

REVISED
November 4, 2025



City of Phoenix

Staff Report: PHO-4-25--Z-47-87-1(3)
October 30, 2025

APPLICATION #: PHO-4-25--Z-47-87-1(3)

LOCATION: Northeast corner of 32nd Street and Sunnyside Lane

EXISTING ZONING: R-O

ACREAGE: 1.12

REQUEST: Request to modify Stipulation 1 regarding general conformance to the site plan date stamped April 16, 1999 and the elevations date stamped May 18, 1999.

APPLICANT: Lee Wright, Metronet Infrastructure Group, LLC.

OWNER: Lee Wright, Metronet Infrastructure Group, LLC.

REPRESENTATIVE: Lee Wright, Metronet Infrastructure Group, LLC.

STAFF RECOMMENDATION

Approval with additional stipulations, per the Planning Hearing Officer (PHO) recommendation.

PLANNING HEARING OFFICER RECOMMENDATION

On September 17, 2025, the Planning Hearing Officer recommended approval with additional stipulations.

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Paradise Valley Village Planning Committee (VPC) heard the request on September 8, 2025 and recommended denial by a vote of 11-1.

BACKGROUND/ANALYSIS

The subject site consists of 1.12 gross acres located at the northeast corner of 32nd Street and Sunnyside Lane and is zoned R-O (Residential Office-Restricted Commercial). The applicant requested a modification to Stipulation No. 1 regarding general conformance with the site plan date stamped April 16, 1999 and the elevations date stamped May 18, 1999 (Exhibit B).

The appellants argue the following points:

- The proposed narrative and site plan indicate incorrect dates. The appellants indicate the site plan date stamped September 9, 2000 should be the approved drawings to replace in Stipulation 1.
- The proposed use does not fit the vision for the City of Phoenix's North 32nd Street Revitalization Project.
- The unmanned structure will be inviting homeless and security related issues to the site.
- The use is not a public utility.
- No Use Permit approval on file for a public utility use on the site.
- The R-O zoning district indicating office use or other low impact development to the neighboring residential should be proposed, rather than an unmanned public utility.
- The CC&Rs were never amended to allow the R-O zoning.
- The Paradise Valley Village Planning Committee voted 11-1 to deny the modification to Stipulation No. 1.
- Lack of response from the community regarding questions raised at the Planning Hearing Officer Virtual Meeting.
- The agreement information for the public utility was never presented to the public.
- No environmental studies or climate plans have been conducted for this site concerning neighboring residential areas about safety and noise.
- No Storm Water Management plan exists for this site.
- Future development of cell towers on the proposed site.
- Risk of reduced property value, income loss from short term rentals, security, blight, and other negative neighborhood impacts.

One of the appellants also submitted a petition that contains 84 signatures from nearby residents in opposition to the proposed ILA Hut stating the development would have a negative impact on the community and property values. (Exhibit A)

PREVIOUS HISTORY

On September 16, 1987, the Phoenix City Council heard Rezoning Case No. Z-47-87-1, a request to rezone approximately 2.23 acres located at the southeast corner of 32nd Street and Greenway Lane from R1-14 (One family Residence) to C-O/G-O (Commercial Office District, General Office Option – Restricted Commercial). The City Council recommended denial as filed per the Planning Commission’s recommendation and approved R-O (Residential Office – Restricted Commercial).

On June 9, 1999, the Phoenix City Council concurred with the recommendation of the Planning Hearing Officer for approval of PHO-1-89—Z-47-87-1(3), a request for a six-month time extension of the conditional zoning time stipulation and general site plan conformance, subject to stipulations.

On June 28, 1999, the Phoenix City Council concurred with the recommendation of the Planning Hearing Officer for approval of PHO-2-99—Z-47-87-1(3), a request for a time extension of conditional zoning; and general site plan conformance, subject to stipulations.

On February 8, 2012 the Phoenix City Council concurred with the recommendation of the Planning Hearing Officer for approval of PHO-3-11—Z-47-87-1(3), a request for Administrative action to modify Stipulation No. 5 to extend or remove the conditional time stipulation, or determine compliance with schedule for development or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations. The City Council ratified the item as recommended by the Planning Hearing Officer for approval of the deletion of Stipulation No. 5. (Exhibit E).

