensure the proposed bonus points would allow the proposed density. Mr. Rogers explained that the final assessment of bonus points would be determined through the development review process. **Chair Marchuk** ask what the proposed density is. Mr. Rogers explained the proposed density is 4.4 units per acre. Committee Member T. Daniels asked about the proposal's compliance with development standards such as setbacks. Mr. Rogers explained that a site plan showing home locations was not provided.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

**MOTION**

**Committee Member Kay Shepard** made a motion to continue Z-58-24-8 to the August 13, 2024 South Mountain Village Planning Committee Meeting. **Committee Member George Brooks** seconded the motion.

**VOTE**

**11-3**, motion to recommend a continuance of Z-58-24-8 passes with with Committee Members Aldama, Alvarez, Brooks, Busching, F. Daniels, T. Daniels, Holmerud, Jackson, Shepard, Greathouse, and Chair Marchuk in favor and Falcon, F. Muhammed Roque, Viera opposed.

**Committee Member Alvarez** expressed hope that the relationship with the community could be repaired.

**Committee Member Petra Falcon** mentioned that the community had not been treated well and stated the community has said this project is not suitable for the location.

**Committee Member Holmerud** stated that stipulating a percentage of two-story homes will not work in the location.

**Committee Member Jackson** advocated for fewer homes and more open space.

**Vice Chair Greathouse III** encouraged collaboration. **Chair Marchuk** echoed Vice Chair Greathouse and encouraged collaboration from the applicant and the neighborhood.

**Committee Member Falcon** observed that community members left the meeting and did not get to hear the results.

**Committee Member T. Daniels** explained that if the vote were to reject the project, it would not stop the development process and stated that Arizona has various housing formations. Committee Member T. Daniels mentioned the skyrocketing housing market, the developer's agreement to return, and the importance of creating a win-win situation. Committee Member T. Daniels encouraged everyone to bring a positive attitude to the discussion

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

South Mountain
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-58-24-8

| | |
|---|---|
| **Date of VPC Meeting** | August 13, 2024 |
| **Request From** | S-1 |
| **Request To** | R1-10 |
| **Proposal** | Single-family residential |
| **Location** | Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue |
| **VPC Recommendation** | Continuance to September 10, 2024 |
| **VPC Vote** | 12-0 |

*Committee Member Tamala Daniels joined the meeting bringing quorum to 12 members (ten needed for a quorum).*

*Six members of the public registered to speak in opposition to this item and 12 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark and three members of the public donated their time to Jai Goudeau.*

**Chair Trent Marchuk** explained that the applicant for case Z-58-24 reached out to request a continuance to the September 10, 2024 South Mountain Village Planning Committee meeting. Chair Marchuk stated that a continuance was granted in the last meeting and noted that the applicant has been working with the community but that progress still needs to be made. Chair Marchuk stated the applicant is hopeful that another month will yield the necessary progress, thanked the community members for attending the meeting, and asked staff for clarification on the process.

**Samuel Rogers**, staff, explained that a motion to continue the case could be made.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

**MOTION**
**Committee Member Kay Shepard** made a motion to continue Z-58-24-8 to the September 10, 2024 South Mountain Village Planning Committee Meeting. **Committee Member George Brooks** seconded the motion.

**VOTE**
**12-0**, motion to recommend a continuance of Z-58-24-8 passes with with Committee Members Aldama, Beehler, Brooks, Brownell, Busching, T. Daniels, Holmerud, Jackson, Shepard, Viera, Vice Chair Greathouse, and Chair Marchuk in favor.

**Chair Trent Marchuk** stated for the record that 17 comment cards had been received in opposition to the project and thanked the community for attending.

**Committee Member Marcia Busching** emphasized the importance of ensuring that people in attendance are aware of the ongoing negotiations and are able to participate. **Chair Marchuk** stated his understanding that two individuals were appointed by the community to be their representatives in the negotiations and added that others are welcome to participate. Chair Marchuk asked about the process for people to get involved. **Mr. Rogers** informed the committee that community members could reach out to himself, the Chair, or the applicant to get involved.

**Committee Member Brooks** asked why there are still so many people in attendance who are in opposition if progress is being made. **Chair Marchuk** stated that the need for continued negotiation is the reason the applicant requested a continuance.

**Committee Member Tamala Daniels** inquired about the requirement for community notification when a continuance is going to be requested. **Committee Member Brooks** suggested that there should be a timeline to ensure people are informed when a continuance is going to be requested. **Chair Marchuk** stated that the community representatives were informed about the continuance as soon as he had heard. **Committee Member Greg Brownell** commented that the community representatives are not the only people who represent the community given the number of people in attendance. **Committee Member Gene Holmerud** stated that the issue could be resolved with a real-time website but acknowledged that this would be a significant undertaking.

**Committee Member T. Daniels** asked how long prior to the meeting applicants are required to inform the committee that a continuance is planned to be requested. **Mr. Rogers** stated that applicants are allowed to request continuances up to the meeting itself. Mr. Rogers explained that while it would be prudent to inform the community earlier, there is no regulation requiring this. **Committee Member Brooks** asked what the process would be to implement a new rule requiring earlier notification for continuances. Mr. Rogers stated that he would have to follow up on the topic.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.

South Mountain
VILLAGE PLANNING COMMITTEE

# Village Planning Committee Meeting Summary
## Z-58-24-8

| | |
|---|---|
| **Date of VPC Meeting** | September 10, 2024 |
| **Request From** | S-1 |
| **Request To** | R1-10 |
| **Proposal** | Single-family residential |
| **Location** | Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue |
| **VPC Recommendation** | Approval, per the staff recommendation with additional stipulations |
| **VPC Vote** | 7-5 |

*12 members of the public registered to speak in opposition to this item and 10 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark and four members of the public donated their time to Jai Goudeau.*

STAFF PRESENTATION

**Samuel Rogers**, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

APPLICANT PRESENTATION

**John Fox**, representing the applicant, presented the history of the rezoning process, including his attendance at two previous Village Planning Committee (VPC) meetings. Mr. Fox stated that the City is recommending approval of the rezoning request, explained that his team had provided a site plan to the neighbors that reduced the number of units from 20 to 18, explained that he had received additional stipulations from neighborhood representatives asking for a 16-unit proposal, explained he thought his team and the neighbors could meet in the middle with an 18-unit proposal, and explained that his team is now proposing a 20-unit development.

PUBLIC COMMENT

**Chair Trent Marchuk** noted that there were 22 cards in opposition to the project, with no cards in support and explained that five cards were submitted to Jai Goudeau, five to Jewel Clark, and one card to Mike Josic.

**Jewel Clark** explained where she lives and stated that she has consistently opposed an 18-unit development. Ms. Clark asked Mr. Fox about compliance with the Rio Montaña Plan, expressed concerns about preserving the character of the area, and referenced City of Phoenix policy plans that emphasize compatibility. Ms. Clark explained that she is not opposed to a development but wants a development that fits the neighborhood. Ms. Clark explained that she would support the proposal if it included stipulations provided by the neighborhood representatives. **Committee Member Marcia Busching** asked how the proposed neighborhood stipulations were developed and if they came from City of Phoenix policy plans or previous cases. Ms. Clark explained that many of the neighborhood requested stipulations came from the Rio Montaña Plan and other rezoning cases in the area.

**Julian Galindo** explained he attended the meeting with the developer and that the neighborhood had been against an 18-unit proposal, explained he is a civil engineer, and stated that he has concerns about stormwater management and the project's density. **Committee Member Busching** asked a question regarding the retaining wall. Mr. Galindo confirmed that he advocated for the stipulation regarding the retaining wall and explained that the retaining wall will help to mitigate flooding concerns. Committee Member Busching asked whether Mr. Fox was in opposition to the stipulation. Mr. Galindo responded that the stipulation had been discussed but not agreed to.

**Committee Member Greg Brownell** inquired about the project's floodplain review. **Mr. Rogers** explained that the project had gone through a preliminary floodplain review, but a full grading and drainage review will occur when the development comes in for permitting. **Chair Marchuk** stated that the existing homes to the north are four feet lower than the proposed development, explained that the retaining wall will mitigate flooding issues, and explained that Mr. Fox had agreed to the retaining wall in concept.

**Kara Moreno** echoed other neighbors' concerns regarding the proposed development and explained concerns about the impact of the development if additional street access is not provided. Ms. Moreno emphasized the potential safety risks associated with construction activities, including traffic and car safety. Ms. Moreno also raised concerns about the increased length of the street, which she believed could encourage faster driving, potentially leading to safety hazards due to speeding vehicles.

**Jai Goudeau** explained that he owns the first home built in the neighborhood to the north, highlighted ongoing flooding issues, and stated traffic accidents occur every 2.5 days at 19th Avenue and Baseline Road. Mr. Goudeau expressed concerns about the proposed street length and the temporary turnaround in the development, noting potential difficulties for large trucks navigating the roundabout. Mr. Goudeau explained that the community proposed several design alternatives and stated the developer backed out of negotiations at the last minute. Mr. Goudeau expressed concerns about the meeting noticing, stated that the HOA failed to send timely notices, and stated more neighbors would be in attendance if they had been properly noticed. Mr. Goudeau stated that he is

not opposed to building a community, emphasized that all traffic from the new development would flow through Wyndham Square, and explained the development would effectively an extension of the Wyndham Square neighborhood.

**Mike Josic** voiced his understanding of the housing crisis but argued that reducing the number of homes by four would not significantly impact the crisis. Mr. Josic emphasized that the proposed development feels unfair to current residents and urged the committee to vote against it.

APPLICANT RESPONSE

**Mr. Fox** provided examples of other developments in the area that were not held to the same requirements the neighborhood is asking his team to comply with. Mr. Fox explained that the neighborhood's stipulations were received too late and that the staff is already stipulating that the site plan, elevations, and landscape plan be reviewed by the Planning Hearing Officer (PHO) and the South Mountain VPC. Mr. Fox explained that the Rio Montaña plan is an older plan and explained that he disagrees with some of the stipulations but stated that he is open to compromise on others.

QUESTIONS FROM THE COMMITTEE

**Committee Member Coleman** asked when other subdivisions Mr. Fox referenced were built. **Mr. Fox** explained that they were constructed within the last 15 to 20 years.

**Committee Member Beehler** asked if Mr. Fox was the purchaser or the owner of the property, who owns the parcel to the south, and asked about a potential access easement across the parcel to the south. **Mr. Fox** explained that he is in escrow for the purchase of the subject site, explained that the property owner also owns the parcel to the south, and stated the owner is not open to an access easement across the property to the south.

**Chair Marchuk** asked staff to explain the City's perspective on the street termination. **Mr. Rogers** explained that the proposed street must be designed to accommodate a future connection to the parcel to the south and stated that most potential uses for the southern parcel, aside from a single-family home, would require this connection to the subject site.

**Committee Member Busching** asked if Mr. Fox was amenable to any of the neighborhood's stipulations. **Mr. Fox** explained which stipulations his team is not okay with and others he is willing to accept.

**Committee Member Coleman** asked if Mr. Fox was willing to comply with a retaining wall if approved by grading and drainage standards. **Mr. Fox** affirmed that he would comply if necessary.

**Chair Marchuk** mentioned that although the stipulation language was new, the content had been received on Sunday.

**Committee Member Petra Falcon** asked if the current plan was the one that the Planning Commission would see. **Mr. Rogers** explained that the stipulations are written so that the plans will come back in front of the VPC through the PHO process and explained that Mr. Fox may provide updated plans for the Planning Commission hearing.

**Committee Kay Shepard** asked about the VPC's ability to stipulate to a specific site plan. **Mr. Rogers** confirmed that the VPC can stipulate conformance to a site plan. **Committee Member Busching** asked if there was an updated site plan. Mr. Rogers confirmed that the applicant had submitted an updated site plan date stamped September 5, 2024 and stated the site plan was included in the slide deck he had sent to the VPC.

**Committee Member Greg Brownell** expressed concerns about denying the case and it getting approved at the next hearing body without the VPC's input. Committee Member Brownell emphasized the need for more discussion, stated that an old plan does not imply a weaker plan, and clarified that the overlay is not law but guidance. Committee Member Brownell explained that if the committee opposes this, they are essentially out of the discussion, expressed a preference to keep the case at the committee level, explained that both citizens and the builder will need to compromise, and explained he would like the development team to return with a proposal that the committee can vote on.

**Committee Member Beehler** stated that the VPC should deny the project, stated the proposal does not adequately address key access issues to Baseline Road. expressed a belief that the property owner is selling prematurely, and explained that the owner should sell the entire property.

**Committee Member Holmerud** stated that most arguments against the development focus on perceived shortcomings and explained that the fact previous developments were not held to the same standards should not prevent negotiations on the proposed project.

**Committee Member Brownell** stated that the committee should not decline the proposal and recommended continuing the case and explained that declining the project would result in losing the opportunity for the VPC to impact the development.

**Committee Member Beehler** expressed that this project is unsuitable for the site at this time and reiterated the recommendation to decline.

**Committee Member Busching** mentioned her usual support for the neighborhood but expressed a different perspective due to the relatively small community. Committee Member Busching explained that people have the right to buy and develop land and

referenced that the Wyndham Square builder had constructed the development with a stub road intended to connect to the adjacent parcel to the south. Committee Member Busching acknowledged the hard work of the neighbors and the VPC and stated she would like to make a motion to approve the rezoning request with additional stipulations.

**Committee Member Holmerud** questioned the financial viability of a project with 16 lots. **Chair Marchuk** stated that his understanding is that 18 lots is the minimum acceptable for the development.

**Chair Marchuk** echoed Committee Member Busching, explained that VPC members, the applicant, and community representatives had been meeting weekly since the previous month's continuance of the case, and explained that the applicant declined to attend the final meeting. Chair Marchuk explained that the site plan had been extensively reviewed and explained that the layout makes the most sense with the current parcel dimensions. Chair Marchuk stated that negotiations were going well until the neighborhood provided a list of stipulations they would like considered, stated there was not adequate time to vet the neighborhood stipulations, stated there is still an opportunity for negotiation, and stated it may be premature to pass the project in its current form.

**Committee Member Shepard** stated that 18 lots are the bottom line for the developer, while 16 lots are the maximum for the community and expressed skepticism about any potential movement by either party on the proposal.

**Committee Member Beehler** explained there are ongoing access issues and expressed concern about burdening neighbors with additional traffic.

**Committee Member Shepard** inquired about the traffic generated by an 18-lot subdivision per day. **Mr. Fox** stated that traffic was analyzed by peak hour trips, not per day.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

**MOTION**
**Committee Member Mark Beehler** made a motion to deny Z-58-24-8. **Committee Member Gene Holmerud** seconded the motion.

**VOTE**
**4-8**, motion to recommend denial of Z-58-24-8 fails with Committee Members Beehler, Coleman, F. Daniels, and Holmerud in favor and Committee Members Brooks, Brownell, Busching, Falcon, T. Muhammad, Shepard, Greathouse, and Marchuk in opposition.

**MOTION**
**Committee Member Marcia Busching** made a motion to approve Z-58-24-8 with additional stipulations. **Committee Member Lee Coleman** seconded the motion.

**VOTE**

**7-5**, motion to recommend approval of Z-58-24-8 with additional stipulations passed with Committee Members Committee Members Busching, Coleman, Falcon, Holmerud T. Muhammad, Shepard, and Greathouse in favor and Committee Members Beehler, Brooks, Brownell, F. Daniels, and Marchuk and in opposition.

**Vice Chair Greathouse** explained that he had been a part of the process, including multiple iterations of the site plan, and stated it is unfortunate to have reached this point. Vice Chair Greathouse explained that good collaboration had been happening but was lost along the way. Vice Chair Greathouse stated that this is the most logical and feasible plan and wished there was more support, as a lot of work had gone into reaching this point. Vice Chair Greathouse emphasized that nobody was going to win everything or concede on every negotiation point and stated his support for the project.

**Chair Marchuk** stated that he would be voting in opposition to the motion to approve and explained there are several unresolved questions that should have been addressed and still have the potential to be resolved.

**VPC recommended stipulations:**

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to

certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. All streets within and adjacent to the development shall be constructed 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

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

16. Prior to final 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 DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.**

**18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF SIXTY SQUARE FEET EACH AND AT A DEPTH OF AT LEAST SIX FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**21. A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**22. BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

23. **ALL STREET-FACING GARAGE DOORS LENGTHS SHALL BE LESS THAN 50% OF THE TOTAL WIDTH OF THE FAÇADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

24. **FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT**

25. **LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

26. **THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND ROD IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

27. **A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

28. **THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

Staff recommends that Stipulation No. 20 be deleted, as it seeks to limit the height of the development to 32 feet. The maximum height permitted with the R1-10 Zoning District is two stories and 30 feet and cannot be exceeded via a rezoning stipulation. Since the maximum height requirement of 30 feet will apply, a stipulation limiting the height to 30 feet is extraneous.

**ATTACHMENT D**

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** City of Phoenix Planning Commission **Date:** October 7, 2024

**From:** Racelle Escolar, AICP
Principal Planner

**Subject:** ITEM NO. 6 (Z-58-24-8) - APPROXIMATELY 710 FEET NORTH AND 305 FEET WEST OF THE NORTHWEST CORNER OF 20TH AVENUE AND SOUTH MOUNTAIN AVENUE

The purpose of this memo is to recommend the removal a stipulation in response to the South Mountain Village Planning Committee (VPC) recommendation and to convey additional opposition correspondence that has been received regarding this rezoning request.

Rezoning Case No. Z-58-24-8 is a request to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) to allow a single-family residential subdivision.

The South Mountain VPC heard this request on September 10, 2024, and recommended approval, per the staff recommendation, with additional stipulations by a vote of 7-5.

Staff recommends that Stipulation No. 20 be deleted, as it seeks to limit the height of the development to 32 feet. The maximum height permitted with the R1-10 Zoning District is two stories and 30 feet and cannot be exceeded via a rezoning stipulation. Since the maximum height requirement of 30 feet will apply, a stipulation limiting the height to 30 feet is not appropriate.

Staff recommends approval, per the modified stipulations in **bold** font below:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and

requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered

and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. All streets within and adjacent to the development shall be constructed 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

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

16. Prior to final 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 DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.

18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF 60 FEET EACH AND AT A DEPTH OF AT LEAST 6 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**~~

~~**21.**~~ **20.** A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**22.**~~ **21.** BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED

CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**23.**~~ **22.** ALL STREET-FACING GARAGE DOORS LENGTHS SHALL BE LESS THAN 50% OF THE TOTAL WIDTH OF THE FAÇADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**24.**~~ **23.** FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT

~~**25.**~~ **24.** LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**26.**~~ **25.** THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND WROUGHT IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**27.**~~ **26.** A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**28.**~~ **27.** THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Enclosure
Opposition correspondence (236 pages)

July 1, 2024

My name is Constance Box and I live at 7719 S. 20th Dr. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Constance Box

7719 S 20th Drive
Phoenix, AZ 85041

July 1st, 2024

My name is David Key and I live at 2006 West Branham Lane, Phoenix Az 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

David Key and Niki Key
2006 West Branham Lane
Phoenix Az 85041

# Opposition to Rezoning Case Z-58-24-8

James Betterment <jamesbetterment@gmail.com>

Mon 7/8/2024 4:50 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (22 KB)

Opposition-letter_Z-58-24-8_8008-S-20th-Ave_James-Betterment.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Please see attached for my opposition to rezoning case Z-58-24-8.

July 4th 2024

My name is James Betterment and I live at 8008 S 20th Ave, Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Loss of Privacy:**

- The proposed development would result in four properties directly abutting the back of my property, significantly reducing the privacy that my family and I currently enjoy. The inclusion of two-story houses is particularly concerning, as these structures would have direct sightlines into my backyard and potentially into my home, severely compromising our privacy.

**Inadequate Notice and Community Input:**

- I have not received any notices of this development request and had to be informed by neighbors the day before the meetings.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while

also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
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- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

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This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
James Betterment

8008 S 20th Ave, Phoenix AZ 85041

July 8th, 2024

My name is Jose Angel Perea and I live at 8004 S 20th Ave. Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

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**Housing design- solutions**

- Limit construction to single-story (most important).
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Jose Angel Perea

8004 S 20th Ave.
Phoenix, AZ 85041

07-09-2024

My name is Miguel Rubio and I live at 8020 s. 20th Ave Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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**Housing design- solutions**

- Limit construction to single-story (most important).
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Respectfully,
Miguel Rubio

8020 s. 20th Ave Phoenix, AZ 85041

# Opposition to Rezoning Case Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>

Mon 7/8/2024 7:02 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (22 KB)

Opposition-letter_Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Good evening,

Please see the attached letter in opposition to the rezoning proposal Z-58-24-8. If you have any questions or request further information, please let me know.

Thank you for your time and consideration.

Best regards,

Nicole Sordello

July 8th 2024

To whom it may concern,

My name is Nicole Sordello, and I live at 8008 S 20th Ave, Phoenix AZ 85041. I am writing this letter in strong opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10.

I am opposed to this rezoning proposal for multiple reasons:

**Loss of Privacy:**

- The proposed development would result in four properties directly abutting the back of my property, significantly reducing the privacy that my family and I currently enjoy. The inclusion of two-story houses is particularly concerning, as these structures would have direct sightlines into my backyard and potentially into my home, severely compromising our privacy.

**Inadequate Notice and Community Input:**

- I have not received any notices of this development request and had to be informed by neighbors the day before the meetings.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already

suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.

- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Nicole Sordello

8008 S. 20th Ave, Phoenix AZ 85041

Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Tue 7/2/2024 12:38 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Samuel Rogers

I Andrew Maifield am a resident of the Windham square housing community. Homeowner. I am sending this email to the city of Phoenix to dispute The rezoning allowing housing developers using windham square as the main entrance and exit of the new housing community. The rezoning will negatively affect my family my home value and the quiet good-hearted small community we live in. Rezoning for 20 homes on 4.5 acres is unrealistic. Small cramped homes like that would reduce the values of neighboring homes and especially my home value. The large amount of traffic will be a burden on my small children and our family. I would like to request the city block Windham squares access to that lot for good. Permanently block and wall that access point. The veterans retired city workers current city workers hardworking tax paying citizens that live in this community do not want to change it please respect our request. Thank you Samuel for helping with this matter.

Sent from Yahoo Mail on Android [go.onelink.me]

# Opposition letter- Case Number Z-58-24-8

D. Fong <dpfong@hotmail.com>

Tue 7/2/2024 3:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (19 KB)

Opposition letter- Z-58-24-8.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

Mr. Samuel Rogers,

Please see my opposition letter attachment relating to Case Number: Z-58-24-8 to be included in the file for the Village Planning Committee meeting on Tuesday, July 9, 2024.

Regards,
David Fong
2004 W. Harwell Rd - Wyndham Square neighborhood

July 2, 2024

My name is David Fong and I live at 2004 W. Harwell Rd. I am writing in opposition to the application for development and rezoning case number Z-58-24-8submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baselinewhile also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10$^{th}$ Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 tripsper day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulatedbefore any approvals for rezoning/development.

**Housing design- problems**

- The development proposesan unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade- solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivityand high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
David Fong

2004 W. Harwell Rd.

Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>

Tue 7/2/2024 8:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (21 KB)

Opposition letter- Z-58-24-8 (2).docx;

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Report Suspicious

Hello Samuel,

please see attached letter of opposition

thank you,
Eduardo Camacho

July 2, 2024

My name is Eduardo Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
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- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
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Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Eduardo Camacho

2015 W Branham Lane
Phoenix AZ 85041

July 2, 2024

My name is Forrest Box and I live at 7719 S. 20th Drive. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
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to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Forrest Box

7719 S. 20th Dr.
Phoenix, AZ 85041

Z-58-24-8

Jai Goudeau <jaigoudeau@gmail.com>

Tue 7/2/2024 1:51 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (2 MB)

My letter of opposition.docx;

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Report Suspicious

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

Attached is my letter of opposition.

To whom it may concern,

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

I am President of the Board for the Wyndham Square Neighborhood Homeowners Association and resident. I am opposed to rezoning due to the increased traffic impact it would have in our community. Our neighborhood only has one road into it on 20th drive from Baseline Rd with Branham Ln and Harwell Rd connecting to 20th Ln which dead ends south of Harwell Rd. (see Fig 1 attached). 20th Dr is a standard road with a traffic circle mid-block. Our community already struggles to pull out onto Baseline Rd during peak hours, often having to wait long times, especially if making a left-hand turn in the mornings due to people entering the businesses on the north side.

I am concerned about the layout of the proposed development only having one road in and if it has sufficient space for construction vehicles, emergency vehicles and deliveries to turn around. I believe it is most likely that those vehicles would end up backing all the way up to Harwell Rd to exit the development.