NEIGHBORHOOD CONCERNS

Public Correspondence

Besides the appeals received, one letter of opposition was received, indicating concerns regarding noise, unsightly condition, decrease in property value, blight, homelessness and the absence of a completed environmental study. A petition of opposition was submitted containing over 75 signatures, requesting the denial of PHO-4-25—Z-47-87-1(3) (Exhibit N).

GENERAL PLAN LAND USE MAP DESIGNATION

Residential 3.5 to 5 dwelling units / acre

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site (overall development site):	R-O	Vacant land
North:	R-O	Vacant land
North (Across Greenway Lane):	C-2	Convenience Market, Auto Sales
East:	R1-14	Single-Family Residential
South (Across Sunnyside Lane):	R1-14	Single-Family Residential
West (Across 32nd Street):	R1-14	School District Office

PLANNING HEARING OFFICER FINDINGS

- 1) The request to modify Stipulation 1 regarding general conformance to a site plan and elevations is recommended for approval. The proposed project, a fiber-optic service communications hut, will have access to the right-of-way from a proposed concrete drive immediately west of the parcel. The parcel is currently undeveloped, and the development will include an approximately 864-square foot hut, natural gas back-up generator, CMU block screening wall around the compound and landscaping throughout the entire parcel. The proposed development is less intense and will create less traffic, sound and impact on the surrounding neighborhood. The proposal is compatible with and consistent with development in the surrounding area.
- 2) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.
- 3) The site is identified as archaeologically sensitive and three additional stipulations are recommended to be included to address requirements for archaeological survey and testing.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

1.	That THE development SHALL be in general conformance with the site plan AND ELEVATIONS DATE STAMPED AUGUST 7, 2025, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. presented as modified by the site plan dated April 16, 1999, and elevation dated May 18, 1999 for the south portion of site.
2.	That An 8-foot landscaped setback SHALL be provided along the east property line including 24-inch box size, drought-resistant shade trees planted 20 feet on center, or in equivalent groupings.
3.	That No trash dumpsters SHALL be located within 50 feet of the east property line.
4.	That The building height SHALL be limited to one story (17 feet 4 inches)
5.	That A one-foot vehicular non access easement SHALL be placed along both Sunnyside Lane and Greenway Lane.
6.	That A cross access SHALL be provided on the north portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by the Planning and Development Department.
7.	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.
8.	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.
9.	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.
10.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT

	RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
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Exhibits:

- A- Appeal Documents (19 pages)
- B- Applicant's Narrative for PHO-4-25--Z-47-87-1(3) (2 pages)
- C- Aerial Map
- D- Zoning Map
- E- Approval Letter for PHO-3-11--Z-47-87-1(3) (2 pages)
- F- Sketch Map for Z-48-87-1(3)
- G- PHO Summary for PHO-4-25--Z-47-87-1(3) from September 17, 2025 (5 pages)
- H- VPC Summary for PHO-4-25--Z-47-87-1(3) from September 8, 2025 (6 pages)
- I- Conceptual Site Plan, date stamped August 7, 2025 (2 pages)
- J- Conceptual Landscape Plan, date stamped August 7, 2025
- K- Conceptual Elevations, date stamped August 7, 2025 (4 pages)
- L- Stipulated Site Plan for PHO-4-25—Z-47-87-1(3)
- M- Stipulated Elevations for PHO-4-25—Z-47-87-1(3)
- N – Correspondence (10 pages)*

EXHIBIT A

PLANNING HEARING OFFICER APPEAL I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
CASE NUMBER:	PHO-4-25--Z-47-87-1(3)		
LOCATION:	Northeast corner of 32nd Street and Sunnyside Lane		
PHO HEARING DATE:	September 17, 2025	RECEIVED :	September 18, 2025
APPEALED BY:	<input checked="" type="checkbox"/> Opposition	<input type="checkbox"/> Applicant	
APPEALED TO:	PLANNING COMMISSION	November 6, 2025	
		TENTATIVE DATE	
	CITY COUNCIL	December 3, 2025	
		TENTATIVE DATE	
APPELLANT NAME AND ADDRESS/EMAIL:		PHONE:	
Patrick Gray PO Box 71610 Phoenix, AZ 85050		602-700-6337	
RECEIPT NUMBER:	N/A		
REASON FOR REQUEST:			
Please see attachments: 1) Metronet Letter of 08/07/2025 2) Site Plan dated 04/16/1999 (not signed/sealed) 3) *Letter dated 09/25/2000 4) Drawing dated 9/25/2000 (signed/sealed) 5) One page list of 14 items "Reasons for the Appeal" 6) Petitions opposing the Metronet Shelter			
TAKEN BY:	Andrew Birkelbach		

Joshua Bednarek
Tricia Gomes
Racelle Escolar
Adam Stranieri
Byron Easton

*PHO Planner Asst – Logan Zappolo

*PC Planner Asst – Teresa Garcia
PHO Secretary – Ruth Somoza
PC Secretary – Vikki Cipolla-Murillo
GIS Team
Raquel Moreno – Posting
Applicant



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

SEP 18 2025

Planning & Development
Department

The PLANNING HEARING OFFICER agenda for September 17, 2025 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on October 15, 2025 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by 5:00 p.m. on September 24, 2025. (There is a \$630 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. September 24, 2025.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO-4-25-Z-47-87-1(3) 3206 EAST SUNNYSIDE LANE
APPLICATION NO. LOCATION OF APPLICATION PROPERTY
PATRICK GRAY
NAME (PLEASE PRINT) ☒ OPPOSITION ☐ APPLICANT
P.O. Box 71610 PGRAY5@cox.net
STREET ADDRESS: EMAIL:
PHOENIX, AZ 85050 (602) 708-6337
CITY, STATE AND ZIP CODE TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM September 17, 2025 PHO HEARING TO November 6, 2025 PC HEARING
DATE DATE

SIGNATURE: [Signature] DATE: 9/18/2025

REASON FOR APPEAL: SEE ATTACHMENTS
1) METRONET LETTER OF 8/07/25 (4) ONE PAGE LIST OF 14 ITEMS
2) SITE PLAN DATED 4/16/1999 (NOT SIGNED/SEALED) "REASONS FOR
3) " " " 9/25/2000 (SIGNED/SEALED) APPEAL"

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL 173

Copies to:

Case File

PHO Planner – Logan Zappolo

PHO Secretary – Ruth Somoza

August 7th, 2025

Mr. Byron Easton
Planning Hearing Officer
City of Phoenix, AZ Development Services Department
200 W. Washington St, 2nd Floor
Phoenix, AZ 85003

SIGNED SEALED
DRAWINGS (BY CITY)
DATED 9/25/2000

Re: PHO Stipulation Modification from PHO-3-11--Z-47-87-1

Mr. Easton,

PLANS SUBMITTED TO CITY
ARE DATED 8/7/2025

We, Metronet Infrastructure Group, LLC (Metronet/Vexus), request the Planning Hearing Officer's approval to modify a stipulation for our development parcel. Metronet/Vexus is a fiber-optic service provider that is proposing the communications hut located at 3206 E. Sunnyside LN/15051 N 32ND ST. The parcel is currently undeveloped, and our proposed development would include an 864sqft hut, natural gas back-up generator, CMU block screening wall around our compound, and landscaping of the whole parcel.

Metronet/Vexus is requesting to modify stipulation #1 of the Zoning Case PHO-3-11--Z-47-87-1. The stipulation reads:

1. That development be in general conformance with the site plan presented as modified by the site plan dated August 1, 2025 April 16, 1999, and elevation dated August 1, 2025 May 18, 1999, for the north south portion of the site.

The attached/submitted site plan and elevations will show a smaller development, which would be located on the Northern middle of the parcel, with access coming off 32nd Ave. The rest of the parcel would be landscaped per city requirements/standards. This will be an unmanned communications hut to provide fiber-optic service to the residents of Phoenix. Minimal traffic will be on site after construction, besides for normal maintenance of the building, equipment and landscaping. The existing site plan has shown a proposed building of 8,500sqft, with 35 parking spaces. This is a major decrease in development size adjacent to a residential property.

All other stipulations to the zoning case PHO-3-11--Z-47-87-1, will be met by Metronet. Those stipulations are:

2. That an 8-foot landscaped setback be provided along the east property line including 24-inch box size, drought-resistant shade trees planted 20' on center, or in equivalent groupings.
3. That no trash dumpsters will be located within 50 feet of the east property line.
4. That the building height be limited to one story (17 feet, 4 inches)
5. That a one-foot vehicular non-access easement be placed along both Sunnyside Lane and Greenway Lane.
6. That cross access be provided on the north portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by the Planning and Development Department.