When we purchased our home in 2003, we paid a premium to have a view of the mountains and if the proposed development were to continue with two story homes built, it would obstruct our view of the mountains ruining our investment.

The developer proposes adding retention areas against the properties on the north side of the development. A major concern that we have is that when our homes were built, they had to have their own water retention area in the yard. This puts our homes way below the property's elevation to the south where the proposed development will be. The property sits approximately 4 feet higher than our property. Attached are images showing the elevation below the fence line (see fig2 attached) (ladder is 6feet for reference) and an overview of the elevation of the two properties (see fig3 attached). In the past we have had problems with our yards flooding due to heavy rainfall and the water entering our yard through tunnels left by wildlife. We see this currently with the residence at 2009 W Harwell Rd when the resident to the south put up a block wall around their property causing their yard to flood every time it rains. This problem will be prevalent for my property as well as the property of 2017 W Harwell and 7828 S. 20th Ln.

Mr Fox has not made an effort to work with the neighborhood regarding these concerns and I believe he has not acted in good faith to address the community and involve us in the process based on the following:

In the first meeting he arranged at a Barro's Pizza parlor on a Saturday afternoon in which I received notice 4 days prior and some did not receive notice at all. There was loud music playing and very few people could hear his presentation or respond. I requested that we have another meeting in a more suitable location so I reserved a

meeting room at Caesar Chavez Library on May 28th for June 15th and he said he would send out notices.

At the second meeting on June 15th, John Fox was in attendance with Mike Haer. In the meeting several attendees addressed their concerns as well as I and Mike Haer said he wanted to take this information and address his team and he and John Fox agreed to have another meeting to discuss their findings prior to the hearing.

I contacted John Fox as I saw a survey crew doing measurements on 06/18/24. I asked John if he was still having another community meeting as he requested or if he was moving forward with the Village Planning Committee meeting to which he replied that he was not going to have another neighborhood meeting because he wanted to have a constructive meeting and was tired of getting beaten up. I reminded him that he and Mike requested that we have another meeting and he told me that he had not spoken to Mike and that Mike would be out of town during the Village Planning Committee Meeting. I then requested that John send me a copy of his mailing list that he has been using to notify the neighborhoods because there have been so many residents saying that they are not receiving them. He told me that he sent the notices out to the residents within 600 feet of the property boundary and that he would send me the mailing list that he used.
Upon evaluation of the mailing list, I discovered that the 600 feet covered only approximately half of the neighborhood.

I believe that a developer acting in good faith would have sent out notices to the entire neighborhood being affected in this situation. It was determined that approximately 23 of 52 homes were not notified of the meetings by John Fox.

Fig 1

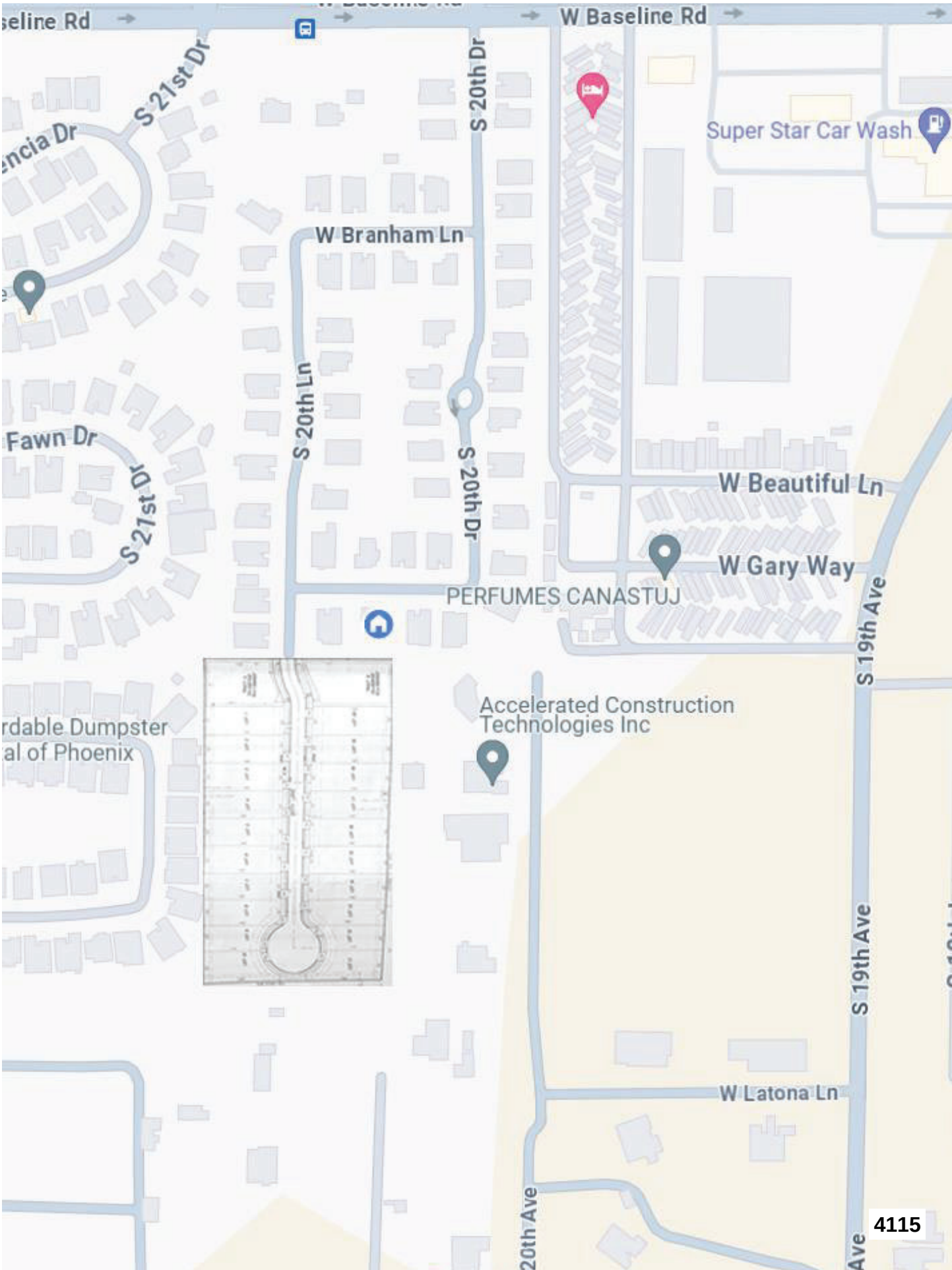
W Baseline Rd
S 21st Dr
S 20th Dr
Super Star Car Wash
W Branham Ln
S 20th Ln
Fawn Dr
W Beautiful Ln
W Gary Way
PERFUMES CANASTUJ
S 19th Ave
Accelerated Construction Technologies Inc
W Latona Ln

Fig2


4117

Fig3



# Zoning case number Z-58-24-8

Lori <ernlor639@cox.net>

Tue 7/2/2024 3:14 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

2 attachments (910 KB)

Lori_0001.jpg; Lori_0002.jpg;

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Report Suspicious

July 2, 2024

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development based on the following information provided by our neighbors.

**Density - problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional<=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas.

**Density – solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approximately 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic – problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Road. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
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- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacing safety, property, and health

**Traffic – solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design – problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pages 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.

**Housing design – solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat islands/climate, trees/shade – problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade – solutions**

- Require lower density zoning and more open spaces.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

I did not attend the first meeting and was out of town for the second meeting, however, I hope to be able to attend the upcoming meetings.

This application should not move forward.

Respectfully,

Lori Coscarelli

Lori Coscarelli
2008 W Harwell Road, Phoenix, AZ 85041

# Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 7/2/2024 10:34 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>

1 attachments (3 MB)

Z-58-24-8 SIGNED HERNANDEZ N PG 1.zip;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Greetings
As Requested
Nadine Hernandez

02 JUL 2024

My name is NADINE HERNANDEZ and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

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**Housing design- solutions**

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- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
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**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

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Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

NADINE HERNANDEZ
7706 S 20TH DR
PHOENIX, AZ 85041

## Case # Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>

Tue 7/2/2024 8:05 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (21 KB)

Opposition letter- Z-58-24-8.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

Please see the attached letter of opposition.

Thank you,
Natividad

07/02/2024

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

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**Traffic- solutions**

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**Housing design- problems**

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**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
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Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Natividad Tapia
*Natividad Tapia*
2015 W Branham Lane Phoenix AZ 85041

# Z-58-24-8

D D <del2034848@gmail.com>

Wed 7/3/2024 5:06 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (83 KB)

DD Opposition letter- Z-58-24-8.pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hi Samuel,

Here is my opposition letter. Also, I wanted to include that a lot of people are continuously doing turn arounds on our driveway and it is getting very annoying.

Thank you.
Delilah Delgai

07/03/2024,

My name is Delilah Delgai and I live at 7711 S. 20th Drive Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

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**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
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**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

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to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Delilah Delgai

7711 S. 20th Drive
Phoenix AZ, 85041

CITY OF PHOENIX

JUL 03 2024

Planning & Development
Department

02 JUL 2024

My name is JOSEPH A HERNANDEZ and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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Respectfully,

JOSEPH A. HERNANDEZ
7706 S 20TH DR
PHOENIX, AZ 85041

Z-58-24-8

Lorenzo Gonzales <guad6604@outlook.com>

Wed 7/3/2024 1:37 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (6 KB)

Opposition letter- Z-58-24-8[8370].docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Sent from Mail [go.microsoft.com] for Windows

7/3/24

My name is Lorenzo Gonzales] and I live at 7815 S 20th Dr. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

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Respectfully,
Lorenzo Gonzales

7815 S 20th Dr. Phx AZ 85041

CITY OF PHOENIX

JUL 03 2024

Planning & Development
Department

02 JUL 2024

My name is MARCIA D. FUENTES and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

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- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
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- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

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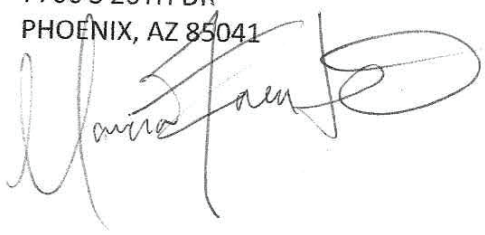
He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

MARCIA D. FUENTES
7706 S 20TH DR
PHOENIX, AZ 85041



# Wyndham SQ: Rezoning Hearing

Melissa Sunia <joeysparents@msn.com>

Wed 7/3/2024 3:28 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Michelle Teodoro <michelle.teodoro@associaarizona.com>

1 attachments (21 KB)

Opposition letter- Z-58-24-8_MS.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Please see the attached letter.

R,
Melissa Sunia

2022 West Branham Lane
Phoenix, AZ 85041

7/3/24

My name is Melissa Sunia and I live at 2022 West Branham Lane. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
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- Limit construction to single-story (most important).
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- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Melissa Sunia

2022 West Branham Lane

CITY OF PHOENIX

JUL 03 2024

Planning & Development Department

02 JUL 2024

My name is OSCAR FUENTES and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

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Respectfully,

OSCAR FUENTES
7706 S 20TH DR
PHOENIX, AZ 85041

07/03/2024,

My name is Shangel Castillo and I live at 7711 S. 20th Drive Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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Respectfully,
Shangel Castillo

7711 S. 20th Drive
Phoenix AZ, 85041

07/05/2024

My name is Dawn Smith and I live at 7816 South 20th Lane, Phoenix Az 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

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Respectfully,
Dawn Smith

7816 S 20th Ln
Phoenix, Az 85041

# Oppose the Zoning Change Filed by John Fox - Case # Z-58-24-8

Fy M <fym2429@gmail.com>

Thu 7/4/2024 4:57 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (19 KB)

Oppose Zoning Change,-case # Z-58-24-8.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Good morning Samuel Rogers,

Please see attached for the opposition letter.
I, Funyung Mon, the resident and homeowner at 8115 S 21st Drive, Phoenix, AZ 85041. I missed the past two meetings because the meeting notice was mailed out very late. When I received the notice, the meeting date was already past.

Respectfully,
Funyung Mon,
8115 S 21st Dr, Phoenix, AZ 85041

07-04-24

My name is Funyung Mon and I live at 8115 S 21st Dr, Phoenix, AZ 85041 for more than 15 years. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Funyung Mon
The homeowner/resident at 8115 S 21st Drive, Phoenix, AZ 85041

Gabriel Betancourt

7823 S. 20th drive

Phoenix. AZ 85041

For: City of Phoenix Planning and Development Department, Samuel Rogers, John Fox

In regard to zoning change application #Z-58-24-8

My name is Gabriel Betancourt, I am the property owner at 7823 S. 20th drive and have been here since June of 2009. Please accept this letter as testimony of concern against the rezoning proposal near the Wyndham Square community. The is a small, semiprivate neighborhood that is only accessible through a private cul-de-sac street. This is one of the main reasons that attracted me to purchase my home. I know many families in the neighborhood and keep an eye out for each other. I understand local traffic patterns, events and community attitude towards our small neighborhood. Approval of the rezoning application will allow entrance to a new residential development via **OUR** neighborhood and disrupt our peace of mind tremendously. We can anticipate two years of construction, an increase in traffic during and after. Deliveries, school buses, city services, and emergency response time will increase, and the peace/love of our little neighborhood will decrease. The Wyndham Square community should not carry the burden and aftermath for a landlocked development project. We should not give up the reason why we chose to live here and why we stay.



Please feel free to reach me anytime at betancourtfamily@yahoo.com

CITY OF PHOENIX

JUL 0 8 2024

Planning & Development Department

# Opposition letter for case Z-58-24-8 to be heard at SMVPC meeting July 9

H. Jewel Clark <hjewelclark@fastmail.com>

Sat 7/6/2024 1:42 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

July 5, 2024

To the SMVPC,

My name is Jewel Clark and my husband and I live at 2020 W. South Mountain Ave. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R1-10 properties at no more than standard 3.5 or less density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
  - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all eastern and southern neighbors with homes on S-1 property.
  - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)
  - Allowing such inappropriate density is unprecedented for all approved single-family development in the immediate area.

**Density- solutions**

- Appropriate density transition between S-1 and R1-10 is R1-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character for the surrounding communities.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual [maricopa.gov] references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the majority of the surrounding homes, which are single-story. All single-family homes approved in the surrounding area since 2018 have stipulated single-story with the exception of Larkey Estates, which was originally approved in 2004. That said, all homes along 20th Ave. adjacent to the proposed project are single story, as are other established developments such as the nearby Silva Estates and Magdelana Estates.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front and back porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity [en.wikipedia.org] and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice, with less than the 10 days required lead time, to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second neighborhood meeting on June 15, the plan had not changed and there were several neighbors who later confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Jewel Clark

2020 W. South Mountain Ave.
Phoenix, AZ 85041

--

H. Jewel Clark
hjewelclark@fastmail.com

07-04-24

My name is Lucille Heine and I live at 2115 W. Harwell Rd Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Lucille Heine

2115 W. Harwell Rd

Phoenix, AZ 85041

Z-58-24

Jai Goudeau <jaigoudeau@gmail.com>

Sat 7/6/2024 12:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (739 KB)

Petition of opposition.pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

**PETITION IN OPPOSITION TO CASE Z-58-24-8**

The undersigned are opposed to the development and rezoning proposal, case Z-58-24-8, a single-family residential development approximately 710 feet north and 305 feet west of the northwest corner of 20th Ave and South Mountain Ave. for primary but not exclusive reasons of excessive density incompatible with adjacent neighborhoods, exacerbation of existing traffic congestion, and/or architectural proposals for 2-story homes. This application is incompatible with and will adversely impact current surrounding established homes and neighborhoods.

| Signature | Printed name | Address | Date |
|---|---|---|---|
| | Celeste R. | 2009 W Harwell Rd | 7-2-2024 |
| | Royal H. | 2009 W Harwell Rd | 7-2-2024 |
| | Jaidin Goodeau | 2013 W Harwell RD | 7-2-2024 |
| Alma Tonche | ALMA TONCHE | 2005 W. Harwell Rd | 7-3-2024 |
| Oscar Tonche | OSCAR TONCHÉ | 2005 W Harwell | 7/3/2024 |
| Dustin Ray | Dustin Ray | 8311 S 21st Dr | 7/3/24 |
| | Amanda Kampert | 8311 S 21st Dr | 7/3/24 |
| | Isabel Naranjo | 8225 S. 28th Dr | 7/3/2024 |
| Karla Garay | Karla Garay | 8225 S. 21st Dr. | 7/3/2024 |
| Catherine Johnson | Catherine Johnson | 2119 W. Harwell Rd | 7/3/24 |
| Tee Walker | Tee Walker | 7815 S 20th Dr | 7/3/24 |
| | Titus Nguyen | 2010 W BRANHAM LN | 7/3/24 |
| Butch Box | Butch Box | 7719 S. 20th Dr | 7/3/24 |
| eBox | Connie Box | 7719 S. 20th Dr | 7/3/24 |
| Niki K | Niki Key | 2006 W Branham Ln | 7/3/24 |
| | DAVID KEY | 2006 W BRANHAM LN | 7/3/24 |
| | Dylan Key | 2006 W Branham Ln | 7/3/2024 |
| Marissa K | MARISSA KEY | 2006 W. BRANHAM LN | 7/3/24 |

4169

**PETITION IN OPPOSITION TO CASE Z-58-24-8**

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| Signature | Printed name | Address | Date |
|---|---|---|---|
| | Andrew Maifield | 7805 S 20th Lane | 07-01-2024 |
| | Lisa Allen | 7805 S. 20th Lane | 01 Jul 2024 |
| | Henry Maifield | 7805 S. 20th Lane | 01 JUL 2024 |
| | Liam Maifield | 7805 S. 20th Lane | 01 Jul 2024 |
| | Andrew Andrade | 7707 S. 20th | 07-01-24 |
| | Joseph Hernandez | 7706 S 20th Dr | 01/7/2024 |
| | | 2012 W Harwell Rd | 7/1/24 |
| | Andrea McDonald-Hansen | 2012 W. Harwell Rd | 7/1/24 |
| | Carlos Carbajal | 2017 W. Harwell Rd | 1 July 2024 |
| | Andrea L. Sproul | 2017 W. Harwell Rd | 7/01/2024 |
| | Jorge Carbajal | 2017 W. Harwell Rd | 7-1-2024 |
| | Bobby Sadd | 7807 S 20th Dr. | 7/2/24 |
| | Jacques Phelps | 7818 S 20th Dr | 7/2/24 |
| | Carla Soberanes | 7818 S 20th Dr. | 7/2/24 |
| | Gabriel Phelps | 7818 S 20th Dr. | 7/2/24 |
| | Kenneth Soberanes | 7818 S 20th Dr. | 7/2/24 |
| | STEVE HERNANDEZ | 7009 W HARWELL RD. | 7.2.24 |
| | Renée Carrillo | 2009 W. Harwell Rd | 7.2.24 |

4170

**PETITION IN OPPOSITION TO CASE Z-58-24-8**

The undersigned are opposed to the development and rezoning proposal, case Z-58-24-8, a single-family residential development approximately 710 feet north and 305 feet west of the northwest corner of 20th Ave and South Mountain Ave. for primary but not exclusive reasons of excessive density incompatible with adjacent neighborhoods, exacerbation of existing traffic congestion, and/or architectural proposals for 2-story homes. This application is incompatible with and will adversely impact current surrounding established homes and neighborhoods.

| Signature | Printed name | Address | Date |
|---|---|---|---|
| | Drew K Garvin | 2016 West HARWELL RD Phoenix, AZ | 7/1/2024 |
| | Gavin Hardy | 2016 W Harwell Rd Phoenix AZ | 7/1/2024 |
| | Anthony Castillo | 7817 S 20th Lane Phx Az | 7-1-24 |
| | GRACIA FIGUEROA | 7817 S 20 LANE-P. AZ | 7-1-24 |
| | Rclugia Luzania | 7817 S 20th Ln Phx, AZ | 7 1 24 |
| Ricardo X Romero | Ricardo X Romero | 7817 S 20th Ln Phx, AZ | 7-1-24 |
| Joanne Castillo | JoAnne Castillo | 7817 S 20th Ln Phx, Az | 7-1-24 |
| Virginia Waititu | | 7812 S 20th LN Phx, AZ | 7-1-24 |
| Edna Wangui | | 7812 S 20th LN PHX, AZ | 7-1-24 |
| | Tracy Njoroge | 7812 S 20th LN Phx, AZ | 7-1-24 |
| Ernji & Lori Gloria | Ernji & Lori Gloria | 7813 S 20 Ln | 7-1-24 |
| Julian Galindo | | 7808 S. 20TH Lane, Phx AZ | 7-1-24 |
| Carlos Parra | Carlos Parra | 2013 W Harwell Rd Phx Az | 7-1-24 |
| | Amelia Gaudeau | 2013 W. HARWELL RD PHOENIX | 7/1/24 |
| | Gabriel Betancourt | 7803 S 20th dr Phx, AZ | 7-2-24 |
| | Lorenzo M Gonzales | 7815 S. 20th Ln Phx AZ | 7-2-24 |
| Elvira M Gonzales | Elvira M Gonzales | 7815 S 20TH Dr Phx Az | 7-2-24 |
| | JAI GAUDEAU | 2013 W. HARWELL RD PHX AZ | 7-2-24 |

4171

**PETITION IN OPPOSITION TO CASE Z-58-24-8**

The undersigned are opposed to the development and rezoning proposal, case Z-58-24-8, a single-family residential development approximately 710 feet north and 305 feet west of the northwest corner of 20th Ave and South Mountain Ave. for primary but not exclusive reasons of excessive density incompatible with adjacent neighborhoods, exacerbation of existing traffic congestion, and/or architectural proposals for 2-story homes. This application is incompatible with and will adversely impact current surrounding established homes and neighborhoods.

| Signature | Printed name | Address | Date |
|---|---|---|---|
| | Ana Laura Serna | 2018 W Branham Ln. | 7/2/24 |
| | Natividad Tapia | 2015 W. Branham Ln | 7/2/24 |
| | Eduardo Camacho | 2015 W. Branham Ln | 7/2/24 |
| | CARLOS LANDA | 2011 W. BRANHAM LN | 7/21/24 |
| | LUZ NUNEZ | 7730 S. 20th Dr Phoenix, Az | 7/2/24 |
| | Bibby Sadler | 7807 S 20th Dr. | 7/2/24 |
| | Julian Galindo | 7808 S. 20TH Lane | 7/2/24 |
| | Michelle Galindo | 7808 S. 20th Lane | 7-2-24 |
| | Dawn Smith | 7816 S 20th Ln Phoenix Az | 7-3-24 |

# Letter of opposition to zoning case Z-58-24-8

ameliagoudeau@gmail.com <ameliagoudeau@gmail.com>

Mon 7/8/2024 10:45 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (149 KB)

Opposition letter- Z-58-24-8.pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mr. Samuel Rogers,
Please find the attached letter of opposition for zoning case number Z-58-24-8.

***~Amelia Goudeau~***
# 602-460-5545

*The mind is everything, what you think you become!*

July 8, 2024

My name is Amelia Goudeau and I live at 2013 W. Harwell Rd Phoenix, Az 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Amelia Goudeau

2013 W. Harwell Rd Phoenix, Az 85041

# Opposition to Z-58-24-8

Mike Josic <mikejosic@gmail.com>

Mon 7/8/2024 1:12 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (62 KB)

Mike Josic Opposition letter- Z-58-24-8.pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Mr. Rodgers,

Please add my letter and voice to oppose the proposed development and zoning change for case number Z-58-24-8.
Please contact me if you have any questions or wish to discuss this matter.

Thank you,

Mike Josic
2020 W. South Mountain Ave.
Phoenix, AZ 85041
480-967-6644

7-5-2024

To Whom it May Concern,

My name is Michael Josic and I own the property and live at 2020 W. South Mountain Ave, Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed for multiple reasons to this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
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Density- solutions

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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
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- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

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This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC. At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Mike Josic
2020 W. South Mountain Ave, Phoenix, AZ 85041

# Z-58-24-8

Ravi Sharma <ravi6161sharma@gmail.com>

Mon 7/8/2024 2:57 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ravi Sharma <ravi6161sharma@gmail.com>;H. Jewel Clark <hjewelclark@fastmail.com>

1 attachments (20 KB)

Opposition letter- Z-58-24-8 (1).docx;

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

Dear Mr. Rogers,

We are attaching a letter to register opposition to the proposed development being discussed tomorrow in case number Z-58-24-8.