8/7/2025

This development is necessary to provide fiber-optic service to the residents and businesses of Phoenix. Construction of the development should take around 2 months to complete, barring any inspection delays. We would like to have planning approval as soon as possible, so we could seek a building permit immediately after approval.

Please let us know if you have any questions or concerns about our development.

Sincerely,

Lee W. Wright, P.E.
Metronet Infrastructure Group, LLC
11880 College BLVD, Suite 100
Overland Park, KS 66214

***Letter added to
packet 9/18/25**



City of Phoenix
DEVELOPMENT SERVICES DEPARTMENT

September 26 2000

Duane Foster
4300 North Miller Road Suite 223
Scottsdale AZ 85251

Dear Mr Foster

RE Project # 99 38911 LPRN 0001739 - BINGHAM OFFICE BUILDING located at
15051 North 32nd Street

Attached is a signed stamped copy of your final site plan. Signed copies have been placed in your two construction sets that were submitted to the City of Phoenix. All site-planning requirements have been successfully satisfied. You may pull construction permits once all other requirements have been fulfilled.

If the need arises to modify conditions in the field which are not consistent with the approved site plan or building elevations please contact me for consultation related to the changes and the necessity of amending the approved plans. Unauthorized deviations from the approved plan may delay the Certificate of Occupancy and may force costly alterations to improvements towards the end of the development process.

A site inspection is required for this project. To avoid Certificate of Occupancy delays the Site Development Inspector should be contacted at (602) 262-6981 to schedule a Site Inspection. Request for inspection should at a minimum occur approximately four (4) weeks from anticipated C of O and again two (2) weeks prior to completion of work. The City approved Site Plan, Grading Plan and Landscape Plans must be on site in the Field set of construction plans to assist the contractor and the Site Inspector.

Thank you for doing business with the City of Phoenix Development Services Department. I hope we provided the service and assistance you required. Should you have any questions please contact me at (602) 495-5208.

Sincerely

Sandra Topham
Planner II

S:\SiteDev\Sites\FinalApprovals\Planners\Topham S\99 38911\LPRN0001739

c. (no attachment)

Bingham Engineering, Inc.
13416 North 32nd Street
Suite 109
Phoenix AZ 85032

Clouse Engineering
1642 East Orangewood Avenue
Phoenix AZ 85020

c. (attachment)

Building Safety (Mary Lou Evans)
Project Engineering (Shane Hurd)
Planning (Chris Magnusson)
Inspections (Ben Green)
Site Planning

200 West Washington Street Phoenix, Arizona 85003
Rec'd: 10/11

SITE PLAN
SIGNED/SEALED
BY CITY OF PHOENIX
ON 9/25/2000

THIS DRAWING
IS ATTACHED
BY

Reasons for this appeal;

- 1 In Metronet's letter of 8/7/2025, they requested a change to stipulation # 1, using drawings dated in April and May 1999. In a letter dated September 26, 2000, the City of Phoenix approved a set of drawing for development of this site, which they signed/ sealed on 9/25/25 (see attached drawing). These 9/25/2000 drawings should be the drawings that Metronet is proposing to replace in Stipulation #1.
- 2 Metronet's proposed plan for this site does not fit the vision for the City of Phoenix's North 32nd Street Revitalization Project.
- 3 This site is in Sunnyside Acres. The CCR's for Sunnyside Acres were never amended to allow R-O zoning.
- 4 City of Phoenix, Zoning Ordinance 620, Section B "Permitted Uses", note 6, states; "Public utility buildings and facilities when necessary for serving the surrounding territory...subject to use permit". Does Metronet have a City of Phoenix issued "Use Permit" for this property?
- 5 The homeless encampments have been an issue in this neighborhood for years but through efforts by members of this community, it is now under control. This unmanned structure will reverse that progress.
- 6 This Metronet communications hut will be unoccupied. The office building approved for this site by the City of Phoenix , in September 2000, would have been occupied 5 days a week from 8am to 5pm. If the site were developed per the 2000 plan, the daily occupancy would have helped to eliminate homeless encampments and most likely the site would have been continuously maintained by the property owner.
- 7 R-O Zoning - The development on this site should be of low impact to the adjacent residential properties and it should have residential characteristics.
- 8 No Environmental Site Assessment has been performed for this site and no Climate Plan exists.
- 9 Noise from the natural gas powered backup generator is a concern for the residents of this community.
- 10 No Storm Water Management Plan exists, for this site.
- 11 On Monday 9/8/2025, the Paradise Valley Village Planning Committee voted 11-1 to not approve the modification to Stipulation #1, as proposed by Metronet.
- 12 Metronet is owned by T-Mobile. Until this acquisition occurred a few months ago, T-Mobile only provided cell phone service and wireless internet service. For this reason I am concerned that at some time in the near future T-Mobile will want to install one or more cell towers on this site. In the PHO hearing 9/17/25 Metronet's representative stated that they own the property and will never lease part of it to anyone. In the Valley Village Planning meeting on 9/8/25 the Metronet rep said there will be no tower on the site.
- 13 During the PHO hearing @10am on 9/17/25 with Public Hearing Officer Byron Easton, Metronet stated that they have several agreements with the City - related to development of this property. What are these agreements?
- 14 The 4 page Petition submitted to PHO/Byron Easton on Sunday 9/14/25, contains 84 signatures of residents of the community surrounding this property. These residents ask that this Metronet Communications Hut not be constructed @ 3206 East Sunnyside Lane. The development as proposed by Metronet will have a negative impact on the community and property values will be negatively impacted.

Neighborhood Petition Form

PHO-4-25-2-47-87-1 (3)



Reason for Petition: Petition Opposing the Metronet Shelter at 3206 East Sunnyside Lane

Action Requested: We, the undersigned residents and community members, respectfully petition the City of Phoenix Planning & Development Department to **deny approval of the proposed Metronet unmanned fiber optic communications hub ("Metronet Shelter") at 3206 East Sunnyside Lane.**

Petition Forwarded to: To: Mr. Easton and the City of Phoenix Planning & Development Department
From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

(144)

DATE	NAME	ADDRESS	SIGNATURE
9/10/25	Victoria Vinson	3230 E Sunnyside Lane	Victoria Vinson
9/11/25	Saunders Hines	3236 E Sunnyside Ln	Saunders Hines
9/11/25	AL HINES	11 11	Al Hines
9/11/25	Aurora Oberloh	3306 E Sunnyside Lane	Aurora Oberloh
9/11/25	RONALD OBERLOH	3302 E SUNNYSIDE LANE	Ronald Oberloh
9/11/25	Jennifer Kennedy	3318 E Sunnyside Lane	Jennifer Kennedy
9/11/25	Holly Dale	3216 E Greenway Ln	Holly Dale
9/11/25	Dale Golden	3224 E Greenway	Dale Golden
9/11/25	Kenomi Smizu	3241 E Greenway Ln	Kenomi Smizu
9/11/25	ROD HARRIS	3302 E GREENWAY LN	Rod Harris
9/11/25	Scragsa Turcotte	3314 E Greenway Ln	Scragsa Turcotte
9/11/25	Pess Kundral	3318 E. Greenway Ln	Pess Kundral
9/11/25	David Harris	3330 E Greenway Ln	David Harris
9/11/25	Alyssa Harms	3330 E Sunnyside Ln	Alyssa Harms
9/11/25	Dakodah Harms	3330 E SUNNYSIDE LN	Dakodah Harms
9/11/2025	Norine Colucci	3225 E Sunnyside Ln	Norine Colucci
9/11/2025	Eugene Colucci	3225 E Sunnyside Ln	Eugene Colucci
9/11/2025	Sandy Karick	3225 E Sunnyside Ln	Sandy Karick
9/11/25	Ayla Karick	3225 E Sunnyside Ln	Ayla Karick
9/11/25	Lynn Chiarella	3320 E Sunnyside Ln	Lynn Chiarella
9-11-25	Didi Magee	3243 E. Sunnyside Ln	Didi Magee
9-11-25	Redlin Kennedy	3218 E Sunnyside Ln	Redlin Kennedy
9-12-25	JOHN HADLEY	3229 E Sunnyside Ln	John Hadley

Neighborhood Petition Form



PHO-4-25-Z-4T-87-1(3)