Regards,

Ravi & Snigdha Sharma

July 8, 2024

Our names are Ravi & Snigdha Sharma and we live at 8012 S 20th Ave. Phoenix, AZ 85041. We are writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

We are opposed to multiple issues with this proposed development.

**Density - problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density - solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic - solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design - problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design - solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade - problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed

above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.
At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Ravi & Snigdha Sharma

8012 S 20th Ave.
Phoenix, AZ, 85041

07-09-2024

My name is Stephanie Bell and I live at 8020 s. 20th Ave Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

**Traffic- problems**

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

**Housing design- problems**

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

**Housing design- solutions**

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Stephanie Bell

8020 s 20th Ave Phoenix, AZ 85041

# Zoning Case Z-58-24-8

LM <directbridge@yahoo.com>

Tue 7/23/2024 8:55 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (3 MB)

Opposition letter Z58248_LM.pdf;

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello,
Please see my attached full letter regarding Zoning Case z-58-24-8

**Lynnette Myers**
7828 S 20th Lane
Phoenix, AZ 85041

July 2024

My name is Lynnette Myers and I live at 7828 S. 20th Lane, Phoenix, AZ 85041-7716 I am writing in stern opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

**I am absolutely opposed to multiple issues with this proposed development.**

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**
- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- **Traffic impact study and recommendations stipulated before any approvals for rezoning/development.**

**Housing design- problems**

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

**Housing design- solutions**

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

**Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC**.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see

what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

**He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not in anyway move forward**.

**ADDITIONAL PERSONAL PERSPECTIVES & CONCERNS**

**I absolutely have major concern about this matter since my home will be impacted the most!!!**

The existing pasture that is undeveloped land to the south of our subdivision has been this way since prior to our subdivision was build back in 2003. This pasture was absolutely influential in my dissension and others to purchase in Wydham Sq in the first place. We were all looking for a small quite neighborhood where we could live and actually know our neighbors. My choice in which lot I purchased was 100% influenced by the undeveloped land and all the good that comes from that and the views that I enjoy daily to the south mountains.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

**This MUST NOT HAPPEN!!**

I have always pushed for our community to become a gated community and I thing that matter needs to be on the table again regardless of the rezoning and proposed development to the south of us. IF somehow this matter moves forward despite our entire neighborhood that are 100% opposed then I believe it should become mandatory that our community have entrance gates installed to help keep us all safe!!

Respectfully,
Lynnette Myers
7828 S. 20th Lane, Phoenix, AZ 85041-7716

# (No subject)

Butch Box <butchbox@gmail.com>

Wed 8/7/2024 4:44 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Constance Box and I live at 7719 S. 20th Dr .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Constance Box

# Opposition to Z-58-24-8

Butch Box <butchbox@gmail.com>

Wed 8/7/2024 4:43 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Forrest Box and I live at 7719 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Forrest Box

# Opposition to Z-58-24-8

Marylou Scadden <mscadden2006@gmail.com>

Wed 8/7/2024 3:03 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

**Opposition to Z-58-24-8**

My name is MaryLou Scadden and I live at 7807 S 20th Dr, Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Best regards,

MaryLou Scadden

Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Thu 8/8/2024 6:24 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Opposition to rezoning Z-58-24-8. The new house will disproportionately effect the families lyin the neighboring communities. I would like the city to leave some S1 property in south Phoenix. That's part of the rich and diverse history of our community. Thank you.

Sent from Yahoo Mail on Android [go.onelink.me]

# Opposition to Z-58-24-8

Carlo <charles.carbaj@gmail.com>

Thu 8/8/2024 1:58 PM

To:PDD Long Range Planning <pdd.longrange@phoenix.gov>;Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
I remain opposed to this development in its current form.

Thanks,
Carlos

## Opposition to Z-58-24-8

CESAR TRUJILLO <ctrujillo15@ymail.com>
Thu 8/8/2024 9:37 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely

Cesar Trujillo

## Opposition to Z-58-24-8

D. Fong <dpfong@hotmail.com>
Thu 8/8/2024 3:13 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Mr. Samuel Rogers,

My name is David Fong and I live at 2004 W. Harwell Rd. in the Wyndham Square neighborhood.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.

I remain opposed to this development in its current form.

Regards,

David Fong

# Opposition to Z-58-24-8

Lori <ernlor639@cox.net>
Thu 8/8/2024 6:32 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you.

## Opposition to Z-58-24-8

Lorraine Gloria <lorigloria@cox.net>

Thu 8/8/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Our names are Ernie and Lorraine Gloria and we live at 7813 S. 20th Ln., Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. We remain opposed to this development in its current form.
Sent from my iPhone

# Opposition to Z-58-24-8

Lori <ernlor639@cox.net>
Thu 8/8/2024 6:33 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you.

# Opposition to Z-58-24-8

Melissa Sunia <joeysparents@msn.com>

Thu 8/8/2024 1:45 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Michelle Teodoro <michelle.teodoro@associaarizona.com>

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Report Suspicious

My name is Melissa Sunia and I live at 2022 West Branham Lane Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

R,
Melissa Sunia
Sent from my iPhone

# Opposition to Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>

Thu 8/8/2024 5:33 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello,

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041.
The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,

Natividad Tapia

# Opposition to Z-58-24-8

Alicia Sainz <aliciaemily2003@yahoo.com>

Fri 8/9/2024 8:24 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:hjewelclark@fastmail.com <hjewelclark@fastmail.com>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Alicia Sainz and I live at 8250 S 20th Ave, Phoenix, AZ 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you very much,

Alicia Sainz
623-329-3606

# Apposition Z-58-24-8.

Carlos Ruiz <carlosviviana2003@gmail.com>
Fri 8/9/2024 8:39 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:hjewelclark@fastmail.com <hjewelclark@fastmail.com>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

My name is Carlos Ruiz and I live at 8250 S 20th Ave, Phoenix AZ 85041 . I am writing in opposition to the proposed development Z-58-24-8. This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan. I respectfully urge you to vote no.

Sincerely,
Carlos Ruiz
623-329-3606

# Opposition to Z-58-24-8

Christian Griepenstroh <cgriepenstroh94@gmail.com>

Fri 8/9/2024 11:50 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

My name is Christian Griepenstroh and I live at 7710 S 20th Drive, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

I am unable to attend next Tuesday's meeting due to a work event so I would like to donate my time to Michelle and Jai to speak on our behalf on this item.

Have a great weekend,

Christian G.

## Opposition to Z-58-24-8

D D <del2034848@gmail.com>
Fri 8/9/2024 6:25 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

8/9/2024,

Good morning,

My name is Delilah Delgai and I live at 7711 S. 20th Drive Phoenix AZ 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely,

Delilah Delgai

## Opposition to Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>
Fri 8/9/2024 3:22 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

My name is Eduardo Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041.

The neighbors have not seen that the developer had made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,
Eduardo Camacho

# OPPOSITION TO Z-58-24-8

LM <directbridge@yahoo.com>
Fri 8/9/2024 7:08 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix AZ 85041

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

L Myers

"Everything you've wanted is on the other side of fear" –George Addair

Sent from my iPhone

# Opposition to Z-58-24-8

S.C <scastillox79@gmail.com>
Fri 8/9/2024 6:48 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

8/9/2024,

Good morning,

My name is Shangel Castillo and I live at 7711 S. 20th Drive Phoenix AZ 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely,

Shangel Castillo

# Opposition to Z-58-24-8

Dawn Smith <dawn.smith2@hotmail.com>

Sat 8/10/2024 4:18 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

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Report Suspicious

My name is Dawn Smith, and I live at 7816 S 20th Ln Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get Outlook for Android [aka.ms]

## Opposition to Rezoning Case Z-58-24-8

Michael Jordan <Michael.d.jordan2@hotmail.com>

Sat 8/10/2024 6:51 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Dear Members of the Planning and Zoning Department,

I am writing to oppose rezoning case Z-58-24-8 due to the serious impact it will have on traffic and access to Baseline Road. Baseline Road is already heavily congested, and during the day, it's nearly impossible to make a left turn, just waiting for 1 car to gain access to baseline during the busy times could add up to 10 minutes to a commute, even if they are taking a right turn. The proposed rezoning will only worsen this issue, making it even harder for residents to safely and efficiently use this vital road.

In addition, this rezoning will increase residential traffic in front of my house by 200 percent, further disrupting our community. There have been no significant changes to the rezoning plans to address these concerns. The added traffic and accessibility challenges are too severe to ignore, and they threaten the quality of life in our neighborhood.

Please reject this rezoning proposal to protect our neighborhood's safety, accessibility, and quality of life.

Thank you for your consideration.

Sincerely,

Michael Jordan
7804 s. 20th ln,
Phoenix, AZ , 85041
Michael.d.jordan2@hotmail.com
480-248-5261
10 August 2024

## Opposition to Z-58-24-8

Ronald Thompson <rthom82144@aol.com>

Sat 8/10/2024 8:37 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Ronald Thompson and I live at 7728 S 20th Lane, Phoenix, AZ 85041 ( Lot 26 of the

Wyndham Square Association) .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

## Opposition to Z-58-24-8

Amelia Goudeau <ameliagoudeau@gmail.com>

Sun 8/11/2024 4:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello Samuel,

My name is Amelia Goudeau and I live at 203 W. Harwell Rd Phoenix, Az 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,
~Amelia Goudeau~
#602-460-5545
The mind is everything, what you think you will become.

# Opposition to Z-58-24-8

David Key <anykeysys@gmail.com>

Sun 8/11/2024 6:15 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is David Key and I live at 2006 W. Branham Lane Phoenix, AZ 85041 [google.com] in Wyndham Square. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. I remain opposed to this development in its current form.

Thank you for your consideration in this matter.

# Rezoning Case No. Z-58-24

Jai Goudeau <jaigoudeau@gmail.com>
Sun 8/11/2024 4:16 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

08/11/2024

Re: **Rezoning Case No. Z-58-24**

To: Samuel Rogers, City of Phoenix Village Planner
Joshua Bednarek, City of Phoenix Planning and Development Director
South Mountain Village Planning Committee
City of Phoenix Planning and Zoning Department

Dear Mr. Bednarek, Committee and Department Members,

I am writing to express my concerns related to the S-1 to R1-10 rezoning for the proposed development of land owned by Dorothy M. Hallock for the benefit of John Fox and William Seymour Co, Inc., referenced in the case number cited above. My family and neighbors are concerned the necessary thresholds for rezoning approval, and ongoing neighborhood concerns about the proposed development, have not been satisfactorily addressed by the developer and existing landowner. This proposal is not compatible with the scale and character of the neighborhood and adjacent residential uses. It is also not in keeping with the Rio Montana Area Plan in several respects. There are unique challenges presented in this area related to existing properties including livestock, infrastructure, and a history of flooding on this site and adjacent properties.

In addition, the proposal does not meet the requirements of R1-10 for lot coverage, rear and side set-back distances, and minimum common space areas. In fact, they are not even defined for review by the City, the Village Planning Commission, or the neighborhood stakeholders. **We do not agree that this rezoning should be completed as a Planned Residential Development case, which allows the petitioner to overcome the standard zoning requirements without variances.** PRDs are typically reserved for larger subdivisions. The standard zoning requirements, including the lot coverage, rear and side setbacks, and common space area requirements, are there to protect the community from significant changes in the character of the community. It appears it will be necessary to not only rezone the Subject site, but to obtain variances from the City for a number of the required zoning elements in order to develop it as proposed.

The developer has entered into an agreement to purchase the land from Ms. Hallock, contingent upon the success of this change in zoning from S-1 to R1-10. The sale will not take place unless the rezoning is completed, which is a self-imposed condition created by the property owner. Please note:

- There are no provisions of the S-1 zoning which create a hardship for the current property owner.
- There are no special circumstances or conditions applying to this land or its current use, which do not also apply to other properties in the community.
- The rezoning and what appear to be the need for extensive variances is not necessary for the preservation or enjoyment of the owner's property rights.

Our neighbors and family have determined that the approval of this rezoning application will be detrimental to people living and working in the vicinity, to the adjacent property owners, and to the welfare of the public in general.

**Traffic Concerns**: The development of the subject site, as proposed, will cause a significant increase in vehicular traffic in adjacent residential areas, including on extremely tight and narrow streets which were not originally designed to accommodate another development. Studies should be undertaken to determine if it is appropriate to bring the traffic into this proposed development from the north, or from the property owner's adjoining lot to the south, where there is a higher capacity and wider city street close to a main arterial (19th Avenue). This is an option available to the property owner and developer, and it is possible to design an entry to the Subject site in this way. We do not know why Ms. Hallock has previously objected to providing an easement for this purpose, which makes it another self-imposed condition.

**Flooding Concerns**: There are unknown impacts this development may cause to the surrounding properties including drainage from flooding. The Subject site already has a history of flooding, and the prior flooding has detrimentally impacted properties to the north. Further decreasing the ability of the land to accommodate flooding, or raising it out of the current 500-year floodplain level, will negatively impact the surrounding properties. Because civil engineering drawings and finished floor or street elevations are not available for review, it is impossible to know how much the development will further impact the surrounding properties. Many of the neighbors abutting the Subject site have septic systems designed to flow toward this property which could be impacted by diversion of any drainage onto their properties. As designed, the proposed development has virtually no open space or common areas, the lot coverage appears to be greater than what is allowed by R1-10 zoning, and given the history of flooding this is a significant concern to the community. A hydrology, floodplain and drainage study, as well as civil engineering drawings detailing how the drainage will be addressed, should be reviewed and evaluated prior to approval of this rezoning proposal, to determine if rezoning of this site is suitable for the surrounding community.

**Infrastructure**: There are also infrastructure concerns for this type of higher density infill development related to water connection capacity, sewer connections and wastewater capacity. It is unknown whether a water and sewer connection to the north in a 20+ year old development, designed to meet the needs of the number of houses there, would accommodate the additional homes proposed due to its age and previous design. A further study and report should be required to determine if additional sewer capacity, modification of the current wastewater system, a lift station and possibly changes to easement distances will be necessary in the existing surrounding neighborhoods in order to meet the latest 2021 wastewater design standards for a new development. The Planning and Development Department at the City of Phoenix should provide a technical review to the Village Planning Commission and affected neighborhood stakeholders.

**Rio Montana Area Plan**: The Subject rezoning proposal conflicts with numerous elements cited in the Rio Montana Area Plan. It is not in conformance with the vision of the area or what we have seen from other area developments which encourage pedestrian and equestrian activity. It does not achieve a density transition from north to south in a decreasing manner, and is in opposition to the General Plan and Land Use Map for the area which indicates a maximum density of 3.5. There is no explanation of how the developer intends to reach the 90 "bonus points" needed for density greater than 3.5 du/acre or why the proposed density meets the requirements of R1-10 zoning. Bonus points are also typically applied in much larger subdivision PRD cases, not in sites as small as this one, in these types of infill locations.

The zoning application indicates that the proposal is consistent with the General Plan and Land Use Map, but it exceeds it. The ability to achieve bonus points and a breakdo100wn of how they are applied to this proposal should be available for review and consideration by the Village Planning Committee and the neighborhood stakeholders. Many developments in this area have setbacks for horse trails or pedestrian trails. They also contain perimeter walls with landscape features to prevent one long slab of concrete block facing into neighboring areas. The Rio Montana Area Plan also encourages variety in lot width, staggered setbacks, rear loaded garages, roof line and building façade variety and limited privacy fencing – none of which appears to be included in the proposed development design. In many respects, the designs shown as elements to be avoided in the Rio Montana plan (Figures 82, 83, 84, 87), are actually included in the plan for the project as designed.

**Based on the issues raised above, this rezoning application should come in with a full preliminary plat, in conformance with standard R1-10 zoning and without the many variances which appear to be required to develop the site.**

Our family and neighbors are not opposed to residential development as long as it does not negatively impact the community in favor of one property owner. We recognize that a range of housing options is necessary to continue the economic viability of the community. However, in this case, it appears to present a significant detrimental impact as designed, and no benefit to the community surrounding the Subject site. It appears this rezoning will only benefit Ms. Hallock and the broker seeking to rezone the property, which is not in keeping with the Core Values stated in the City's General Plan. We urge the South Mountain Village Planning Commission, the Phoenix Planning and Zoning Department and the City of Phoenix Planning and Development Director to consider the above concerns, address them if possible, and work with the community stakeholders to create a development which will meet the needs of the community.

Sincerely,

Jai Goudeau

2013 W. Harwell Road

Phoenix AZ 85041

# Opposition to Z-58-24-8

chevera trillo <cheveratrillo@gmail.com>

Sun 8/11/2024 6:32 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ntonyt <NtonyT@aol.com>

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Report Suspicious

To the SMVPC,
This communication is to go on record for voicing our strong opposition to the proposed development Z-58-24-8.
We live at 23rd Ave/Dobbins and continue to be very concerned with over development in the area that creates unsafe traffic and increased congestion in areas that are not designed for the volume of additional traffic this proposed development would create.
The proposed plans, in the current form, are not only bad for the surrounding neighbors, but the broker has not made changes that can be supported by the neighborhood or listened to the concerns of the neighborhood.

We stand in opposition with our neighbors in this development's current form.
As has been the position of ourselves and the neighbors in this area we request SMVPC support development that is compatible with the density allowed in the Rio Montana Plan.

We respectfully encourage you to vote no and support responsible development - this proposed plan is not responsible.

*Nick & Chevera Torrez*
*602.315.9774*
*2311 W. Dobbins Road*
*Phx 85041*

***

# Opposition to Z-58-24-8

Niki Key <nkey30@gmail.com>

Sun 8/11/2024 6:02 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Niki Key and I live at 2006 W. Branham Lane Phoenix, AZ 85041 in Wyndham Square.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. I remain opposed to this development in its current form.

Thank you for your consideration in this matter.
Niki Key

# Proposed Development Z-58-24-8.

Ravi Sharma <ravi6161sharma@gmail.com>

Sun 8/11/2024 6:30 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Ravi Sharma <ravi6161sharma@gmail.com>

1 attachments (28 KB)

To the SMVPC -1.doc;

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Report Suspicious

Dear Mr. Roger,

Attached please find my letter of opposition to Proposed Development Z-58-24-8. Let me know if you have any questions.

Thank you,

Dr. Ravi Sharma

To the SMVPC,

My name is Dr. Ravi Sharma and I live at 8012 S 20th Ave., Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you,

Dr. Ravi Sharma

# Proposed Development Z-58-24-8.

Snigdha Sharma <ushma58@gmail.com>

Sun 8/11/2024 6:37 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Snigdha Sharma <ushma58@gmail.com>

1 attachments (27 KB)

To the SMVPC -2.doc;

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Report Suspicious

Dear Mr. Roger,

Attached please find my letter of opposition to Proposed Development Z-58-24-8. Let me know if you have any questions.

Thank you,

Mrs. Snigdha Sharma

To the SMVPC,

My name is Mrs. Snigdha Sharma and I live at 8012 S 20th Ave., Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you,

Mrs Snigdha Sharma

# Opposition to Z-58-24-8

Alexis Mesquita <alexismesquita2005@gmail.com>

Mon 8/12/2024 4:31 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alexis Mesquita and I live at 8020 s 20th ave Phoenix  Az, 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

## Opposition letter for Z-58-24-8

H. Jewel Clark <hjewelclark@fastmail.com>
Mon 8/12/2024 3:00 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Jewel Clark, and my home is at 2020 W. South Mountain Ave., Phoenix, AZ, 85041. I am writing in continued opposition to zoning case Z-58-24-8. The broker, Mr. John Fox, has still not worked with us to create a compatible proposal that the community could support.

The first meeting notice from Mr. Fox was sent to neighbors less than the 10 days required by the city. Our letter was postmarked June 10 for a June 15 meeting. We received it June 14. The location for the meeting was a pizza parlor where no one could hear the presentation or see the plans. Mr. Fox did not have adequate answers for neighbor concerns and was uninterested in any changes to his proposal. Mr. Fox agreed to another meeting but never made any attempt to have one. Mr. Jai Goudeau, president of the Wyndham Square neighborhood to the north, made a room reservation at Cesar Chavez Library and called Mr. Fox to see if he would meet after having not heard from him for over a week after the first meeting. At that meeting, he still did not have answers to address neighbor concerns, and he had made no changes to his plans. At the first SMVPC meeting, he again had no interest in trying to work with the neighbors or alter his plans. After the SMVPC voted for a continuance with the instructions that he should try to work with the neighbors, he made no effort to contact any of us to arrange to talk. It was only when concerned members of the SMVPC took time out of their busy schedules to try and help and arranged a meeting the week before August 13, that he came to the table with no change in his plan except to modify the widths of the lots slightly, so they weren't all the same size and to move the storm basin/retention to a slightly different area. At that meeting, he said he would prepare a new plan with 2 less houses, which we said was still too high, and to stagger the lots so the property lines wouldn't line up with each other across the street. This is not working with the neighbors. This is not meaningful change. No one in the community has seen what he plans to present at the August 13 meeting. There is no neighbor we know of that supports even what little we know of this new plan and no one supported the original one.

The density is not compatible with the surrounding developments, plain and simple. The core goals and vision for the Rio Montana Plan is to preserve rural character, open space, and promote balanced, high-quality development with higher densities in the northern portion.

The Rio Montana Site Plan Design emphasizes that a new development should consider the larger context in which a proposed site is located. The parcel in question is sandwiched between low density R1-10 homes and acre+ lot homes. Mr. Fox has completely disregarded the context of the area he wants to rezone for a bonus density of at least 18 homes on 4.54 acres when there is no density around it greater than 3.23 du/ac and the majority is lower.

**Just because Mr. Fox can request more density doesn't mean it's appropriate for the area and it doesn't mean he should be rewarded with any bonus for not doing the right thing in the first place: proposing a reasonable plan and working with the neighbors to refine it for everyone's benefit.** There is no precedent for it in the area for good reason: it is simply incompatible with the communities already established.

Wording about compatibility and context for surrounding areas in the Rio Montana Plan and the Phoenix General Plan are there to provide governing bodies like the SMVPC the power and oversight to curb one-size-fits-all zoning. This situation calls for the use of that power.

Mr. Fox's plan is so bare bones (at least what was submitted for the staff report and what the neighbors have seen) that it is nearly impossible to know if he even understands and is incorporating key design elements from the Site Plan Design and the Single-Family design criteria such as including:

- Deep overhangs and deep porches.
- Planting trees on the east and west of buildings.
- Planting windbreak perimeter trees.
- Using deep green, wide-leafed trees for shade such as the Chinese Pistache.
- Limiting the use of 2-story buildings.
- Creating terminal vistas.
- Allowing for adequate non-straight driveways and side-load/rear-load garages. No more than 40% of driveways should be straight.
- Varieties in roofing materials and facades.
- Changing façade designs, roofing materials and roof ridge orientation at least every third house.
- Staggered housing setbacks.
- Angled housing orientation on lots.
- Truly varied lot widths of at least 10' or more.
- Meaningful open space.

Mr. Fox has not addressed neighbor concerns about flood mitigation for both communities to the east and west nor has he addressed traffic concerns for the Wyndham Square neighborhood to the north which is the only access to Baseline Rd. and any entrance/exit to the proposed development.

All 52 homes in Wyndham Square have on-lot retention in addition to the storm basins at the entrance. Mr. Fox has only proposed storm basins, which do not appear to be appreciably bigger than Wyndham Square's and no on-lot retention. This property is subject to the same runoff patterns as Wyndham Square. There is no hydrology report that confirms his planned runoff mitigation is sufficient and does not pose a danger to either the acre+ lots on the east or Wyndham Square to the north.

Since Wyndham Square was built in approx. 2003, traffic on Baseline has increased by nearly 500%. There is only one in/out and that is onto Baseline. Neighbors report that it is extremely difficult to get in and out of the neighborhood. An additional 18 or more homes will add 180-200 more car trips per house per day into this neighborhood, dramatically exacerbating an already difficult situation.

Do we think a density of 3.5 du/ac or approx. 15-16 houses is truly appropriate? No. R1-18 or at least no more of a density than is present in Wyndham Square, which is 3 du/ac would be appropriate. Lowering the density to no more than 3.5 du/ac is a compromise. Does any lowering of density help ameliorate traffic for Wyndham Square? Yes, some. Does lower density help with flood mitigation? Yes, because there can be more open space allotted for additional retention. Does lower density help provide room to incorporate the design and site plan elements of the Rio Montana Plan? Yes.

Rio Montana calls out a step density of 2-3.5 on pg. 17. There's no allowance for more than that. If we are going to hold developers accountable to design criteria, we should hold them to the other elements in the Plan as well. Make context a criterion and hold developers accountable when they don't do it themselves. I respectfully urge you to help us create a plan that keeps density to no more than 3.5 du/ac as our compromise and as consistent with the Rio Montana Plan. Help us create a plan that incorporates the well-considered design and site plan elements the Rio Montana Plan calls for. If this broker doesn't want to follow the rules and work with the community, please vote no.

Sincerely,
Jewel Clark

--

H. Jewel Clark
hjewelclark@fastmail.com

# In regards to the rezoning hearing Z-58-24-8

Joe and Ana Laura Serna <jals426@gmail.com>

Mon 8/12/2024 1:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

I am Joe Serna.
My Wife Ana and I live in Wyndham Square,
at
2018 West Branham Lane
Phoenix, AZ 85041.

Neither my Neighbors of Wyndham Square,
nor I,
have seen that the developer has made any significant changes to the plans, that would warrant our support of his development.
I remain opposed to this development in its current form!
Respectfully,
CDR Joe Serna MD
(Ret) US Public Health Service

## Opposition to Z-58-24-8

julian galindo <julian.galindo64@gmail.com>

Mon 8/12/2024 11:02 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Hello,

My name is Julian Galindo and I live at 7808 S. 20th Lane with my wife and (3) kids who are under the age of 11.

We have not had any progression towards a resolution for the newly planned development directly south of Wyndham Square. The developer has not made any concessions per the request of the board and the community from the July meeting. I remain opposed to the development in its current form.

Sincerely,
Julian Galindo
602-413-7791

## Opposition to Z-58-24-8

Mike Josic <mikejosic@gmail.com>
Mon 8/12/2024 3:07 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Mike Josic and I live at 2020 W. South Mountain Ave. Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
There is no reason why this development should not conform to the Rio Montana plan other than greater financial gain for this broker. This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area I would support. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to support the existing neighbors and vote no.
Sincerely,

Mike Josic

## OPPOSITION to Z-58-24-8

Selena Leon <selenanomas@gmail.com>

Mon 8/12/2024 5:18 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Selena Leon and I live at 2009 W. Harwell Rd Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

## Opposition to Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>
Mon 8/12/2024 3:15 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Stephanie Bell, and I live at 8020 S 20th Ave Phoenix Az, 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Sent from my T-Mobile 5G Device

**Subject: Opposition to Z-58-24-8**

Candace McDonald-Ramsey <candacedramsey@gmail.com>

Tue 8/13/2024 4:00 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Dear Mr. Rogers and Committee Members,

My name is Candace McDonald Ramsey, and I reside at 2012 W. Harwell Rd; Phoenix AZ 85041. I am writing to express my strong opposition to the proposed development under case number Z-58-24-8.

Despite ongoing discussions, it is clear that the developer has not made any significant changes to the plans that would address the concerns of the community or justify our support for this project. The current proposal does not adequately consider the impact on our neighborhood, including potential issues related to traffic, infrastructure, and overall quality of life.

As a resident invested in the well-being and future of our community, I urge you to reject this development in its current form. We need a plan that truly reflects the needs and interests of the residents, rather than one that prioritizes external interests at our expense.

Thank you for your attention to this matter.

Sincerely,
Candace McDonald Ramsey

# Opposition to Z-58-24-8

Elizabeth Franco <nfranco246@gmail.com>

Tue 8/13/2024 5:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Good afternoon,

I hope this email finds you well. My name is Elizabeth Hintze Franco and I live at 7820 S 20th Ln, Phoenix, AZ 85041. The neighbors along with my family have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I am unfortunately not able to make it to the hearing today, but I am still opposed to this development in its current form and would like for it to be taken into consideration.

Kindest regards,
Elizabeth Hintze Franco
602-515-8842

# Opposition to Z-58-24-8

James Betterment <jamesbetterment@gmail.com>
Tue 8/13/2024 7:49 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

# Opposition to Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 8/13/2024 10:17 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jai Goudeau <Jaigoudeau@gmail.com>

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Report Suspicious

Opposition to Z-58-24-8

My name is Joseph Hernandez and I live at __7706 S 20th DR, PHX, AZ 85041_____ .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

## Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Tue 8/13/2024 8:41 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is leticia gonzalez and I live at 7723 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

# Fwd: Opposition to Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 8/13/2024 10:24 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jai Goudeau <Jaigoudeau@gmail.com>

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Report Suspicious

---------- Forwarded message ---------
From: **Joe Hernandez** <cndymnrotc@gmail.com>
Date: Tue, Aug 13, 2024 at 10:17 AM
Subject: Opposition to Z-58-24-8
To: Samuel S Rogers <samuel.rogers@phoenix.gov>, Jai Goudeau <Jaigoudeau@gmail.com>

**Opposition to Z-58-24-8**

My name is Nadine Hernandez Wife of Joseph and I live at __7706 S 20th DR, PHX, AZ 85041_____ .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

# Opposition to Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>

Tue 8/13/2024 8:14 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (14 KB)

Opposition-letter2 _Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello.docx;

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Report Suspicious

Good morning,

My name is Nicole Sordello, and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you for your time and consideration,

Nicole Sordello

## Opposition to Z-58-24-8

Tyler Hintze <tylerbill97@gmail.com>

Tue 8/13/2024 7:54 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Tyler Hintze and I live at 7820 S 20th Ln, Phoenix, AZ 85041.
The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in it's current form.

# Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Fri 9/6/2024 2:13 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Humberto González and I live at 7723 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

## Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Fri 9/6/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Mauricio González and I live at 7723 S 20th Dr .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

# Opposition to zoning case Z-58-24-8

CESAR TRUJILLO <ctrujillo15@ymail.com>
Sat 9/7/2024 9:47 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jai Goudeau <jaigoudeau@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041.

I'm opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix general plan, and the real Montana plan.

We support a maximum density of 16 houses to allow for more elements of the real Montana criteria to be implemented.

Limiting two-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you.

If you have questions or one more information, email Jewel Clark at hjewelclark@fastmail.com or Jai Goudeau at jaigoudeau@gmail.com
Sent from my iPhone

# Opposition to zoning case Z-58-24-8

Carla Soberanes <carlasoberanes@gmail.com>
Sun 9/8/2024 9:49 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Carla Soberanes and I live at 7818 S 20th Drive, Phoenix AZ 85041
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Carla Soberanes

Sent from my iPhone

# FW: Development update and opposition letter to use

cndymnrotc <cndymnrotc@gmail.com>

Sun 9/8/2024 5:42 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Jai Goudeau <jaigoudeau@gmail.com>

1 attachments (4 MB)

Final-site-plan-from-Fox---20th-and-South-Mountain.jpg;

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My contributions to the disapproval of the new proposed development. We all agree in our household that Wyndham Square shouldn't be used as a launch pad for construction traffic and potential flooding if and when it goes through. The South Mountain road is ideal!!!

Sent from my T-Mobile 5G Device

-------- Original message --------
From: "H. Jewel Clark" <hjewelclark@fastmail.com>
Date: 9/7/24 21:58 (GMT-06:00)
To: Jewel Clark <hjewelclark@fastmail.com>, Jai Goudeau <jaigoudeau@gmail.com>
Cc: Adolfo Mauritsia Coronado <jacoronado@msn.com>, Alicia and Carlos <aliciaemily2003@yahoo.com>, Alma Tonche <ad.tonche@gmail.com>, Alyssa Kerns <Alyssam.kerns@gmail.com>, Andrew Maifield <andrewmaifield@yahoo.com>, bobbyscadden@yahoo.com, Butch Box <butchbox@gmail.com>, Candace McDonald-Ramsey <Candacedramsey@gmail.com>, Carlos Carbajal <Carbajal17@hotmail.com>, Cesar Trujillo <ctrujillo15@ymail.com>, Christian Griepenstroh <Cgriepenstroh94@gmail.com>, David Key <anykeysys@gmail.com>, Dawn Smith <Dawn.Smith2@gmail.com>, Dorothy Hernandez <1dhernan@tempeschools.org>, Drewkgarvin@gmail.com, Eduardo Camacho <Lalocamacho@cox.net>, Erika Bowman <Bowman.Erika@gmail.com>, Frank Hernandez <fhernandez6310@gmail.com>, Franko Hernandez <franko1885@gmail.com>, Funyung Mon <Fym2429@gmail.com>, Gabriel Betancourt <Betancourtfamily@yahoo.com>, Gheine@cox.net, "H. Jewel Clark" <hjewelclark@fastmail.com>, Irene Navarro <Sunshinesonirene@yahoo.com>, ISH326 <imoreu326@gmail.com>, James Betterment <Jamesbetterment@gmail.com>, Jock <jocksteady01@icloud.com>, Joe Hernandez <Cndymnrotc@gmail.com>, Joe Serna <jals426@gmail.com>, Jose Perea <jpe.landscaping@gmail.com>, josphatwatitu@yahoo.com, Julian Galindo <Julian.galindo64@gmail.com>, Justin Intolubbe <Justin.Intolubbe@associaarizona.com>, Kagiovan@hotmail.com, Linda Laneback

<llanebac@tempeschools.org>, Lisa Cullen <Cullen_A_Lisa@yahoo.com>, LM <Directbridge@yahoo.com>, Lorenzo Gonzales <guad6604@outlook.com>, Lori <ernlor639@cox.net>, Mark <msouders1@cox.net>, MaryLou Scadden <Mscadden2006@gmail.com>, Michael Jordan <Michael.d.jordan@gmail.com>, Michael Josic <mikejosic@gmail.com>, Michelleandjuliangalindo@gmail.com, Miguel Rubio <rb_contracting1lc@outlook.com>, Moe Lathgani <Lathganimoe@yahoo.com>, Monica Garcia <azattymo@aol.com>, Mustafa Mostofo <sammostofo@gmail.com>, Natividad Tapia <Natytapia@cox.net>, Niki Key <nkey30@gmail.com>, Ravi Sharma <ravi6161sharma@gmail.com>, Roberto Branch <rcb1enterprise@gmail.com>, Snigdha Sharma <ushma58@gmail.com>, Steven Hernandez <Sj-hernandez@hotmail.com>, Susan Knight <roosie2roosie@gmail.com>, Virginia Waititu <Virginiawaititu@gmail.com>, Alexis Mesquita <alexismesquita2005@gmail.com>, stephrubio23@hotmail.com
Subject: Development update and opposition letter to use

## The vote on the development adjoining our neighborhood is coming up!

## Rezoning case Z-58-24-8 will be voted on Tuesday September 10th at 6 p.m. at the **South Mountain Community Library, 7050 S. 24th St.**

[phoenixpubliclibrary.org]

**We need you to do 2 things:**

- Write an opposition email to register your opposition.
- Come to the meeting Tuesday, September 10 at 6 p.m. at the South Mountain Library to show the SMVPC we stand united.

**Write your own or send the letter below via email to samuel.rogers@phoenix.gov**

---

**Subject line:** Opposition to zoning case Z-58-24-8

To the SMVPC,

My name is Joe and Nadine Hernandez and I live at 7706 S 20th DR.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
- Lastly, a plan that shows the developers contributions to the environmental and traffic concerns.

Thank you.

---

If you still have questions or want more information, email Jewel Clark at hjewelclark@fastmail.com or Jai Goudeau at jaigoudeau@gmail.com.

**We have power in numbers! Thank you for your continued efforts and support!**

Sincerely,
Jewel Clark and Jai Goudeau

# Dear South Mountain Village Planning Committee,

David Key <anykeysys@gmail.com>

Sun 9/8/2024 9:29 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is David Key and I live at 2006 W Branham Ln, Phoenix, AZ 85041 [google.com].

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and I am not in favor of the cul-de-sac design for practical reasons.

Our community welcomes development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.

Limiting 2-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

David M Key Jr

# Opposition to zoning case Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>

Sun 9/8/2024 9:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Eduardo  Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

- We support a maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you,
Eduardo Camacho

# Opposition to zoning case Z-58-24-8

Lori Coscarelli <ernlor639@cox.net>

Sun 9/8/2024 9:53 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank You,
Ernie

# Opposition to zoning case Z-58-24-8

Fy M <fym2429@gmail.com>
Sun 9/8/2024 3:46 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name  is Funyung Mon and I live at 8115 S 21st Drive, Phoenix, AZ 85041.

I oppose Z-58-24-8. It does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sincerely,
Funyung Mon, Homeowner at 8115 S 21st Dr, Phoenix, AZ 85041

# Opposition to zoning case Z-58-24-8

Jacques Phelps <jocksteady01@icloud.com>
Sun 9/8/2024 9:52 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Jacques Phelps Jr and I live at 7818 S 20th Dr, Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Jacques Phelps Jr
Sent from my iPhone

## Opposition to zoning case Z58- 24:8

Joe and Ana Laura Serna <jals426@gmail.com>
Sun 9/8/2024 11:04 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

I am Joe Serna and live in Wyndham Square, at 2018 West Branham Lane (Phx.AZ).

I am opposed to Z-58-24-8.
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, and to uphold the requirements for zoning as per the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

# Opposition to zoning case Z-58-24-8

Marylou Scadden <mscadden2006@gmail.com>

Sun 9/8/2024 8:13 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is MaryLou Scadden and I live at 7807 S 20th Dr, Phoenix AZ 85041 .
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

# Opposition to zoning case Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>
Sun 9/8/2024 7:48 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

- We support a maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you,
Natividad Tapia

# Opposition to zoning case Z-58-24-8

Niki Key <nkey30@gmail.com>
Sun 9/8/2024 9:26 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:David Key <anykeysys@gmail.com>

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Report Suspicious

Dear South Mountain Village Planning Committee,

My name is Niki Key and I live at 2006 W Branham Ln, Phoenix, AZ 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and I am not in favor of the cul-de-sac design for practical reasons.

Our community welcomes development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Niki Key

# opposition to zoning to zoning case Z-58-24-8

Alexis Mesquita <alexismesquita2005@gmail.com>
Mon 9/9/2024 5:28 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alexis Mesquita and I live at 8020 S 20th Ave.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

# Opposition to zoning case Z-58-24-8

Alicia Sainz <aliciaemily2003@yahoo.com>

Mon 9/9/2024 4:59 PM

To:hjewelclark@fastmail.com <hjewelclark@fastmail.com>;Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alicia Sainz and I live at 8250 S 20th Ave, Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Alicia Sainz
623 329 3606

# Opposition to zoning case Z-58-24-8

Amelia Goudeau <ameliagoudeau@gmail.com>

Mon 9/9/2024 2:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Amelia Goudeau and I live at 2013 W. Harwell Rd Phoenix Az 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and there has been no consideration for the existing community and the direct inpact on the neighborhood. I am NOT in favor of, any of the proposed plans by the builder or John Fox.

~Amelia Goudeau~
#602-460-5545

## Opposition to zoning case Z-58-24-8

Ana Laura Serna <als3363@gmail.com>

Mon 9/9/2024 8:19 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Ana Laura Serna I live at 2018 W Branham Lane at Wyndham Square. I am opposed to the current plan of Z-58-24-8. The plan does not comply with Rio Montana criteria, also not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but want development to be compatible with the existing character and quality of the existing neighborhoods: uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan. I believe the tranquility and safety of my neighborhood will be compromised with the additional traffic going through it.

We support:

. A maximum density os 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
. Limiting 2-story homes to no more than 20% of the total.
. Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the Zoning application.

Regards

Ana Laura Serna

Sent from my iPad

## Opposition to zoning case Z-58-24-

Candace McDonald-Ramsey <candacedramsey@gmail.com>

Mon 9/9/2024 8:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Candace McDonald-Ramsey and I live at 2012 W Harwell Rd, Phoenix, AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Candace McDonald-Ramsey

# Opposition to zoning case Z-58-24-8

Carlo <charles.carbaj@gmail.com>

Mon 9/9/2024 1:04 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;PDD Long Range Planning <pdd.longrange@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Carlos Carbajal and I live at 2017 W Harwell Rd, Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Carlos

On Thu, Sep 5, 2024 at 11:58 AM Carlo <charles.carbaj@gmail.com> wrote:

> Hello once again,
>
> Just re-affirming my opposition.
>
> My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.
>
> The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
> I remain opposed to this development in its current form.

Thanks,
Carlos C.

On Fri, Aug 9, 2024 at 10:19 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:

Good morning,

Thank you for your letter. I will add it to the official file and forward it to the applicant and the members of the South Mountain Village Planning Committee.

Thank you,

Samuel Rogers, AICP
Village Planner II*
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Samuel.Rogers@phoenix.gov
602-534-4010

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

---

**From:** Carlo <charles.carbaj@gmail.com>
**Sent:** Thursday, August 8, 2024 1:58 PM
**To:** PDD Long Range Planning <pdd.longrange@phoenix.gov>; Samuel S Rogers <samuel.rogers@phoenix.gov>
**Subject:** Opposition to Z-58-24-8

My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
I remain opposed to this development in its current form.

Thanks,
Carlos

# Opposition to zoning case Z-58-24-8

Butch Box <butchbox@gmail.com>
Mon 9/9/2024 4:33 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Constance Box and I live at 7719 S 20th Drive.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
Thank you
Constance Box

# Opposition to Z-58-24-8

D. Fong <dpfong@hotmail.com>
Mon 9/9/2024 2:44 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Mr. Samuel Rogers,

My name is David Fong and I reside at 2004 W. Harwell Rd. in the Wyndham Square neighborhood.

My neighbors and the Community Management representatives still have major concerns that the Broker, Mr. John Fox, has not made any serious or significant changes to the proposed design plans that would warrant our decision to support this development.

I remain opposed to this development and urge that this application not be approved to move forward.

Regards,
David Fong

Virus-free.www.avg.com [avg.com]
[avg.com]

## Opposition to zoning case Z-58-24-8

Butch Box <butchbox@gmail.com>
Mon 9/9/2024 4:29 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is To the SMVPC,

My name is Forrest Box and I live at 7719 S 20th Drive.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
Thank you. and I live at 7719 S 20th Drive.

My name is [your name] and I live at [your address].
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the

zoning application.

Thank you.

Forrest Box

# Re: Oppose the Zoning Change Filed by John Fox - Case # Z-58-24-8

Fy M <fym2429@gmail.com>
Mon 9/9/2024 12:31 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

Good afternoon Samuel Rogers,

Regarding the opposition to the Case # Z-58-24-8, there is a voting process in tomorrow (9/10) meeting at South Mountain Community Library.
May I cast the vote through this email to oppose the case because I am still out of town by then? Or, could I pass the voting right to others?
Your response is appreciated. Thanks.

Sincerely,

Funyung Mon,
Home owner at 8115 S 21st Dr, Phoenix, AZ 85041

On Thu, Jul 4, 2024, 4:54 PM Fy M <fym2429@gmail.com> wrote:

> Good morning Samuel Rogers,
>
> Please see attached for the opposition letter.
> I, Funyung Mon, the resident and homeowner at 8115 S 21st Drive, Phoenix, AZ 85041. I missed the past two meetings because the meeting notice was mailed out very late. When I received the notice, the meeting date was already past.
>
> Respectfully,
> Funyung Mon,
> 8115 S 21st Dr, Phoenix, AZ 85041

# Opposition to Z-58-24-8

Jai Goudeau <jaigoudeau@gmail.com>

Mon 9/9/2024 10:34 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jai Goudeau <jaigoudeau@gmail.com>;H. Jewel Clark <hjewelclark@fastmail.com>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request as it has been currently filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

Mr. Fox has not made a genuine effort to work with the community regarding our concerns and I believe he has not acted in good faith to address the community and involve us in the process.

In the first meeting he arranged at a Barro's Pizza parlor on a Saturday afternoon in which I received notice 4 days prior and some did not receive notice at all. There was loud music playing and very few people could hear his presentation or respond. I requested that we have another meeting in a more suitable location so I reserved a meeting room at Caesar Chavez Library on May 28th for June 15th and he said he would send out notices.

At the second meeting on June 15th, John Fox was in attendance with Mike Haer. In the meeting several attendees addressed their concerns as well as I and Mike Haer said he wanted to take this information and address his team and he and John Fox agreed to have another meeting to discuss their findings prior to the hearing.

I contacted John Fox as I saw a survey crew doing measurements on 06/18/24. I asked John if he was still having another community meeting as he requested or if he was moving forward with the Village Planning Committee meeting to which he replied that he was not going to have another neighborhood meeting because he wanted to have a constructive meeting and was tired of getting beaten up. I reminded him that he and Mike requested that we have another meeting and he told me that he had not spoken to Mike and that Mike would be out of town during the Village Planning Committee Meeting.

Mr. Fox repeatedly stated during the meeting that he would not work with us five times before finally agreeing after continual requests from the Village Planning Committee members. Mr. Fox would not initially set up the meetings, so he requested that the committee chairman set up the meetings and mediate the meetings.

We met with Mr. Fox and we tried to have him incorporate elements of the Rio Montana guidelines to the plans to which he made very few changes. Mr. Fox did not show up to the Village planning meeting but told the chairman that he wanted a continuance to the next Village Planning Meeting over the phone.

We set up meetings every week for the next month with Mr. Fox and members of the Village Planning Committee to work together to come up with a plan to which Mr. Fox would make some changes, then come up with excuses to change them back at the last minute. At the last meeting Mr. Fox did not show up and refused to continue working with us.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for

zoning, the Phoenix General Plan, and the Rio Montana Plan. The neighborhood, and not the Planning Office exclusively, should be involved in crafting beneficial development since we understand the complexities and needs of our area best.

We feel that because the development can only be entered through our community that it would be seen as an extension of our development and it should have the same rural feel.

As the plan currently is applied **It is not** “sensitive to the scale and character of the surrounding neighborhoods.” The proposed development is bordered by S-1 established homes on the east and south (which is currently a horse farm) and R1-10 neighborhoods with densities no higher than 3.27 DU/AC on the north and east. This development would have a density of 4.4 DU/AC in the middle of established low-density neighborhoods.

**It does not “**protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.” This plan, in its current form, fails the most basic tenets of the above requirements and should not move forward.

Thank you

# Opposition to zoning application Z-58-24-8

H. Jewel Clark <hjewelclark@fastmail.com>
Mon 9/9/2024 10:39 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

To the Committee Members of the SMVPC,

My name is Jewel Clark, and my address is 2020 W. South Mountain Ave., Phoenix, AZ and I remain opposed to Z-58-24-8.

Jai Goudeau, HOA president of Wyndham Square to the immediate north of the proposed development, and I have been involved in multiple meetings with the broker, Mr. Fox, and members of the SMVPC to try and find some common ground on his proposal. After 2 continuances and multiple meetings, it appeared on Monday that Mr. Fox intends to move forward with his original 20 house plan and has rejected any changes that would incorporate the Rio Montana Area plan, get community support, and result in a better development.

I have consistently stressed to Mr. Fox how inappropriate the density proposed is based on my knowledge of our area and what I've been told by neighbors, not only for compatibility to the surrounding communities on multiple levels, but also in how that density prevents meaningful inclusion of Rio Montana Area Plan criteria.

The community is united in opposition, albeit on different levels. Some neighbors don't want any development until a street can punch through to W. South Mountain Ave. but everyone I have talked to agrees that significantly fewer houses would be better for our community overall to create a transition density between the established S-1 homes on the east and the low density R1-10 homes to the north and west and would allow for better traffic relief for Wyndham Square and again, inclusion of Rio Montana criteria.

In an attempt at reasonable compromise, the conversations I have had with neighbors and have conveyed at our meetings is that a max of 16 houses is something we could live with in addition to including other Rio Montana criteria.

While I would prefer a lower number of houses, I can support:

- Max 16 houses.
- Limiting 2 story houses to 20% of the total and to the western side of the development.
- Inclusion of the stipulations proposed by the community submitted to the SMVPC.

We have tried to work with Mr. Fox and our requests have been aligned with our village plan, what our community feels is appropriate, and a sincere desire to see a quality development built. Mr. Fox's plan has been exclusively focused on getting as many lots on the property as possible. He stated more than once that the city said he "could have" 20 lots and it seems he thinks that's all the approval he needs. Mr. Fox appears to have only financial justifications for his rejection of Rio Montana criteria and has not listened to the communities impacted by his application. We are not opposed to development, but we want development to follow our area plan and provide reasonable compatibility with our existing neighborhoods.

Please add the stipulations proposed by the community to the application or vote no.
Thank you for your time and consideration.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--

H. Jewel Clark
hjewelclark@fastmail.com

## Opposition to zoning case Z-58-24-8

Julie Willcox <jwillcox1227@gmail.com>

Mon 9/9/2024 7:37 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Julie Willcox and I live at 9050 S 23rd Ave, Phoenix, AZ 85041.
I am opposed to the rezoning application Z-58-24-8. The current plan does not comply with Rio Montana criteria and is opposed by the majority of the surrounding community.