Reason for Petition: Petition Opposing the Metronet Shelter at 3206 East Sunnyside Lane

Action Requested:

We, the undersigned residents and community members, respectfully petition the City of Phoenix Planning & Development Department to **deny approval of the proposed Metronet unmanned fiber optic communications hub ("Metronet Shelter") at 3206 East Sunnyside Lane.**

Petition Forwarded to: To: Mr. Easton and the City of Phoenix Planning & Development Department
From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

(244)

DATE	NAME	ADDRESS	SIGNATURE
9/12/25	Lopa Han Busby	3235 E Sunnyside Ln	[Signature]
9/12	Trudy Miranda	3235 E Sunnyside	[Signature]
9-12	Paul Fenton	3143 E Greenway Rd	[Signature]
9-12	Sam Arikat	3143 E Greenway Rd	[Signature]
9-12	Max Kiehn	3143 E Greenway Rd	[Signature]
9/12	Travis Barr	15230 N. 32nd St	[Signature]
9/12	Pam Brooks	15230 N. 32nd St	[Signature]
9/12	Matt Lipp	15230 N 32 St	[Signature]
9/12	Tim Dambach	15230 N 32 St	[Signature]
9/12	Rose Thornton	16225 N. Cave Creek Rd	[Signature]
9-12	Shirley Tucker	18250 N 32nd St	[Signature]
9-12	[Signature]	2829 E. Wagoner Rd	Leonard Valencia
9-12-25	Katun Thakali	3928 E PARADISE DRIVE	Katun Thakali
9-12	Rita Moran	3121 E Greenway Rd.	[Signature]
9-12	Nick Zahredine	3121 E. Greenway Rd.	[Signature]
9-12	Naha Zahredine	3121 E Greenway Rd.	[Signature]
9-12	Justin Gordon	3111 E Greenway Rd	[Signature]
9/12	Tanner Shipman	3111 E Greenway Rd	[Signature]
9/12	Armando Apthiller	15235 N 32nd St	[Signature]
9/12	Cass	12844 N Paradise Valley Rd	[Signature]
09/12	Candy A.	3305 E Greenway Rd	[Signature]
09/12	Shirley G	3305 E Greenway Rd	[Signature]
9/12/25	Wendy Tien	4012 E ADAMS St	[Signature]

Neighborhood Petition Form



PHO-4-25-Z-4T-87-1(3)

Reason for Petition: Petition Opposing the Metronet Shelter at 3206 East Sunnyside Lane

Action Requested:

We, the undersigned residents and community members, respectfully petition the City of Phoenix Planning & Development Department to **deny approval of the proposed Metronet unmanned fiber optic communications hub ("Metronet Shelter") at 3206 East Sunnyside Lane.**

Petition Forwarded to: To: Mr. Easton and the City of Phoenix Planning & Development Department
From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

(3 of 4)

DATE	NAME	ADDRESS	SIGNATURE
9/12/25	Hien Duong	3305 E Greenway Rd	[Signature]
9/12/25	Roselind Fossell	15049 N. 19th Way Phx 85022	[Signature]
9/12/25	Jeffrey W. B.	3205 E. Sunnyside Ln	[Signature]
9/12/25	Seven Ruby	8205 E Sunnyside Ln	[Signature]
9-12-25	Gabino Salgado	3305 E. Sunnyside Ln	[Signature]
9/12/25	Brent Iverson	3205 E Sunnyside Ln	[Signature]
9/17/25	Wayne J. [unclear]	3205 E Sunnyside Ln	[Signature]
9/12/25	[unclear]	3205 E Sunnyside Ln	[Signature]
9/12/2025	Christian Marquez	3215 E. Sunnyside Ln Phx AZ 85052	[Signature]
9/12/2025	[unclear]	3215 E Sunnyside Ln	[Signature]
9-12-2025	Ella Yolanda Holm	3215 E Sunnyside Ln	[Signature]
9-12-2025	Casey Galvan	3215 E. Sunnyside Ln	[Signature]
9/12/25	Thanya Marquez	3215 E. Sunnyside Ln	[Signature]
9/13/25	ERIKA SMITH ROYAL	3329 E. Greenway Ln	[Signature]
9/13/25	Emily Mary Dale	3216 E Greenway Ln	[Signature]
9/13/25	[unclear]	3228 E Greenway Ln	[Signature]
9/13/25	Tim Blye	3228 E Greenway Ln	[Signature]
9/13/25	D. Baker	3230 E. Greenway Ln	[Signature]
9/13/25	Mario Horta	3247 E Greenway Ln	[Signature]
9/13/25	Trinidad Ronce	3247 E Greenway Ln	[Signature]
9-13-25	Clayton Walton	3314 E Greenway Ln	[Signature]
9-13-2025	LEAH GARRICK	3324 E greenway Ln	[Signature]
9-13-2025	Blanca [unclear]	3324 E greenway Ln	[Signature]
9-13-25	Odesha Mirza	3228 E. [unclear] Rd	[Signature]