We welcome development in our area, but we want development to be compatible with the character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We would support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,
Julie

# Opposition to zoning case Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>

Mon 9/9/2024 5:23 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Miguel Rubio and I live at 8020 S. 20th Ave Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sent from my T-Mobile 5G Device

## Opposition to zoning case Z-58-24-8

Mike Josic <mikejosic@gmail.com>

Mon 9/9/2024 10:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Mike Josic and I live at 2020 W. South Mountain Ave, Phoenix, AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and this criteria must take precedence over one person's pursuit of profit at the expense of the many current residents. The applicant does not and will not live there and would flip the property to another developer, extract his profit and leave the current residents with a completely incompatible development in their backyards.

I welcome development in our area, but I want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

I support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total exclusively on the west side to preserve the privacy of the existing acre lots on the east side.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Mike Josic

## Opposition to zoning case Z-58-24-8

chevera trillo <cheveratrillo@gmail.com>

Mon 9/9/2024 11:19 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ntonyt <NtonyT@aol.com>

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Report Suspicious

TO: SMVPC
VIA: Samuel Rogers:

Our names are Nick and Chevera Torrez.
We live at 2311 West Dobbins Road.

We are writing to state our opposition to the rezoning application Z-58-24-8.
No different than the last submission, which we also opposed, that was subsequently withdrawn from the August 13th SMVP meeting, this current plan does not comply with Rio Montana criteria and is opposed by the majority of the surrounding community.

As has been the recurring voice within the community, we do welcome responsible development in our area that adheres to the spirit and intent of the Phoenix General Plan and the Rio Montana Plan. We continue to ask that SMVPC be respectful of the community's voices and input and vote no to Z-58-24-8.
We join the neighbors of this proposed development and support the following:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you for your time and attention,

Regards,

*Nick & Chevera Torrez*
*2311 West Dobbins Road*
*Phx, AZ 85041*

***

## Opposition to zoning case Z-58-24-8

Robert Branch <branch25rob@yahoo.com>

Mon 9/9/2024 8:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Robert and I live at 2012 w harwell rd, Phoenix 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,
RCB

# Opposition to zoning case Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>

Mon 9/9/2024 5:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

o the SMVPC,

My name is Stephanie BellI live at 8020 S. 20th Ave Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sent from my T-Mobile 5G Device

# Opposition to zoning case Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Tue 9/10/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

I Andrew Maifield opposed the zoning. Density to high for the area. The property should be left as s1 property. S1 property is the sole of South Phoenix and should remain that way.

Sent from Yahoo Mail on Android [go.onelink.me]

# Opposition to zoning case Z-58-24-8

Rubio, Arlene <arlene_rubio@uhc.com>

Tue 9/10/2024 4:32 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:mikejosic@gmail.com <mikejosic@gmail.com>;Arlene Rubio <josejr_arlene@yahoo.com>

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Report Suspicious

To the SMVPC,

My name is Arlene Rubio and I live at 8230 S. 20th Ave Phoenix, AZ 85042.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Arlene Rubio

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# Opposition to zoning case Z-58-24-8

Ceasar Acedo <ceasar_acedo88@yahoo.com>

Tue 9/10/2024 4:48 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Mike Josic <mikejosic@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Ceasar Acedo and I live at 8230 S. 20th Ave Phoenix, AZ 85042.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Ceasar Acedo

To the SMVPC,

My name is Ravinder Sharma and I live at 8012 S 20th Avenue, Phoenix, AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Ravinder Sharma

CITY OF PHOENIX

SEP 10 2024

Planning & Development Department

# Opposition to zoning case Z-58-24-8

Lorraine Gloria <lorigloria@cox.net>

Tue 9/10/2024 12:09 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPc,

Our name is Ernie and Lori Gloria and we live at 7813 S. 20th Ln., Phoenix, AZ 85041.
We are both opposed to Z-58-24-8. The current plan does not comply with Rio, Montana criteria, and we are not in favor of the cul-de-sac design for practical reasons.
We welcome development in our area, but we want development to be compatible with the existing and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix general plan, and the real Montana plan.
We support the maximum density of 16 houses to allow for more elements of the real Montana criteria to be implemented.
Limiting two-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC chair by jewel Clark and Jai Goodeaux.

Thank you

Ernie and Lori Gloria
Sent from my iPhone

# Re: Opposition to Z-58-24-8

James Betterment <jamesbetterment@gmail.com>

Tue 9/10/2024 1:04 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

On Tue, Aug 13, 2024 at 8:48 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:

> Good morning,
>
> Thank you for your letter. I will add it to the official file and forward it to the applicant and the members of the South Mountain Village Planning Committee.
>
> Thank you,
>
> Samuel Rogers, AICP
> Village Planner II*
> City of Phoenix Planning and Development Department
> 200 West Washington Street, 3rd Floor
> Phoenix, Arizona 85003
> Samuel.Rogers@phoenix.gov
> 602-534-4010
>
> PLANNING & DEVELOPMENT PRESERVE SHAPE BUILD
>
> ---
>
> **From:** James Betterment <jamesbetterment@gmail.com>
> **Sent:** Tuesday, August 13, 2024 7:48 AM

**To:** Samuel S Rogers <samuel.rogers@phoenix.gov>

**Subject:** Opposition to Z-58-24-8

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Outlook

**Re: Presentation for SMVPC meeting, case Z-58-24-8 - Jewel Clark**

**From** H. Jewel Clark <hjewelclark@gmail.com>
**Date** Tue 9/10/2024 10:59 AM
**To** Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (7 MB)
Z-58-24-8 opposition presentation Sept 10 2024.pptx;

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

Okay, updated presentation, as best I could do with things changing so much! Ack!
Thanks!
Sincerely,
Jewel

On Tue, Sep 10, 2024 at 10:19 AM H. Jewel Clark <hjewelclark@gmail.com> wrote:

> Oh my, that's not the information we had yesterday. I will need to update everyone and my slides. I'll resend ASAP.
>
> On Tue, Sep 10, 2024, 9:58 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:
>
> > Good morning,
> >
> > Received, thanks for sending this over. The latest site plan I have looks like it was included as slide No. 11 in your presentation.
> >
> > Thank you,
> >
> > Samuel Rogers, AICP
> > Village Planner II*
> > City of Phoenix Planning and Development Department
> > 200 West Washington Street, 3rd Floor [google.com]
> > Phoenix, Arizona 85003 [google.com]
> > Samuel.Rogers@phoenix.gov
> > 602-534-4010



---

**From:** H. Jewel Clark <hjewelclark@gmail.com>
**Sent:** Tuesday, September 10, 2024 9:52 AM
**To:** Samuel S Rogers <samuel.rogers@phoenix.gov>
**Subject:** Presentation for SMVPC meeting, case Z-58-24-8 - Jewel Clark

Hi Samuel,

This may be a duplicate. I tried replying with my presentation to our thread and I'm not seeing my reply in my sent box. Trying again.

This presentation has been prepared based on the information provided yesterday that Mr. Fox has not submitted any new site plan or made any changes to his original application. If that information is incorrect, would you please let me know so I can quickly amend my presentation to reflect those changes? If it is more convenient to call me, my number is 480.664.9436 or if there is a good time to call you today to check in I am happy to do that. If you have time, I would also really appreciate any heads up if he submits a presentation. I'll make a records request regardless, just to check, but I can make it earlier if I know when it's submitted.

I've got supplemental slides on the end that with some blanks in between that I don't plan to show but are there in case it would help to project an image not readily available in another presentation should a committee member have specific questions where a slide would be helpful.

Thank you!
Jewel Clark

# Z-58-24-8

Neighborhood Opposition

SMVPC

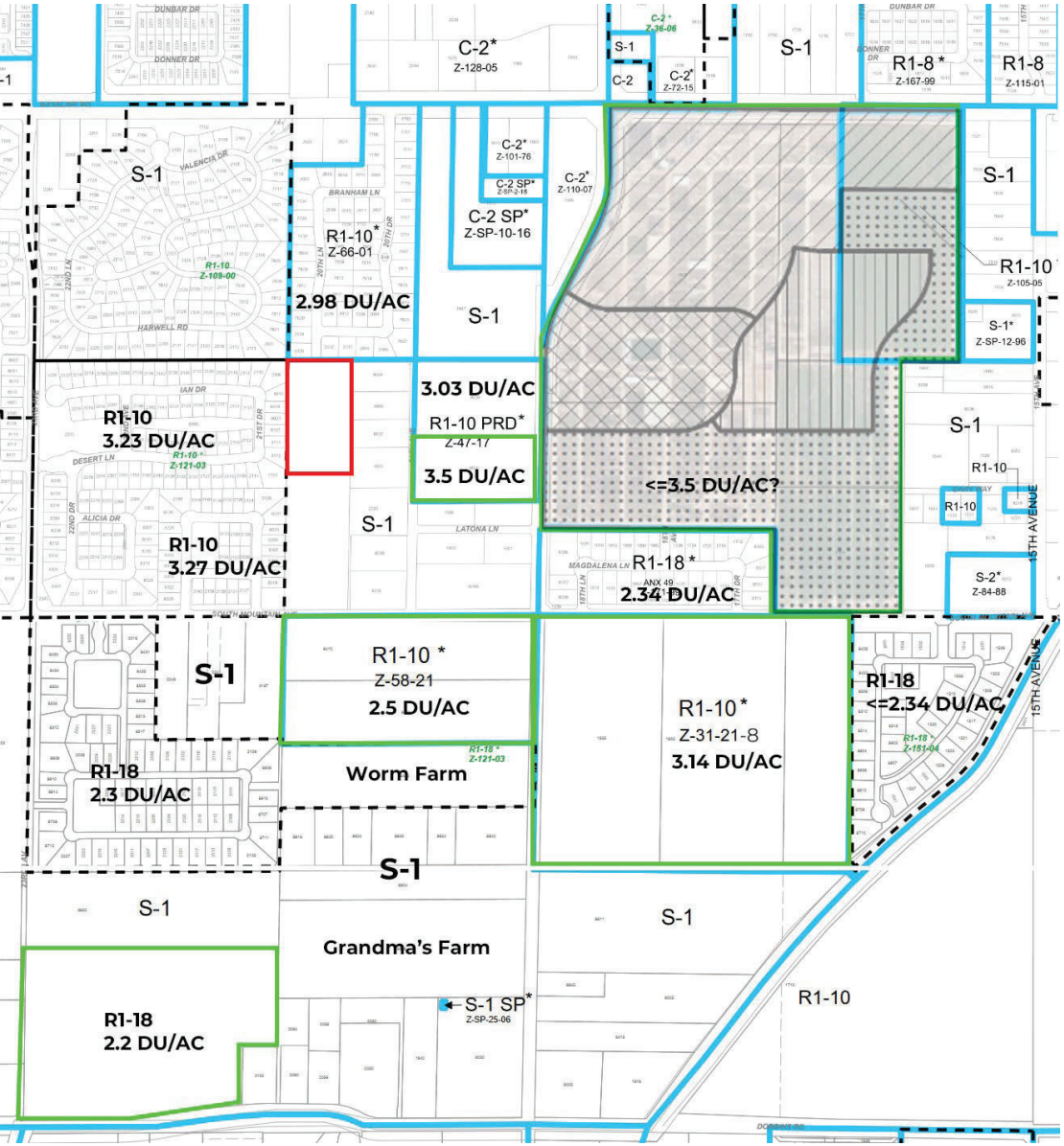
Sept. 10, 2024




**Latest conceptual site plan/proposal:**

- 18 homes on 4.54 acres (reduced from 20 to accommodate central open space).
- Density not compatible per Rio Montana Community Vision, Land Use Plan, PHX General Plan (Certainty & Character).
- Rio Montana criteria still not met- no justification other than financial and no sincere efforts to incorporate them.
- Community remains opposed for the above and other reasons.

Any development that happens should follow the Rio Montana area plan and have community support. Neither should be ignored or be an afterthought.




## Certainty & Character

- Green borders represent approved development since approx. 2021.
- Densities in the surrounding area do not exceed 3.5 DU/AC for R1-10.
- Approved developments include Rio Montana criteria.

The community deserves a level of certainty on what they can rely on in terms of compatible development and to have their input listened to.

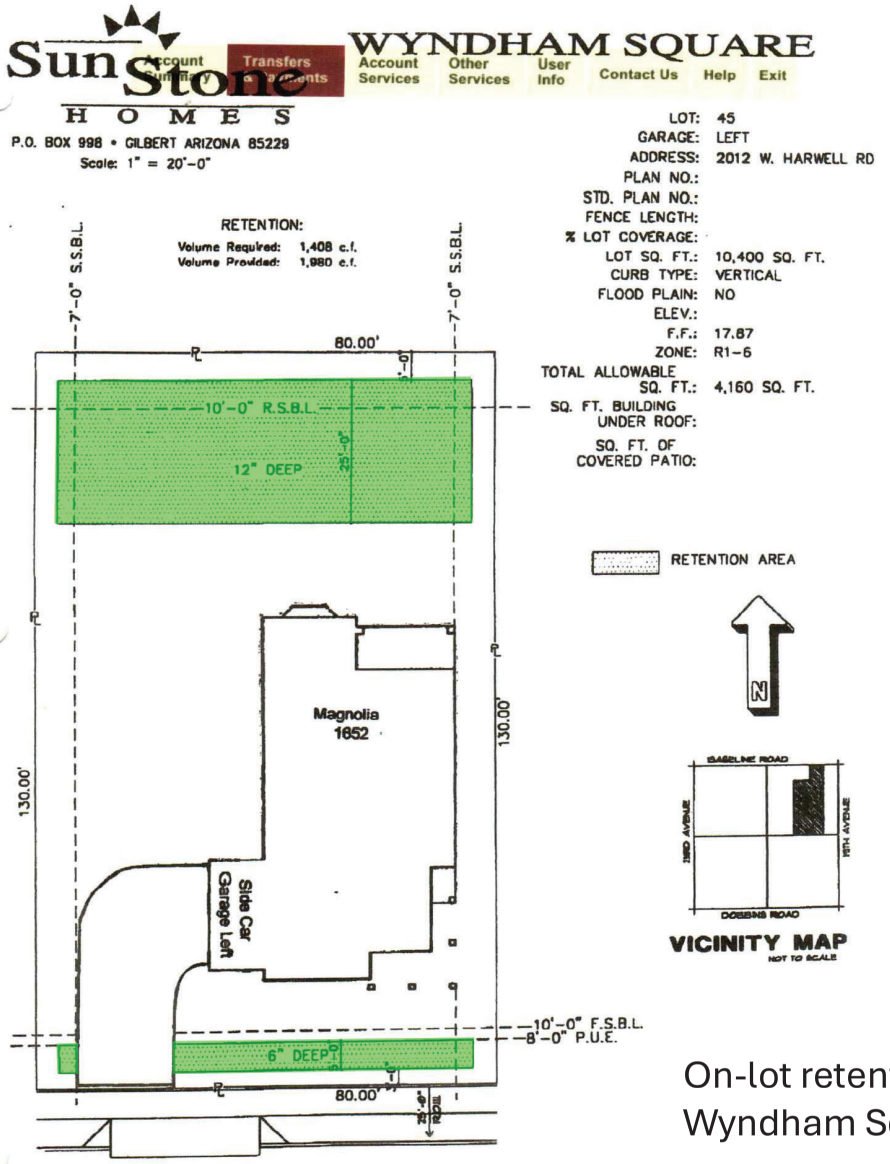
We have to live with what gets built.

**If development is going to happen with this application, let's make it something the community can live with that is better quality and aligned with our area plan:**

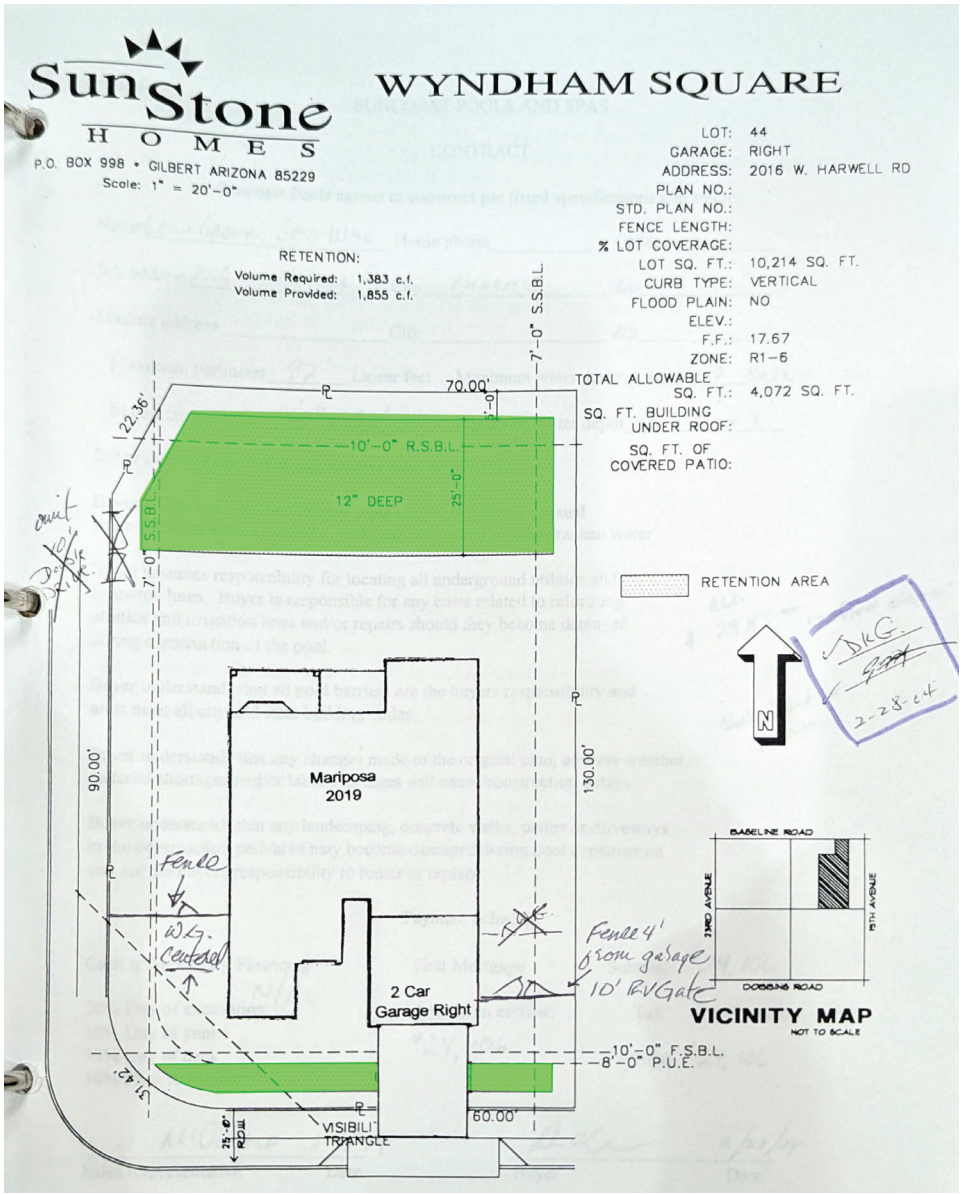
- Limit the density to a more appropriate 16 homes (3.5 du/ac).
- Limit 2-story homes to 20%, aligning with the Rio Montana plan and surrounding communities.
- Adopt the stipulations (inc. density and housing height) submitted by the community to address Rio Montana criteria, which will result in a better-quality development and more community support.
- Otherwise, please vote no.

We want compatible and quality development with Rio Montana criteria and community support. The applicant's plan still fails on both counts.

Additional slides for reference.



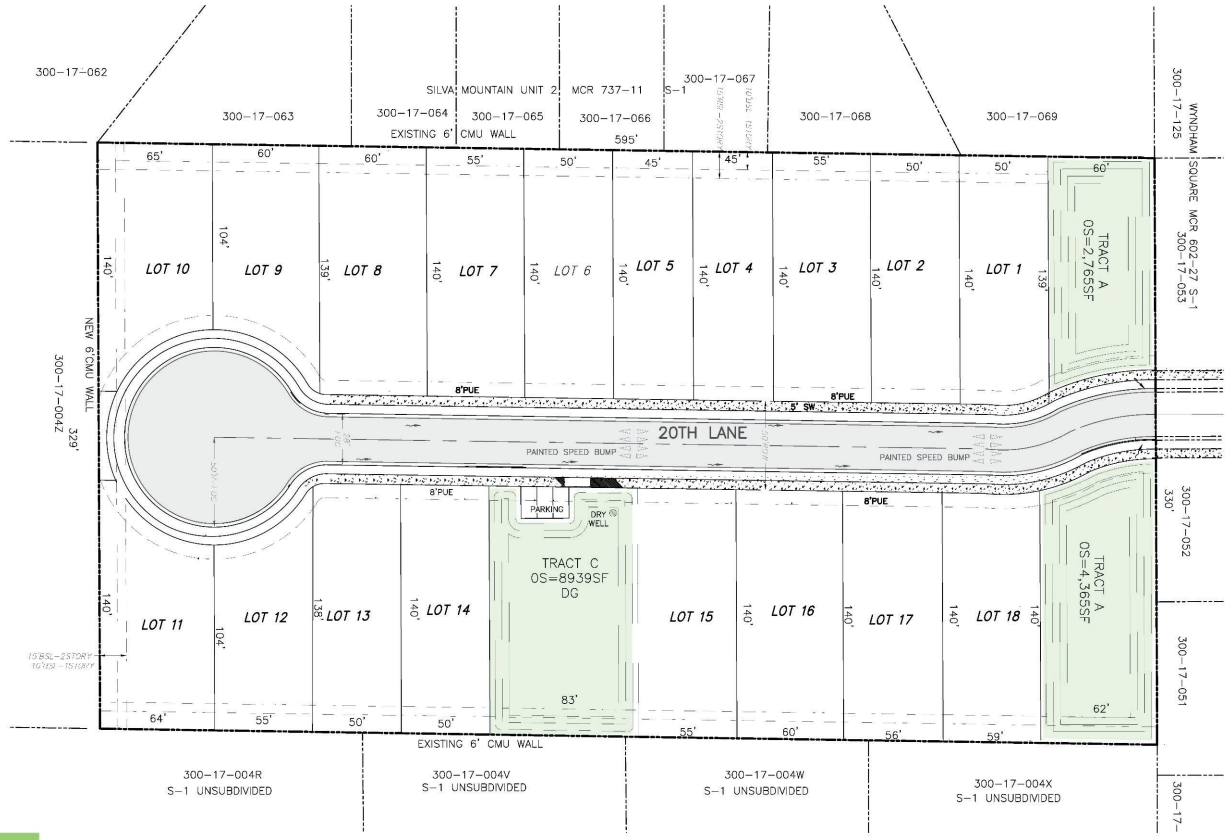

On-lot retention in Wyndham Square.





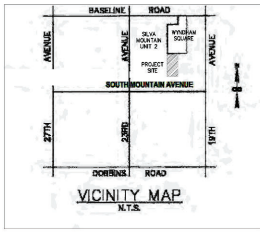
**Satellite view of the area**
Proposed development in red border.

# SITE PLAN
# SOUTH MOUNTAIN MODERN
# 18 LOT SINGLE FAMILY HOME DEVELOPMENT
# RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT




Retention/open space

SITE PLAN




VICINITY MAP
N.T.S.

## PROJECT DESCRIPTION

THIS APPLICATION IS FOR THE REZONING OF THE PROPERTY FROM S-1 TO RI-10 TABLE A PLANNED RESIDENTIAL DEVELOPMENT OPTION.
PROPOSED DEVELOPMENT A 18 SINGLE FAMILY LOT SUBDIVISION, WITH ACCESSORY DWELLING UNIT ADU PROPOSED ON EACH LOT.

THE PROJECT CONSISTS OF 4.5 ACRES, NORTH OF SOUTH MOUNTAIN ROAD
ZONING CONTIGUOUS NORTH RI-10, SOUTH, EAST & WEST S-1
GENERAL PLAN IS 3.5 - 5.0 DU/AC

THE ACCESS OF THE SITE IS 20TH LANE, AN EXTENSION OF WYNDHAM SQUARE SUBDIVISION TO THE NORTH.
A 50'ROW DEDICATION IS PROPOSED WITH 5' DETACHED SIDEWALKS CONSISTENT WITH WYNDHAM SQUARE
WATER AND SEWER AND DRY UTILITIES ARE IN 20TH LANE

## OWNER

DOROTHY M HALLOCK
2050 W SOUTH MOUNTAIN AVE
PHOENIX AZ 85041
PHONE#: 480-720-6854

## CONSULTANT

JOHN FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD. #234
PHOENIX AZ. 85022
PHONE#: 602-573-2895
WSCING@COX.NET

*PROJECT NUMBERS*
*KIVA# 24-140*
*ZPA 4-24*
*QS# 01-24*
*PAPP# 2400620*

W
S N
E

Scale 1" = 30'

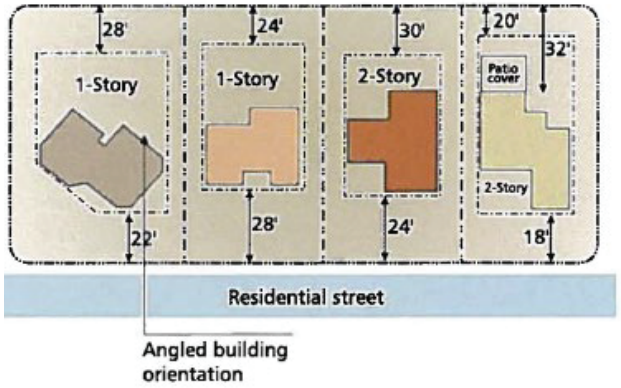

**WILLIAM SEYMOUR CO, INC**
JOHN K. FOX
428 E THUNDERBIRS RD #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895
E-MAIL: WSCING@COX.NET

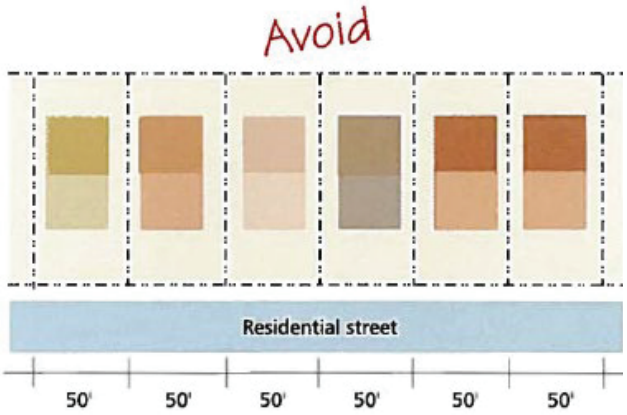

SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

| No. | Date | App. | Description |
|---|---|---|---|

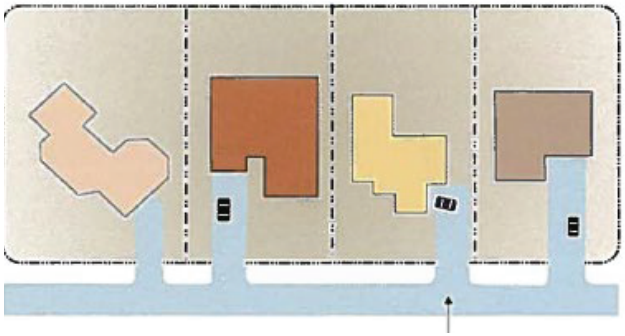
REVISIONS

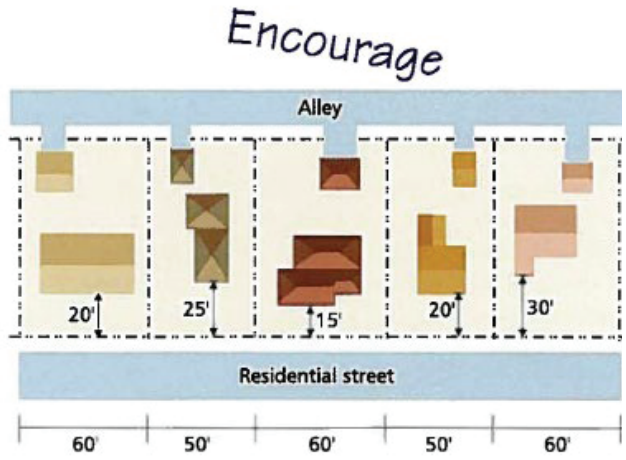
DESIGNED:
DRAWN:
CHECKED:
DATE: AUG 2024
SCALE 1"=30'
PROJECT
FILE NAME
SHT: SP2

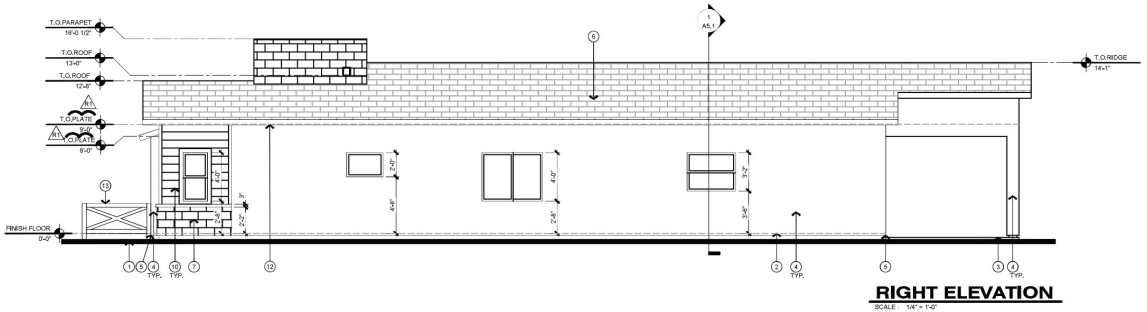



Promote streetscape diversity by providing a mix of driveway orientations, e. g. elbow, circular, or angled and side entry on common lots. No more than 40% of all driveways should be straight.

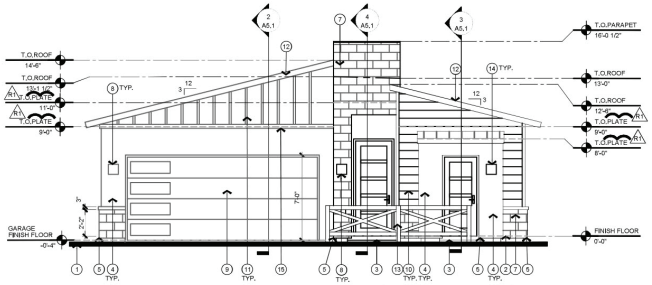






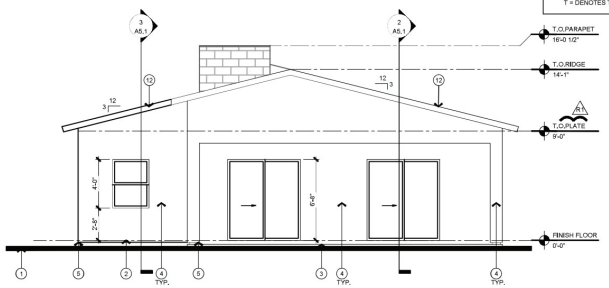

## RIGHT ELEVATION

SCALE : 1/4" = 1'-0"




## FRONT ELEVATION

SCALE : 1/4" = 1'-0"




## REAR ELEVATION

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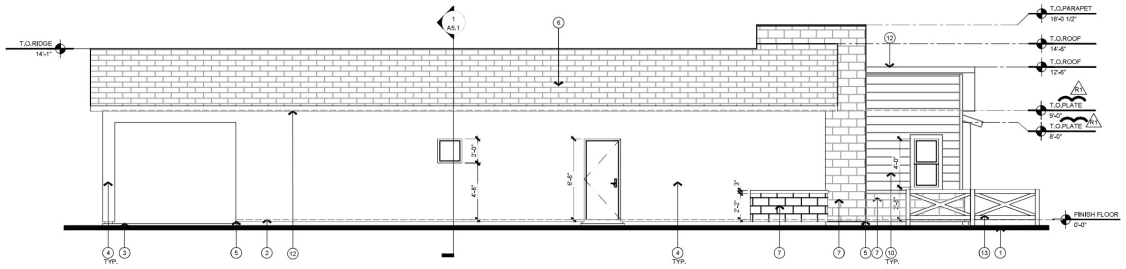


## LEFT ELEVATION

SCALE : 1/4" = 1'-0"

## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. LIGHT FIXTURES.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. FASCIA.
13. 36" HIGH WOOD FENCE.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE NOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS, AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION


e project
8615 N Scottsdale Rd #215
Scottsdale, AZ 85253
phone: 480/626-4644
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| 1 | 11-17-2023 | Revision 1<br>1st Plan Review |

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023


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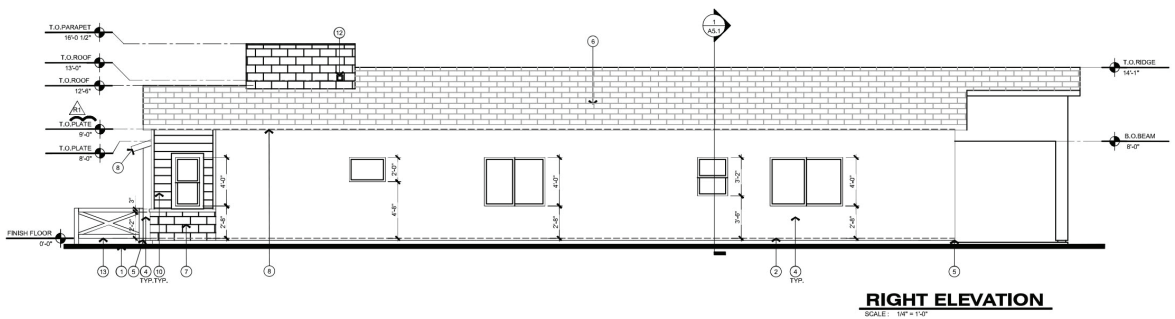
**Plan 1500**

**Elevations**
**Modern Craftsman**

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM.KV |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

A4.1

4298




## RIGHT ELEVATION

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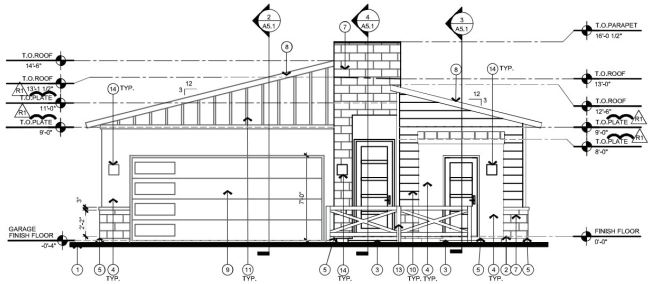


## FRONT ELEVATION

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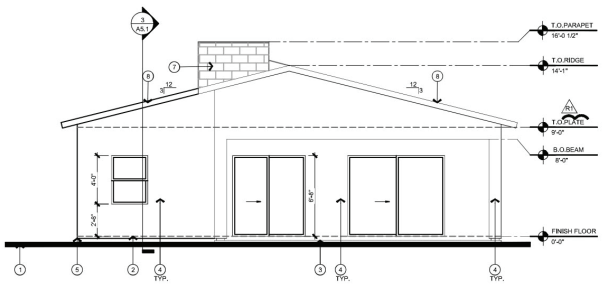


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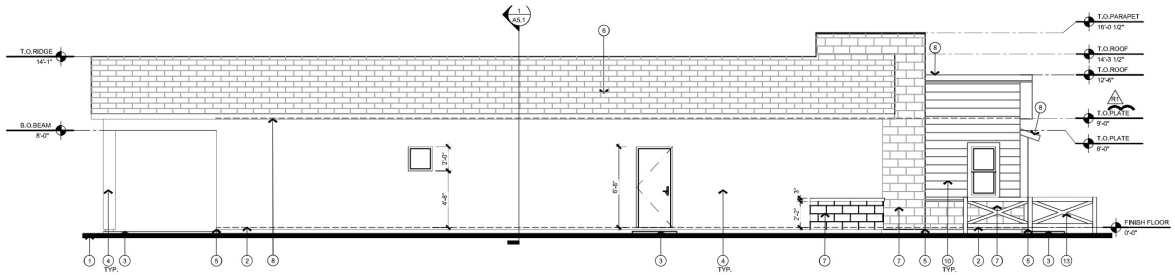


## LEFT ELEVATION

SCALE : 1/4" = 1'-0"

## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
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6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. WOOD FASCIA, PAINTED.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. SCUPPER, REFER TO DETAILS.
13. 36" HIGH WOOD FENCE.
14. LIGHT FIXTURES.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

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C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

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REGISTERED ARCHITECT
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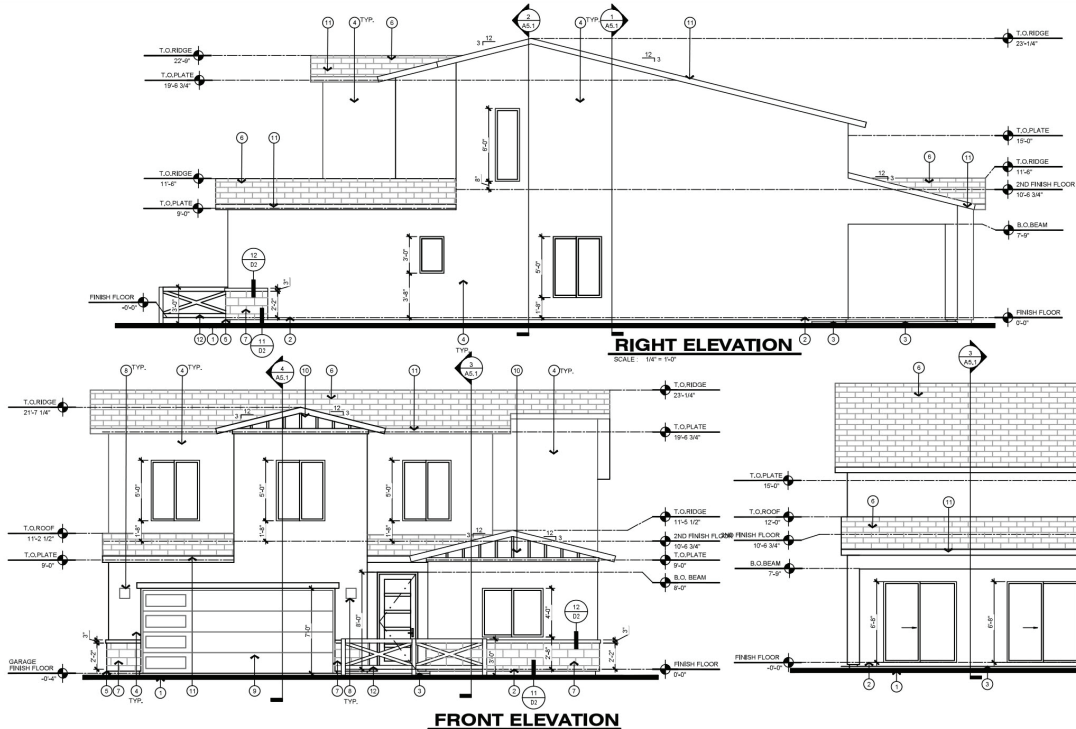
**Plan 1700**

**Elevations**
**Modern Craftsman**

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM.KV |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

A4.1

4299



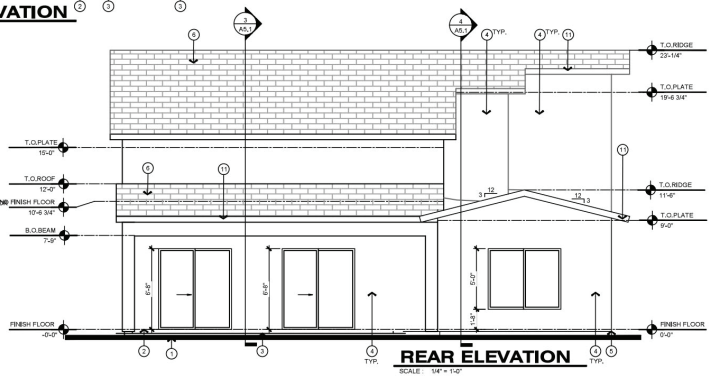

## RIGHT ELEVATION

SCALE : 1/4" = 1'-0"




## FRONT ELEVATION

SCALE : 1/4" = 1'-0"

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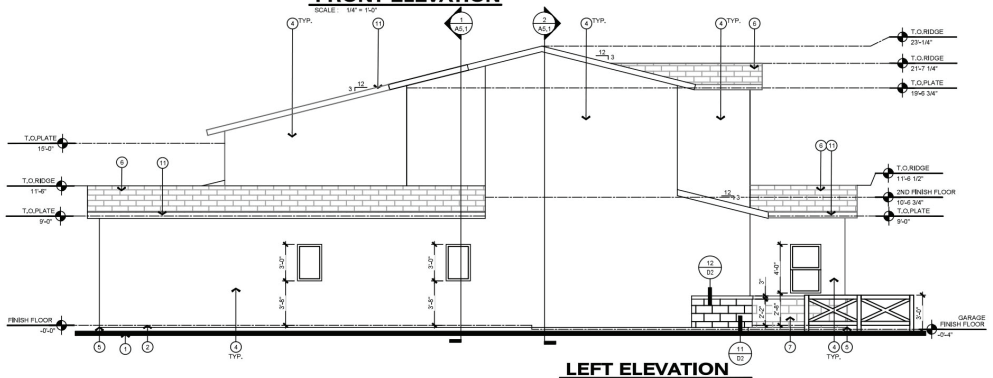


## LEFT ELEVATION

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5. CONT. 26 GA. GL MEEP SCREED AT +4" A.F.G.
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Scottsdale, AZ 85253
phone: 480-626-9668 fax: 480/338-4407
e-mail: info@e-projectinternational.com


| Rev. | Date | Submittal |
|---|---|---|
| A1 | 11-17-2023 | Revision 1 1st Plan Review |

REGISTERED ARCHITECT
43178
EDWIN
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023


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**Plan 2100**

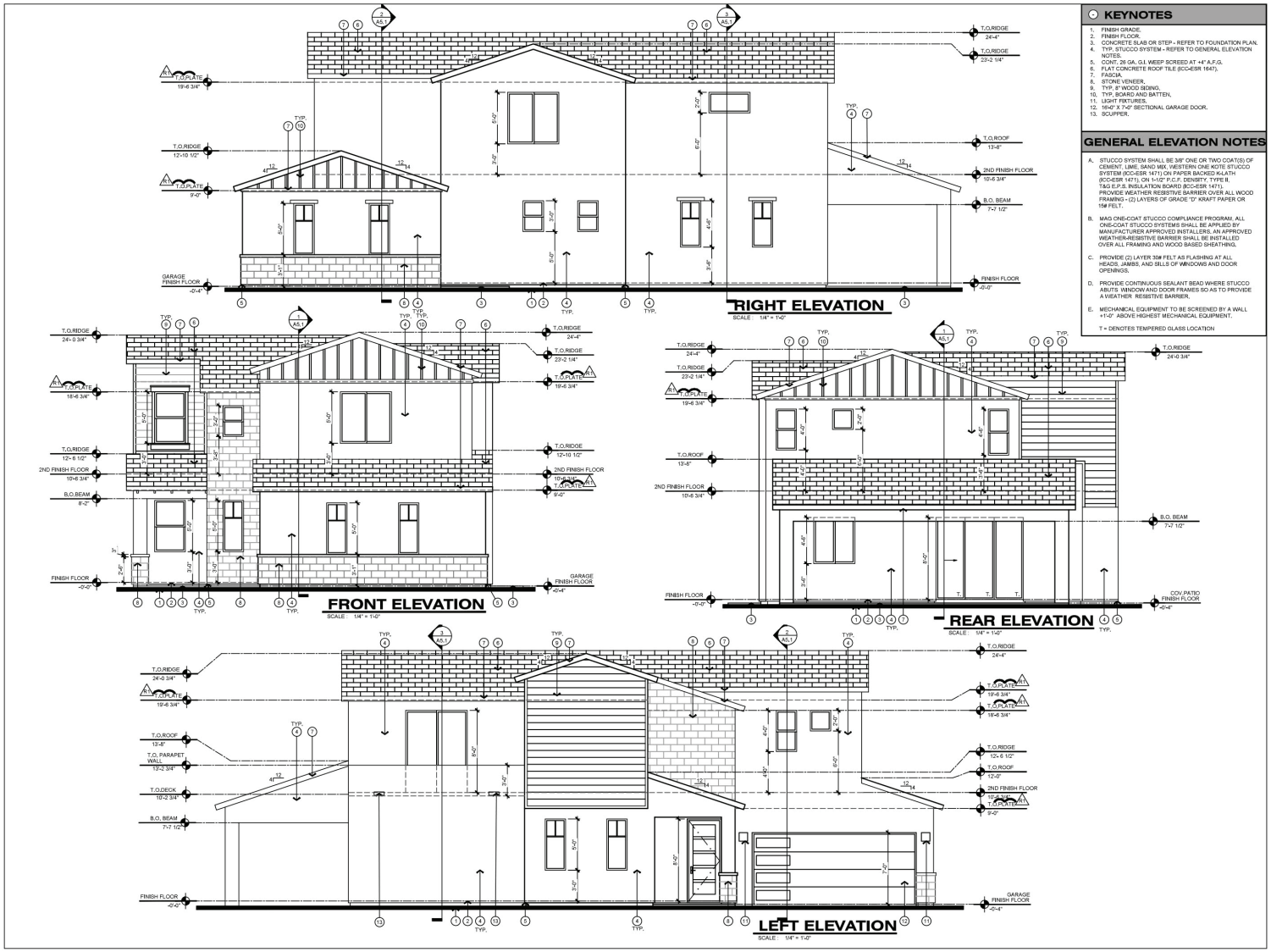
**Elevations**
**Modern Craftsman**

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | MM&KV |
| Checked By: | ED |
| Approved By: | ED |

Scale: 1/4"=1'-0"

A4.1

4300




## KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. FASCIA.
8. STONE VENEER.
9. TYP. 8" WOOD SIDING.
10. TYP. BOARD AND BATTEN.
11. LIGHT FIXTURES.
12. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
13. SCUPPER.

## GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

e project
6915 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/626-6648 fax: 480/359-4407
e-mail: info@eprojectinternational.com

| Rev. | Date | Submittal |
|---|---|---|
| R1 | 11-17-2023 | Revision 1<br>1st Plan Review |

REGISTERED ARCHITECT
43178
EDMIR
OZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023

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**Plan 2300**

# Elevations
# Modern Craftsman

| | |
|---|---|
| Date: | 11-17-2023 |
| Project No. | 0421-2 |
| Drawn By: | BJ&KN |
| Checked By: | ED |
| Approved By: | ED |
| Scale: | 1/4"=1'-0" |

A4.1

## PlanPHX 2025 Certainty & Character (pg. 90)

| | |
|---|---|
| **Land use** | New development and expansion or redevelopment of existing development in or near residential areas should be **compatible with existing uses and consistent with adopted plans**. |
| **Design** | Create new development or redevelopment that is **sensitive to the scale and character of the surrounding neighborhoods** and incorporates adequate development standards to prevent negative impact(s) on the residential properties. |
| **Design** | Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is **compatible in scale, design, and appearance**. |
| **Design** | Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village. |
| **Design** | Require appropriate transitions/buffers between neighborhoods and adjacent uses. |
| **Land use** | **Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.** |

# Contextualism matters. Our area plan matters.

City zoning is a one-size fits all across the valley.

Language in the General Plan and the Rio Montana Plan like, "***compatible in scale, design and appearance***", exist to protect communities from inappropriate development.

Just because someone can apply for something like bonus density doesn't mean it's right for that area.

**Developers should not be rewarded when they ignore the community or our area plan.**

## Opposition to zoning case Z-58-24-8

Jose Perea <jpe.landscaping@gmail.com>
Tue 9/10/2024 7:07 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Jose Angel Perea and I live at 8004 S 20th Ave, Phoenix, AZ 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Jose Angel Perea

# Opposition to Zoning case Z-58-24-8

julian galindo <julian.galindo64@gmail.com>
Tue 9/10/2024 5:26 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Julian Galindo and I live at 7808 S 20th Lane.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Sincerely,
Julian Galindo
602-413-7791

# Opposition to zoning case Z-58-24-8

Kara Moreu <kagiovan@hotmail.com>

Tue 9/10/2024 3:19 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:ISH326 <imoreu326@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Kara Moreu and I live at 7824 S. 20th Lane Phoenix, AZ 85041.

My husband, Ismael Moreu and I are opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Kara Moreu

## Rezoning case Z-58-24-8

Lisa Cullen <cullen_a_lisa@yahoo.com>

Tue 9/10/2024 4:07 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

To whom it may concern,

I am writing to express my concerns with the possibility of the construction in our neighborhood. We have lived in this neighborhood since 2011 and have loved the quiet, welcoming and safe area. We have built a community that not only knows each other but is aware of our surroundings and if anything is out of place. There are many children in this neighborhood that are able to comfortably play 'anywhere'.

Knowing that the possibility of construction for up to two years or more and the additional homes and traffic that will bring is going to be a huge safety issue. We have one entry point into our subdivision and that entry point has a "calming circle" which means cars will be flying down 20th Lane. The congestion entering and exiting baseline is also a safety hazard that will only get worse.

I don't see why it's such a hurry to develop in this location with it being such a small space. What's the benefit to you besides money. I know I can speak on the whole community that we ask that you see it from our point of view that this is not a good idea. Having an additional 20 homes with lots half the size of what's existing doesn't create a positive environment. I urge you to reconsider until the current property owner sells the other half of the property or allows for another option for entry into what you're trying to build.

A concerned neighbor, mother, advocate
/R
Lisa Cullen

Yahoo Mail: Search, Organize, Conquer [mail.onelink.me]

Date Sept 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

**I am ABSOLUTY 100% opposed to Z-58-24-8.**
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We could possibly support:
**A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.**

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Traffic- problems**

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**

- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

**Housing design- problems**

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

**Housing design- solutions**

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Eliminate 2-story homes, I like others on the south side of our community picked our lots for the wonderful views to South Mountain – putting 2-story homes anywhere destroys that completely!!**

There is also no information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!
This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.
**This MUST NOT HAPPEN!!**

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

# Opposition to Z-58-24-8

Melissa Sunia <joeysparents@msn.com>

Tue 9/10/2024 6:02 PM

To:Melissa Sunia <joeysparents@msn.com>
Cc:Samuel S Rogers <samuel.rogers@phoenix.gov>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

My name is Melissa Sunia and I live at 2022 West Branham Lane Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

R,
Melissa Sunia
Sent from my iPhone

# Opposition to Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>

Tue 9/10/2024 7:48 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (14 KB)

Opposition-letter2 _Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello 9.10.24.docx;

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

Good morning,

My name is Nicole Sordello, and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing again in strong opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you for your time and consideration,

Nicole Sordello

# OPPOSITION to Z-58-24-8

Selena Leon <selenanomas@gmail.com>

Tue 9/10/2024 2:17 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

> My name is Selena Leon and I live at 2009 W. Harwell Rd Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

# Opposition to Z-58-24-8 From 2009 W. Harwell Road

Jai Goudeau <jaigoudeau@gmail.com>

Tue 9/10/2024 2:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

To the SMVPC,

My name is Steven Hernandez, I live at 2009 W Harwell Rd. I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons. I would support:
- A maximum density of 16 houses to allow for more elements of Rio Montana criteria to be implemented.
- Limiting 2 story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you.

To SMVP,

My name is Susan Knight and I live at 7729 S 20th Ln.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we are not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning , the Phoenix General Plan, and the Rio Montana Plan.

We support A maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.

Limiting 2-Story homes to no more than 20% of the total.

inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau .

Thank you.

CITY OF PHOENIX

SEP 10 2024

Planning & Development Department

Outlook

## Application Z-58-24-8

**From** Gregg Holscher <gregg.holscher@gmail.com>
**Date** Wed 10/2/2024 8:56 PM
**To** Samuel S Rogers <samuel.rogers@phoenix.gov>

**CAUTION: This email originated outside of the City of Phoenix.**
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Report Suspicious

HI Samuel:

I'm writing to you today to express my feelings about the zoning change from 4 to 20 per acre density, for a new subdivision 710 feet west of the northwest corner of 20th Ave & South Mountain.

I strongly oppose this zoning change!

The developer has not provided any plans for what will be on the site with the new zoning. Previously, they provided illustrations of homes and the layout of the lots on the property. The developer should be required to submit the same type of information.

Secondly, this is not compatible with the Wyndham Square subdivision. This will create substantial traffic through the subdivision. It will worsen egress at 20 Dr and Baseline, the only way in or out.

This is not an appropriate zoning change for this area. Please reject it.

Gregg Holscher

---

*Gregg Holscher*
*2021 W Maldonado Rd*
*Phoenix, AZ 85041*
*Mobile: 602 903 9600*

# ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
October 10, 2024

| | |
|---|---|
| ITEM NO: 6 | |
| | DISTRICT NO.: 8 |
| SUBJECT: | |
| | |
| Application #: | Z-58-24-8 (Continued from September 5, 2024) |
| Location: | Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue |
| From: | S-1 |
| To: | R1-10 |
| Acreage: | 4.54 |
| Proposal: | Single-family residential |
| Applicant: | John Fox |
| Owner: | Dorothy M. Hallock |
| Representative: | John Fox |

**ACTIONS:**

Staff Recommendation: Approval, subject to stipulations (per the staff memo dated October 7, 2024).

Village Planning Committee (VPC) Recommendation:
**South Mountain** 7/9/2024 Continuance to August 13, 2024. Vote: 11-3.
**South Mountain** 8/13/2024 Continuance to September 10, 2024. Vote 12-0.
**South Mountain** 9/10/2024 Approval, per the staff recommendation, with additional stipulations. Vote: 7-5.

Planning Commission Recommendation: Approval, per the staff memo dated October 7, 2024 with a modification.

Motion Discussion:

Commissioner Matthews proposed a stipulation that would restrict two story homes in the proposed development to the southern half of the subject site, and asked staff for guidance on how to phrase that stipulation to be location specific.

Ms. Escolar stated that could be stipulated in a variety of ways. Stipulation No. 19 limits building height and can be modified to limit where the two-story homes are located.

Motion details: Vice-Chairperson Busching made a MOTION to approve Z-58-24-8, per the staff memo dated October 7, 2024, with a modification to Stipulation No. 19 to add language that would state that two-story lots shall be south of lots 5 and 15, as shown on the site plan date stamped September 5, 2024.

Maker: Vice-Chairperson Busching
Second: Hu
Vote: 7-2 (Gorraiz, Matthews)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation, the Rio Montaña Area Plan, and with the character of the surrounding area.

2. The requested R1-10 zoning district is consistent with surrounding zoning and development patterns in the general area.

3. The proposal will offer additional housing options within the area, contributing to the mix of housing types in the vicinity, and aiding in alleviating the housing shortage in Phoenix.

Stipulations:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. All streets within and adjacent to the development shall be constructed 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

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

16. Prior to final 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 DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.

18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF 60 FEET EACH AND AT A DEPTH OF AT LEAST 6 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. **TWO-STORY LOTS SHALL BE SOUTH OF LOTS 5 AND 15, AS SHOWN ON THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024.**

~~20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~

~~21.~~ 20. A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~22.~~ 21. BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~23.~~ 22. ALL STREET-FACING GARAGE DOORS LENGTHS SHALL BE LESS THAN 50% OF THE TOTAL WIDTH OF THE FAÇADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~24.~~ 23. FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT

~~25.~~ 24. LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

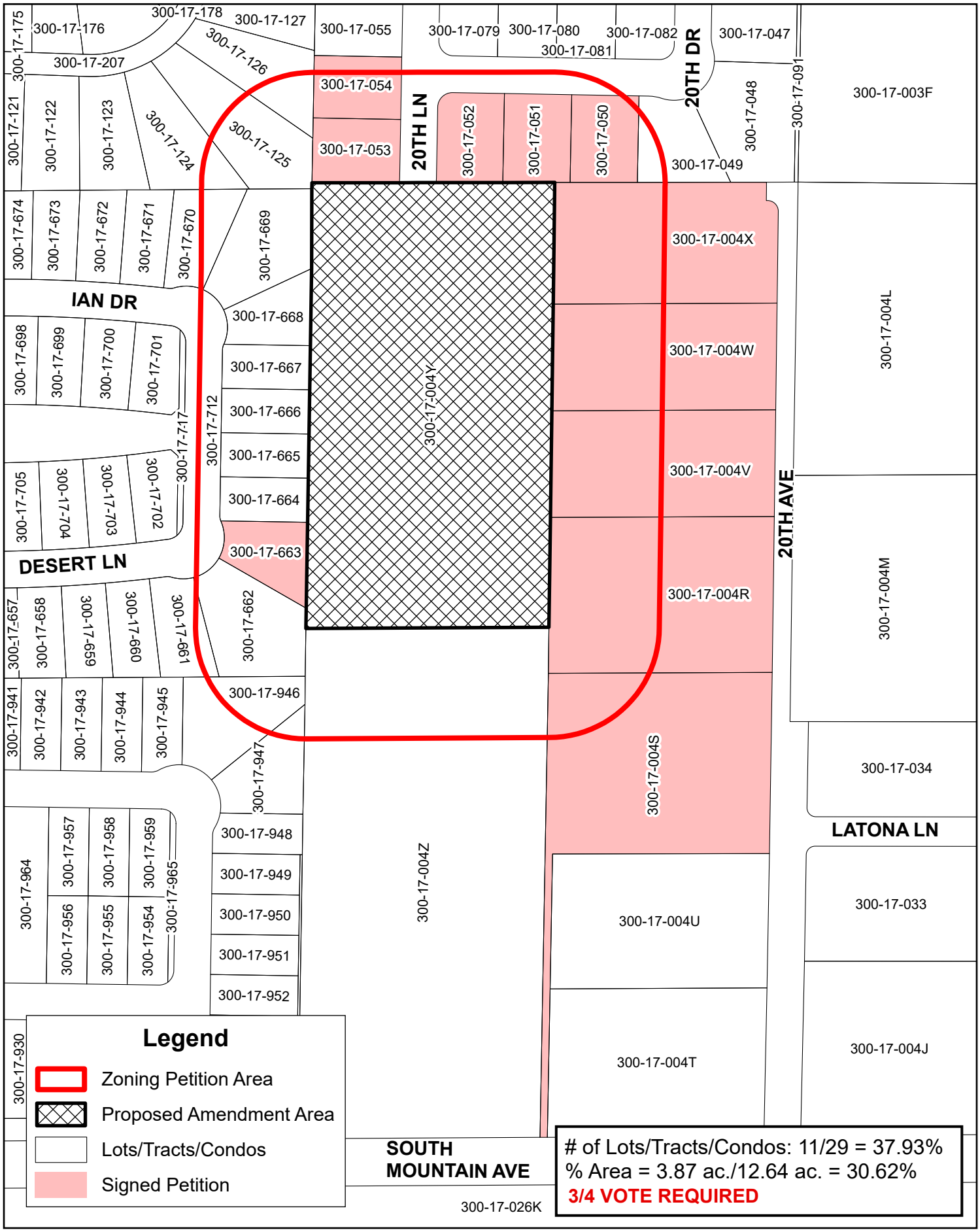
~~26.~~ 25. THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND WROUGHT IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~27.~~ 26. A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~28.~~ THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
27. SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

# ATTACHMENT F




S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Petitions\Z-58-24\Z-58-24_Three_Quarter_Vote_Map.aprx

## Petition Verification Map for Z-58-24-8

Map prepared by City of Phoenix, Planning & Development Services Dept. 10/1 4321

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

| | | | | | |
|---|---|---|---|---|---|
| **FORM TO REQUEST PC to CC**<br>**I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** | | | | | |
| **APPLICATION NO/ LOCATION** | **Z-58-24-8 (Continued from September 5, 2024)** Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue | ***(SIGNATURE ON ORIGINAL IN FILE)*** | | | |
| | | **opposition** | **x** | **applicant** | |
| **APPEALED FROM:** | PC 10/10/2024 | 2020 West South Mountain Avenue<br>Phoenix, AZ 85041 | | | |
| | *PC DATE* | *STREET/ADDRESS/CITY/STATE/ZIP* | | | |
| **TO PC/CC HEARING** | CC 11/13/2024 | **Jewel Clark, et al.**<br>480-664-9436<br>hjewelclark@fastmail.com | | | |
| | *CC DATE* | *NAME / PHONE / EMAIL* | | | |
| **REASON FOR REQUEST:**<br><br>**<u>Request for 3/4 vote</u>:**<br><br>Application is opposed for density, traffic, and flood concerns. | | | | | |
| **RECEIVED BY:** | Dom Amodio | **RECEIVED ON:** | | Tuesday, 10/15/2024 | |

Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Adam Stranieri
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Daniel Inglese (Attorney)
GIS
Byron Easton (for PHO appeals only)
Village Planner
Applicant

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

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**FORM TO REQUEST CITY COUNCIL HEARING**

**I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:**

Z-58-24-8
APPLICATION NO.

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
LOCATION OF APPLICATION SITE

10/10/24
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

H. Jewel Clark
PRINTED NAME OF PERSON APPEALING

H. Jewel Clark
SIGNATURE

2020 W. South Mtn. Ave.
STREET ADDRESS

10/11/24
DATE OF SIGNATURE

Phx AZ 85041
CITY, STATE & ZIP CODE

480.664.9436
TELEPHONE NO.

hjewelclark@fastmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed for density, traffic & flood concerns.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

**City of Phoenix**

PLANNING AND DEVELOPMENT DEPARTMENT

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Josi A. Perea
PRINTED NAME OF PERSON APPEALING

Josi A. Perea
SIGNATURE

8004 S. 20th Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix AZ 85041
CITY, STATE & ZIP CODE

602 323 6623
TELEPHONE NO.

JPe.Landscaping@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

---

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

# City of Phoenix

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DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Miguel Rubio
PRINTED NAME OF PERSON APPEALING

Miguel Rubio
SIGNATURE

8020 South 20th Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix, Az 85041
CITY, STATE & ZIP CODE

602 366 9334
TELEPHONE NO.

RB-Contracting LLC@Outlook.com
EMAIL ADDRESS

REASON FOR REQUEST:

Traffic and flooding concerns.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

# City of Phoenix

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PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Stephanie A. Bell
PRINTED NAME OF PERSON APPEALING

SIGNATURE

8020 S. 20th Ave
STREET ADDRESS

10-12-24
DATE OF SIGNATURE

Phx AZ 85041
CITY, STATE & ZIP CODE

602-435-7299
TELEPHONE NO.

Stephrubio23@hotmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Traffic, Flooding Conserns, Crowding, views

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

STEVEN HERNANDEZ
PRINTED NAME OF PERSON APPEALING

SIGNATURE

20021 W HADWELL RD
STREET ADDRESS

10 · 12 · 2024
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

480. 489 · 0084
TELEPHONE NO.

SJ-HERNANDEZ@HOTMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

TRAFFIC & FLOODING CONCERNS. OVERCROWDING.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

FunYung Mon
PRINTED NAME OF PERSON APPEALING

FY Mon
SIGNATURE

8115 S. 21st Drive
STREET ADDRESS

10-12-2024
DATE OF SIGNATURE

Phoenix, AZ. 85041
CITY, STATE & ZIP CODE

602-526-2762
TELEPHONE NO.

FYM2429@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed to too many houses to build. Eighteen houses are still too many 4328.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

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(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Jai Goudeau
PRINTED NAME OF PERSON APPEALING

Jai Goudeau
SIGNATURE

2013 W. HARWELL ROAD
STREET ADDRESS

10-12-24
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

602-460-5535
TELEPHONE NO.

Jai.Goudeau@GMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

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(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Carlos Carbajal
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2017 W. Harwell Rd
STREET ADDRESS

12-Oct-2024
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

480-326-1981
TELEPHONE NO.

Carbajal17@hotmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed for density, traffic & flood concerns

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

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---

**FORM TO REQUEST CITY COUNCIL HEARING**

**I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:**

Z-58-24-8
APPLICATION NO.

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
LOCATION OF APPLICATION SITE

10/10/24
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

James Betterment
PRINTED NAME OF PERSON APPEALING

James Betterment
SIGNATURE

8008 S 20th Ave
STREET ADDRESS

10/14/2024
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

623 202 2297
TELEPHONE NO.

jamesbetterment@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

We're opposing this application. The housing plan is too dense and doesn't fit the surrounding common

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **October 10, 2024** 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. **October 17, 2024**.

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DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Nicole Sordello
PRINTED NAME OF PERSON APPEALING

SIGNATURE

8008 S. 20th Ave
STREET ADDRESS

10/14/2024
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

408-313-4482
TELEPHONE NO.

nickisordello@yahoo.com
EMAIL ADDRESS

REASON FOR REQUEST:

We're opposing this application. The housing plan is too dense and doesn't fit the surrounding community.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

4332

**City of Phoenix**
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

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LOCATION OF APPLICATION SITE

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DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Michael Josic
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2020 W. South Mountain Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix AZ 85041
CITY, STATE & ZIP CODE

480-987-6644
TELEPHONE NO.

mikejosic@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Opposed to density greater than 3.5/Ac. and not following the Rio Montana Plan.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

4333

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

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☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

Renee Carrillo
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2029 W. Harwell Rd
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phx AZ 85041
CITY, STATE & ZIP CODE

602.361.6869
TELEPHONE NO.

lovemiaren@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

traffic & flooding Concerns

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

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☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

**BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:**

KARA MORELL
PRINTED NAME OF PERSON APPEALING

Kara Morell
SIGNATURE

7824 S 20TH LN
STREET ADDRESS

10/15/24
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

(602) 214-5459
TELEPHONE NO.

KAGVION@HOTMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
REZONING APPLICATION **#Z-58-24-8**
Request: **S-1 to R1-10**
Location: **Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue.**

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, opposing the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

| Date | SIGNATURE | Print Name | ADDRESS | APN |
|---|---|---|---|---|
| 10-12-24 | | Funyung Mon | 8115 S 21ST DR PHOENIX 85041 | 300-17-663 |
| | | Kara Anne Moreu | 7824 S 20TH LN PHOENIX 85041 | 300-17-054 |
| 10-12-2024 | | Carlos Carbajal | 2017 W HARWELL RD PHOENIX 85041 | 300-17-052 |
| 10-12-24 | | Jai Goudeau | 2013 W HARWELL RD PHOENIX 85041 | 300-17-051 |
| 10/12/24 | | Amelia Goudeau | 2013 W HARWELL RD PHOENIX 85041 | 300-17-051 |
| 10.12.24 | | Steven Hernandez | 2009 W HARWELL RD PHOENIX 85041 | 300-17-050 |
| 10/12/24 | | Renee Carrillo | 2009 W HARWELL RD PHOENIX 85041 | 300-17-050 |
| 10/12/24 | | Jose Perea | 8004 S 20TH AVE PHOENIX 85041 | 300-17-004X |
| | | Elvia Guevara | 8004 S 20TH AVE PHOENIX 85041 | 300-17-004X |
| 10/14/24 | | James Betterment | 8008 S 20TH AVE PHOENIX 85041 | 300-17-004W |
| 10/14/24 | | Nicole Sordello | 8008 S 20TH AVE PHOENIX 85041 | 300-17-004W |
| 10/12/24 | | Miguel Rubio | 8020 S 20TH AVE PHOENIX 85041 | 300-17-004R |
| 10-12-24 | | Stephanie Bell | 8020 S 20TH AVE PHOENIX 85041 | 300-17-004R |
| 10/12/24 | | Michael Josic | 2020 W SOUTH MOUNTAIN AVE PHOENIX 85041 | 300-17-004S |
| 10/12/24 | | Helen Jewel Clark | 2020 W SOUTH MOUNTAIN AVE PHOENIX 85041 | 300-17-004S |

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
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Request: **S-1 to R1-10**
Location: **Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue.**

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| Date | SIGNATURE | Print Name | ADDRESS | APN |
|---|---|---|---|---|
| 10/15 | | Kara Anne Moreu | 7824 S 20TH LN PHOENIX 85041 | 300-17-054 |

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
REZONING APPLICATION **#Z-58-24-8**
Request: **S-1 to R1-10**
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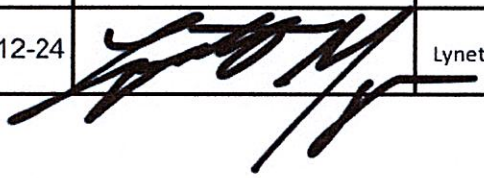
| Date | SIGNATURE | Print Name | ADDRESS | APN |
|---|---|---|---|---|
| 10-12-24 |  | Lynette M Myers | 7828 S 20TH LN PHOENIX 85041 | 300-17-053 |

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
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| Date | SIGNATURE | Print Name | ADDRESS | APN |
|---|---|---|---|---|
| 10/14/24 |  | James Betterment | 8008 S 20TH AVE PHOENIX 85041 | 300-17-004W |
| 10/14/2024 |  | Nicole Sordello | 8008 S 20TH AVE PHOENIX 85041 | 300-17-004W |

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
REZONING APPLICATION **#Z-58-24-8**
Request: **S-1 to R1-10**
Location: **Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue.**

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| Date | SIGNATURE | Print Name | ADDRESS | APN |
|---|---|---|---|---|
| 10/15/2024 | Ravinder K Sharma | Snigdha Ravinder Sharma Family Trust | 8012 S 20TH AVE PHOENIX 85041 | 300-17-004V |
| 10/15/24 | | Snigdha Ravinder Sharma Family Trust | 8012 S 20TH AVE PHOENIX 85041 | 300-17-004V |

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
**APPLICATION NO: APZ-35-24**

**PROPERTY LOCATION**: Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
**PROPOSED USE:** Single-family residential

**LEGAL DESCRIPTION**:

**TO BE CHANGED:**
**FROM:** S-1
**TO:** R1-10

**Ordinance #:**
**Ordinance Date:**
**CASE TYPE:** Rezoning
**DSD #:** 2/27/24
**CASE STATUS: Received**

**GROSS ACREAGE:** 4.54
**VILLAGE:** South Mountain
**COUNCIL DISTRICT:** 8

**DATE FILED:** 10/15/2024

**Contact Information**

| Name | | Address | Phone | Fax | Email |
|---|---|---|---|---|---|
| Jewel Clark | Applicant | 2020 West South Mountain Avenue | 4806649436 | | hjewelclark@fastmail.com |

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at https://www.phoenix.gov/pdd/licensing-time-frames

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

SIGNATURE: Jewel Clark DATE: 10/15/24

POST APPLICATION MEETING DATE: PM

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
**APPLICATION NO: Z-58-24-8**

**PROPERTY LOCATION**: Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
**PROPOSED USE:** Single-family residential

**LEGAL DESCRIPTION**:

**TO BE CHANGED:**
**FROM:** S-1
**TO:** R1-10

**Ordinance #:**
**CASE TYPE:** Rezoning
**Ordinance Date:**
**DSD #:**
February 27, 2024
**CASE STATUS: Under Appeal**

**GROSS ACREAGE:** 4.54
**VILLAGE: South Mountain**
**COUNCIL DISTRICT: 8**

**DATE FILED:** 04/23/2024

**ZONING MAP:**
D7
**Q.S. MAP:**
Q01-24
**APN**
300-17-004Y

**Contact Information**

| Name | | Address | Phone | Fax | Email |
|---|---|---|---|---|---|
| John Fox | Applicant | 428 East Thunderbird Road | 602-573-2895 | | wscing@cox.net |
| Dorothy M. Hallock | Owner | 2050 West South Mountain Avenue, Phoenix AZ. 85041 | | | |
| John Fox | Representative | 248 East Thunderbird Road, Suite 234, Phoenix AZ. 85022 | | | |
| Jewel Clark | Appellant | 2020 West South Mountain Avenue Phoenix AZ 85041 | 4806649436 | | hjewelclark@fastmail.com |

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I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

SIGNATURE: /s/ Jewel Clark DATE: 10/15/24

POST APPLICATION MEETING DATE: 05/28/2024 3:00 PM

**Fee Information**

| Fee | Fee Waived | Fee Date | Purpose |
|---|---|---|---|
| 2,190.00 | $0.0 | 04/23/2024 | |

# ATTACHMENT G

**From:** CESAR TRUJILLO <ctrujillo15@ymail.com>
**Sent:** Friday, October 4, 2024 12:30 AM
**To:** PDD Planning Commission
**Subject:** Opposition letter

**CAUTION: This email originated outside of the City of Phoenix.**

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully, Cesar Trujillo
Sent from my iPhone

**From:** D. Fong <dpfong@hotmail.com>
**Sent:** Sunday, October 6, 2024 1:11 PM
**To:** PDD Planning Commission
**Subject:** Rezoning Case Z-58-24-8

**CAUTION: This email originated outside of the City of Phoenix.**

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the Phoenix Planning Commission,

My name is David Fong and I live at 2004 W. Harwell Rd. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

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Respectfully,
David Fong

**From:** Dawn Smith <dawn.smith2@hotmail.com>
**Sent:** Monday, October 7, 2024 9:01 AM
**To:** PDD Planning Commission
**Cc:** Michelle Teodoro; Jaigoudeau@gmail.com
**Subject:** Opposition rezoning Letter case Z-58-24-8

**Importance:** High

**CAUTION: This email originated outside of the City of Phoenix.**

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Report Suspicious

To the Phoenix Planning Commission,

My name is Dawn Smith and I live at 7816 S 20th Ln Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic were entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully, Dawn Smith

**From:** Fy M <fym2429@gmail.com>
**Sent:** Monday, October 7, 2024 6:38 PM
**To:** PDD Planning Commission
**Subject:** Oppose rezoning case Z-58-24-8.

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Report Suspicious

To the Phoenix Planning Commission,

My name is Funyung Mon and I live at 8115 S 21st Drive, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

Funyung Mon

**From:** Mike Josic <mikejosic@gmail.com>
**Sent:** Tuesday, October 8, 2024 2:07 PM
**To:** PDD Planning Commission
**Subject:** Rezoning case Z-58-24-8.
**Attachments:** Opposition letter Z-58-24-8 October 2024.docx

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Report Suspicious

To the Phoenix Planning Commission,

My name is Mike Josic and I live at 2020 W. South Mountain Ave. Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Mike Josic

**From:** Niki Key <nkey30@gmail.com>
**Sent:** Wednesday, October 9, 2024 8:07 PM
**To:** PDD Planning Commission
**Subject:** Opposition to Z-58-24-8

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Dear Phoenix Planning Commission,

Our names are David and Niki Key and we live at 2006 W Branham Lane Phoenix, AZ 85041. We purchased our home in the Wyndham Square Community to become part of a small community with one way in and one way out. We purchased a home within our means that was safe to raise our children in. We checked the area and specifically the neighborhood that existed just to the south of us and saw that at some point it may cut through our neighborhood. The way it is zoned now we would not have the number of people coming and going through our community as Mr. Fox is proposing. We never even considered that someone could go in and rezone that property for multiple homes. We have lived in Phoenix our entire lives and feel someone like Mr. Fox who has no vested interest in Phoenix as his community doesn't really care about us and how much money each of us has invested in our properties. He's a developer coming from Scottsdale changing our community and moving on to the next investment property without considering the problems he's leaving behind. At several of these public meetings we have attended, Mr. Fox has referred the people that live in our community as "those people". He has been very rude and not kind to us. We work hard for what we have and we don't think Mr. Fox has respect for any of us. Please consider the 50 plus families that are being inconvenienced when the person selling the property could easily just grant Mr. Fox an easement to South Mountain Ave. Then the plan would not have to cut through our development. One person could be inconvenienced rather than 50+ households. Unfortunately, due to previous commitments we are unable to attend tomorrow's meeting, but wanted to ensure you have our opinion on the matter.

We are opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the

neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
David and Niki Key

**From:** Jai Goudeau <jaigoudeau@gmail.com>
**Sent:** Wednesday, October 9, 2024 7:40 PM
**To:** PDD Planning Commission
**Subject:** Opposition to Z-58-24-8

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**My name is Jai Goudeau, and I live at 2013 W. Harwell Road, Phoenix, AZ 85041.** My home is located directly against the northern edge of the proposed development, just east of 20th Lane. I am writing to express my opposition to the rezoning case for the following reasons:

**1. Impact on Neighborhood Traffic and Access:** The development is being planned without adequate consideration for the current 20-year-old neighborhood that will be significantly impacted. Specifically, the developer has not explored using an access easement through the property owner's remaining 5 acres, which could serve as access to the development. Instead, the proposal uses the Wyndham Square Neighborhood as the sole access point. This will impose a heavy burden on our community, as there is currently only one ingress/egress road into and out of the neighborhood.

This road is adjacent to a major commercial shopping center driveway, which already experiences high levels of consumer traffic. The businesses in this area include Starbucks, Lowe's, Goodwill, Wells Fargo Bank, UPS, Burger King, CVS, and others. Adding additional traffic from construction and the eventual new homes is not only unfair but also unsafe. The community would bear the brunt of this increased traffic, while the property owner stands to profit without addressing the long-term consequences.

**2. Lack of Comprehensive Traffic Study:** There has not been a thorough traffic study conducted that accurately reflects the traffic conditions and issues. The developer submitted a traffic statement that does not capture the reality of the impact on our streets. A full traffic study is essential before any decisions are made, as the current analysis fails to represent the true extent of the problem.

**3. Incompatible Density with Surrounding Areas:** The proposed development is not "sensitive to the scale and character of the surrounding neighborhoods." It is bordered by S-1 zoned homes to the east and south (with the southern property currently functioning as a horse farm) and R1-10 neighborhoods to the north and west, which have a maximum density of 3.27 dwelling units per acre (DU/AC). In contrast, the proposed development would have a density of 4.1 DU/AC, which is incompatible with the established low-density neighborhoods surrounding it. This increase in density is not appropriate and disrupts the character of our community.

**4. Flooding Concerns:** There is a history of flooding in the area, including the property in question and the surrounding homes. The elevation differences cause water to permeate the soil and flood the yards

of houses on the northern end of the proposed development. While it was initially suggested that a retention barrier be buried between the development and the existing homes to address this issue, the current stipulations incorrectly describe this as a retaining wall. This error needs to be clarified, and the appropriate flood prevention measures should be included in the plan.

**5. Developer's Misrepresentation of Previous Developments:** The developer has claimed that they are being treated unfairly by having to incorporate the Rio Montana plan and argued that other developments did not follow the same guidelines. However, the developments used as examples were zoned at higher densities (R-6) and did not face the same access limitations as Wyndham Square. The comparison is misleading, and the developer should not be exempt from meeting the appropriate standards for this specific area.

**6. Preservation of Neighborhood Character:** This development, as currently proposed, fails to "protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance." The proposed density and access plans do not meet these basic requirements and will degrade the quality of life in our community. The plan should not proceed in its current form.

**Conclusion:** For the reasons outlined above, I urge the Phoenix Planning Commission to reject the proposed rezoning or, at the very least, require the developer to address these significant concerns before moving forward. A more thoughtful, balanced approach that prioritizes the well-being of the current residents is essential.

Thank you for your time and consideration.

Sincerely,
Jai Goudeau
2013 W. Harwell Road
Phoenix, AZ 85041

**From:** H. Jewel Clark <hjewelclark@fastmail.com>
**Sent:** Wednesday, October 9, 2024 8:25 PM
**To:** PDD Planning Commission
**Subject:** Opposition to case Z-58-24-8

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To the Planning Commission,

My name is Jewel Clark and our house is at 2020 W. South Mountain Ave., Phx, AZ 85041. We are just half a lot south of the proposed development on the east side. I am opposed to the rezoning case Z-58-24-8 that you will hear on Oct. 10, 2024.

While I am very, very grateful for the hard work of the SMVPC, esp. the members who volunteered their time trying to help facilitate, as neutral parties, negotiations with Mr. Fox, and for the additional stipulations the SMVPC put into the application which are beneficial improvements, I remain opposed to Mr. Fox's plan for multiple reasons.

**Compatibility**
The density of the proposed plan is simply incompatible with the surrounding communities, half of which are S-1 with established homes on acre+ lots, which are not getting redeveloped into anything denser, and low density R1-10 (3.23 and 2.98) to the north and west that have been there over 20 years. The Phoenix General Plan and the Rio Montana Area Plan, which this area governs, both state that new development should be sensitive to the existing neighborhoods and preserve "certainty & character." The city codes for design review speak to contextualism to the surrounding environment. This development is more dense than any surrounding R1-10 single family communities in the area, even those that have been recently approved within the last few years and there is still active agriculture and S-1 established homes throughout, indicating that a lower density development is still appropriate.

**Flooding**
There are unknown flood mitigation issues for residents on all sides. The area is prone to flooding due to runoff from South Mountain Park. The residents of Wyndham Square experience street flooding from the runoff that doesn't get absorbed by the land currently being proposed for development. Every lot in Wyndham Square was designed with on-lot retention. Each lot is approximately 10,000 sq ft or more and the homes take up approx. 40% of the lot as designed which allows for additional open land to absorb rain. The S-1 properties have enough open space to absorb most of the runoff which comes down 19th Ave and banks to the northwest across our properties and the proposed development parcel behind us but if there were block walls with houses there, we don't know what would happen to our properties or those new homes Mr. Fox's proposal would have 50 to 60% of each lot filled with the house footprint and no on-lot retention. He has proposed 3 retention basins calculated, he says, to whatever the city says he should do, but this area has historically been affected by under spec'd flood plans and despite numerous requests to see his data or talk to his engineer, the neighborhood has received no assurance that a development won't make issues worse. A comprehensive flood study should be performed to ensure the current mitigation plans for this development are sufficient.

**Traffic**
Traffic is an issue that most impacts the Wyndham Square neighborhood to the north. Their 52-home community, built in 2003, is the only in/out onto Baseline Rd. for this proposed development. Their entrance is just west of the busy intersection of 19th Ave. and Baseline and directly across from one of the entrances to a large shopping center, including a Starbucks which uses that access point in particular. The residents already report extreme difficulty entering and exiting their neighborhood and the addition of 18 houses, generating an ITE (Institute of Traffic Engineers) estimate of approx. 10 trips per day per home will dramatically exacerbate the problem. The traffic statement Mr. Fox submitted only accounted for 1 hour of peak time for morning and night using publicly "Google-able" ITE data for attached family housing. This far under-represents the actual traffic impact. A comprehensive traffic study should be conducted.

While the planning department has reserved an easement on the south end for a punch through to W. South Mountain Ave. when the southern property of approx. 5 acres sells this punch through is only enforceable if the property sells to be developed. There is no guarantee that anyone who buys that property will actually develop it. It is currently a working horse farm and the current owner, who is our neighbor and a good friend, has no current plans to leave and the property is well-positioned to sell to someone who would continue to use it for raising horses. This leaves the residents of Wyndham Square indefinitely burdened with an already untenable traffic problem.

It seems premature to develop this parcel but if development has to happen now, lowering the density to no more than 16 houses to reduce the traffic impact and create more open space, along with the stipulations approved by the SMVPC, would be more bearable. Would I be thrilled? No. Would anyone in the neighborhood be thrilled? Probably not. A maximum of 10 houses (R1-18) would be more in keeping with a transitional density between S-1 and R1-10, but at least 16 houses is in keeping with other recently approved R1-10 and so maintains a standard for the area. It would also allow for more Rio Montana design elements to be implemented.

I would personally also like to see additional heat mitigation like pavers instead of concrete and deep overhangs and porches on all east/west facades along with more robust construction like under-roof insulation, blown-in insulation and a higher R factor requirement all around. Climate change is here and it's too late to stop it. We might as well build to make our homes as tolerable as possible.

This community cares about what gets built here. My husband and I have owned our property since 2009, and since 2018, we have been involved in numerous negotiations with developers who wanted to build in our area. Mr. Fox's application is the thinnest, least developed of any application I have seen so far. This community wants to be involved and see a holistic plan we can support. We are uniquely positioned to advise on what *should* go into the neighborhood based on our experience and genuine desire to create positive impact for the area rather than what *can* go into the neighborhood as long as the broker checks all the right boxes. This plan still needs work and it needs community support. It is not ready to move forward. Thank you for your time and consideration.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041
480.664.9436

--
H. Jewel Clark
hjewelclark@fastmail.com

CITY OF PHOENIX

OCT 09 2024

Planning & Development Department

To the Phoenix Planning Commission,

My name is ___Joseph Hernandez_____ and I live at __7706 S 20th DR, PHX AZ 85041_____. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Finally, Mr. Fox nor anyone concerning this development plan has indicated any responsibility for damages occurring the development if the property should go forward. Heavy equipment will have a difficult time maneuvering daily. Also he has not indicated how our streets will be kept clean during the rainy season, when trucks are trekking through the neighborhood. Opening the south end off of South Mountain Road is ideal if and when the property owners are prepared to sell... But Keep Wyndham Square Alone!

The committee should spend a morning here, and see the amount of traffic on baseline, and also rush hour.

School Busses will make our children late everyday when residents, construction and other vehicles clog up 20th Dr. We haven't even talked about the new construction on 19th Ave and Baseline!

Respectfully,

Joseph Hernandez

**From:** LM <directbridge@yahoo.com>
**Sent:** Wednesday, October 9, 2024 5:26 PM
**To:** PDD Planning Commission
**Cc:** Jai Goudeau; Michelle Teodoro
**Subject:** Opposition to Z-58-24-8 - October 2024
**Attachments:** Opposition letter Z58248_LM_Oct 9, 2024.pdf; Opposition letter Z58248_LM_Sept 9, 2024.pdf; Opposition letter Z58248_LM July 2024.pdf

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Please see the attached letters
I AM STILL 100% OPPED TO THIS DEVELOPMENT
NO REAL CONSIDERATION HAS BEEN PROPERLY GIVEN TO US THE HOME OWNERS & OUT ENTIRE COMMUNITY HAS ONLY BEEN TREATED AS AN AFTER THOUGHT

**L Myers**
7828 S 20th Lane, Phoenix, AZ 85041

Date Oct 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

**I am ABSOLUTY 100% opposed to the rezoning case Z-58-24-8.**

The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan.
The traffic statement alone submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, which will in facet bear the sole burden of increased traffic. My home that sits at the end of our neighborhood in cul-de-sac on 20th Lane, I am drastically affected by all of this.

Entering and exiting the neighborhood onto Baseline is already extremely hazardous. There are accidents at the entrance area to our neighborhood regularly.

Additionally after repeated requests, Mr. Fox has never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We could possibly support:
**A maximum density of 16 single story houses, to allow for more elements of the RIo Montana criteria to be implemented.**

Even at 16 house it is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods.

We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Plus there is still no tangible information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

**This MUST NOT HAPPEN!!**

Respectfully,

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

Date Sept 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

**I am ABSOLUTY 100% opposed to Z-58-24-8.**
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We could possibly support:
**A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.**

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Traffic- problems**

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**

- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

**Housing design- problems**

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

**Housing design- solutions**

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Eliminate 2-story homes, I like others on the south side of our community picked our lots for the wonderful views to South Mountain – putting 2-story homes anywhere destroys that completely!!**

There is also no information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!
This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.
**This MUST NOT HAPPEN!!**

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

July 2024

My name is Lynnette Myers and I live at 7828 S. 20th Lane, Phoenix, AZ 85041-7716 I am writing in stern opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

**I am absolutely opposed to multiple issues with this proposed development.**

**Density- problems**

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

**Density- solutions**

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

**Traffic- problems**

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**
- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

**Traffic- solutions**

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- **Traffic impact study and recommendations stipulated before any approvals for rezoning/development.**

**Housing design- problems**

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

**Housing design- solutions**

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

**Heat island/climate, trees/shade- problems**

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

**Heat island/climate, trees/shade - solutions**

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

**Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC**.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see

what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

**He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not in anyway move forward**.

**ADDITIONAL PERSONAL PERSPECTIVES & CONCERNS**

**I absolutely have major concern about this matter since my home will be impacted the most!!!**

The existing pasture that is undeveloped land to the south of our subdivision has been this way since prior to our subdivision was build back in 2003. This pasture was absolutely influential in my dissension and others to purchase in Wydham Sq in the first place. We were all looking for a small quite neighborhood where we could live and actually know our neighbors. My choice in which lot I purchased was 100% influenced by the undeveloped land and all the good that comes from that and the views that I enjoy daily to the south mountains.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

**This MUST NOT HAPPEN!!**

I have always pushed for our community to become a gated community and I thing that matter needs to be on the table again regardless of the rezoning and proposed development to the south of us. IF somehow this matter moves forward despite our entire neighborhood that are 100% opposed then I believe it should become mandatory that our community have entrance gates installed to help keep us all safe!!

Respectfully,
Lynnette Myers
7828 S. 20th Lane, Phoenix, AZ 85041-7716

**From:** PDD Planning Commission
**Subject:** FW: Regarding Agenda item #6, Z-58-24-8

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**From:** Mark Beehler <mmbeehler@gmail.com>
**Sent:** Wednesday, October 9, 2024 2:54 PM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Subject:** Regarding Agenda item #6, Z-58-24-8

Dear Members of the City of Phoenix Planning Commission,

I'd like to comment on Zoning Case Z-58-24-8 which appears as Agenda Item #6 in your upcoming meeting.

I am a member of the South Mountain Village Planning Committee and wanted to present the dissenting opinion of the SMVPC's narrow 7-5 approval of this case.

My first point concerns how the process seems to be interpreted in the SMVPC. This case faced considerable public opposition and we asked that the public meet with the developer to see if they could resolve their issues. They were unable to do so and the local homeowners reported that they felt the developer was not cooperative in their meetings. At our hearing we received 100% opposition to the approval of the case. Unfortunately it seems that my committee feels that when the public enters into negotiation with a developer they have informally agreed to binding arbitration and a negotiated compromise must be reached. Thus the SMVPC tends to approve the zoning because both parties participated in discussion even if no satisfaction was found. The public remained 100% in opposition and the end of our vote. This should not be the case and the public should not be penalized for participating in the prescribed process.

My second point is that this case represents bad development of a landlocked parcel with all of the benefit accruing to the landowner and all of the burden falling on the neighborhood and the city. Because this landowner is electing to only develop the back half of the approximately 10 acre parcel, they are unable to provide for the completion of S. 20th Lane connecting it to South Mountain Blvd. This connection is crucial to the traffic relief that the development of this land requires. In addition to the daily traffic caused by 18 new homes being added to the one entrance/egress onto Baseline Road once the development is complete, there will be a complete nightmare of traffic jams within the existing community caused by construction equipment unable to safely access the site and navigate the narrow entrance. It is unfair for the city to require the existing homeowners to accept this harm when there is no future benefit for them to be derived.

This 10 acre parcel should be developed as one whole when the traffic issue can be addressed, the development cost spread out over a larger number of home improving affordability, and a more cohesive design can be achieved. This site could be a great connector that brings this neighborhood together.

Please consider denying this zoning case so that a better fit can be found for the community in the future.

Respectfully,
Mark Beehler
South Mountain Village Planning Committee
842 E Buist Ave
Phoenix, AZ 85042

CITY OF PHOENIX

OCT 09 2024

Planning & Development
Department

To the Phoenix Planning Commission,

My name is Steven Hernandez and I live at @009 W. Harwell Rd. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

**From:** PDD Planning Commission
**Subject:** Opposition to Z-58-24-8

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**From:** Butch Box <butchbox@gmail.com>
**Sent:** Thursday, October 10, 2024 6:22 AM
**To:** PDD Planning Commission <pdd.planningcomm@phoenix.gov>
**Subject:** Opposition to Z-58-24-8

To the Phoenix Planning Commission,

My name is _____ and I live at _____. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

**From:** Candace McDonald-Ramsey <candacedramsey@gmail.com>
**Sent:** Thursday, October 10, 2024 4:24 PM
**To:** PDD Planning Commission
**Subject:** (Opposition to Z-58-24-8)

**CAUTION: This email originated outside of the City of Phoenix.**

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the Phoenix Planning Commission,

My name is Candace McDonald-Ramsey and I live at 2012 w. Harwell rd Phoenix,AZ. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Candace

CITY OF PHOENIX

OCT 10 2024

Planning & Development Department

To the Phoenix Planning Commission,

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montan plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sold burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods, We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

Ernest Coscarelli

**From:** ISH326 <imoreu326@gmail.com>
**Sent:** Thursday, October 10, 2024 3:10 PM
**To:** PDD Planning Commission
**Subject:** Opposition to Z-58-24-8

**CAUTION: This email originated outside of the City of Phoenix.**

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Report Suspicious

To the Phoenix Planning Commission,

My name is Ismael Moreu and I live at 7824 S 20th Lane, Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

Having lived in our home for 18 years I can attest to the fact that the impact on the traffic and safety of the current and potential future residents is not being taken into consideration by the current zoning plan. The plan by not providing another viable means of entry/exit into the subdivision puts undue risk and burden on the current community (including those outside our subdivision). To overlook this would be a detriment to the future viability of the entire subdivision. The addition traffic and congestion that would be added to Baseline Road needs additional consideration before any plans are approved.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations wit the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We

also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Ismael Moreu

**From:** als3363@gmail.com
**Sent:** Thursday, October 10, 2024 3:59 PM
**To:** PDD Planning Commission
**Subject:** Opposition to Zoning Z-58-24-8

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Report Suspicious

We are not opposed to the development of South Phoenix as we have lived here for most of our lives. At Wyndham Square we have found a great neighborhood and hoped to continue living in this peaceful and friendly community. We now feel this is threatened with the Z-58-24-8 project.
The sole burden of increased traffic will be on Wyndham Square increasing the already hazardous traffic trying to enter and exit on Baseline. We could be on board with the development if it had its own access on 19th Ave or South Mountain Ave.
We also request a comprehensive flood and traffic assessment before any rezoning development plans are approved.
Respectfully
Joe and Ana Serna
Sent from my iPhone

**From:** Melissa Sunia <joeysparents@msn.com>
**Sent:** Thursday, October 10, 2024 1:43 PM
**To:** PDD Planning Commission
**Cc:** Michelle Teodoro
**Subject:** Opposed - case Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Melissa Sunia and I live at 2022 West Branham Lane. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
John & Melissa Sunia
Sent from my iPhone

**From:** julian galindo <julian.galindo64@gmail.com>
**Sent:** Thursday, October 10, 2024 3:15 PM
**To:** PDD Planning Commission
**Subject:** Opposition Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission, My name is Julian Galindo and I live at 7808 S. 20th Lane. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes. We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved. Respectfully,

Julian Galindo
Principal Civil Engineer
602-413-7791

**From:** Kara Moreu <kagiovan@hotmail.com>
**Sent:** Thursday, October 10, 2024 2:55 PM
**To:** PDD Planning Commission
**Subject:** Opposition to Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Kara Moreu and I live at 7824 S 20th Lane, Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

The impact of the traffic congestion on Baseline as designed is a burden that is too grave to overlook. Most family in the subdivision including ours have been involved in accidents along Baseline as it is one of the most dangerous roads in Phoenix. The current plan will add hundreds more opportunities for incidents daily. This will have a trickle down effect as civil departments have to deal with these situations. It is in the best interest of the community and the potential homeowners to look out for their best interest and ensure their safety by opposing rezoning case Z-58-24-8.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Kara Moreu

CITY OF PHOENIX

OCT 10 2024

Planning & Development
Department

To the Phoenix Planning Commission,

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montan plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sold burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

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Respectfully,

Lori Coscarelli

**From:** M. Garcia <azattymo@aol.com>
**Sent:** Thursday, October 10, 2024 12:19 PM
**To:** PDD Planning Commission
**Subject:** Opposition to new project behind Wyndam Square

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Report Suspicious

Good afternoon,
I would like to have the committee note my opposition to the project being built behind the Wyndham Square community. This project will cause a traffic issue as well as overload the existing narrow roads in the community.

I have attended meetings and all governmental entities are not being mindful of a traffic study. The baseline is extremely congested, and the roads can not handle the current housing being built in the same area. The city should be concerned about how the constituents will get to work and community events if it permits more homes than roads to support the growth.

The developer is not acting in good faith in communication, but that is being ignored. Additionally, the homes are not affordable so an alternative roadway should be considered. Density is another issue that is being ignored. The planning communities are not being consistent with their prior density rulings.

With all of this strongly oppose the project

Monica Garcia
Lot 9 Wyndham

**From:** Selena Leon <selenanomas@gmail.com>
**Sent:** Thursday, October 10, 2024 9:02 AM
**To:** PDD Planning Commission
**Subject:** OPPOSITION to Z-25-24-8

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the Phoenix Planning Commission,

My name is Selena Leon and I live at 2009 W Harwell Rd, Phoenix AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

Selena M Leon

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Alan Stephenson
Deputy City Manager

**Date:** November 8, 2024

**From:** Joshua Bednarek
Planning and Development Director

**Subject:** CONTINUANCE OF ITEM 74 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-58-24-8 – APPROXIMATELY 710 FEET NORTH AND 305 FEET WEST OF THE NORTHWEST CORNER OF 20TH AVENUE AND SOUTH MOUNTAIN AVENUE (ORDINANCE G-7322)

Item 74, rezoning application Z-58-24-8 is a request to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

Staff has received correspondence from the applicant requesting a continuance to allow additional time to work with the area residents.

Staff recommends continuing this item to the January 15, 2025, City Council Formal meeting.

Approved:
Alan Stephenson
Deputy City Manager

**City of Phoenix**
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Alan Stephenson
Deputy City Manager

**Date:** November 13, 2024

**From:** Joshua Bednarek JB
Planning and Development Director

**Subject:** *REVISED CONTINUANCE OF ITEM 74 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-58-24-8 – APPROXIMATELY 710 FEET NORTH AND 305 FEET WEST OF THE NORTHWEST CORNER OF 20TH AVENUE AND SOUTH MOUNTAIN AVENUE (ORDINANCE G-7322)

Item 74, rezoning application Z-58-24-8 is a request to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

Staff has received correspondence from the applicant requesting a continuance to allow additional time to work with the area residents.

Staff recommends continuing this item to the December 4, 2024, City Council Formal meeting.

Approved: _____
Alan Stephenson
Deputy City Manager