Reason for Petition: Petition Opposing the Metronet Shelter at 3206 East Sunnyside Lane

We, the undersigned residents and community members, respectfully petition the City of Phoenix Planning & Development Department to **deny approval of the proposed Metronet unmanned fiber optic communications hub ("Metronet Shelter") at 3206 East Sunnyside Lane.**

Petition Forwarded to: **To:** Mr. Easton and the City of Phoenix Planning & Development Department
From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

(4/4)

[illegible]

PLANNING HEARING OFFICER APPEAL I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
CASE NUMBER:	PHO-4-25--Z-47-87-1(3)		
LOCATION:	3206 East Sunnyside Lane		
PHO HEARING DATE:	September 17, 2025	RECEIVED:	September 23, 2025
APPEALED BY:	<input checked="" type="checkbox"/> Opposition	<input type="checkbox"/> Applicant	
APPEALED TO:	PLANNING COMMISSION	November 6, 2025	
		TENTATIVE DATE	
	CITY COUNCIL	December 3, 2025	
		TENTATIVE DATE	
APPELLANT NAME AND ADDRESS/EMAIL:		PHONE:	
Chinnaz Sayegh 3311 East Greenway Lane Phoenix, AZ 85032 Cammari6571@gmail.com		602-790-8796	
RECEIPT NUMBER:	N/A		
REASON FOR REQUEST:			
See Attachments: 1) Lot 18 and 19 originally R1-14, no valid amendments – Zoning Compliance 2) Corporate status of Metronet 3) Virtual meeting issues 4) Impact on properties and neighborhood 5) STR – Income licensed			
TAKEN BY:	Teresa Garcia, Planner I		

Joshua Bednarek
 Tricia Gomes
 Racelle Escolar
 Adam Stranieri
 Byron Easton
 PHO Planner Asst – Logan Zappolo
 PC Planner Asst – Teresa Garcia
 PHO Secretary – Ruth Somoza
 PC Secretary – Vikki Cipolla-Murillo
 GIS Team

Raquel Moreno – Posting



CITY OF PHOENIX

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

SEP 23 2025

Planning & Development
Department

The PLANNING HEARING OFFICER agenda for **September 17, 2025** is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on **October 15, 2025** Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by 5:00 p.m. on **September 24, 2025**. (There is a \$630 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **September 24, 2025**.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO-4-25-2-47-1(3) 3206 E. Sunnyside Lane
APPLICATION NO. LOCATION OF APPLICATION PROPERTY

Chinnaz Sayegh
NAME (PLEASE PRINT)

☒ OPPOSITION ☐ APPLICANT

3311 E. Greenway Lane
STREET ADDRESS:

Cammari6571@gmail.com
EMAIL:

Phoenix AZ 85032
CITY, STATE AND ZIP CODE

602.790.8796
TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM **September 17, 2025** PHO HEARING TO 11/6/25 PC HEARING
DATE DATE

SIGNATURE: Chinnaz Sayegh DATE: 9/23/2025

REASON FOR APPEAL: SEE Attachments

- 1) Lot #8 & #19 originally R1-14, NO Valid Amendments Zoning Compliance
- 2) Corporate Status of Metronet
- 3) Virtual Meeting Issues
- 4) Impact on Properties & Neighborhood
- 5) STR - Income Licensee

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: TG

Copies to:

Case File

PHO Planner - Logan Zappolo

PHO Secretary - Ruth Somoza

Subject: Appeal – PHO-4-25-Z-47-1(3) – Metronet Utility Facility at 3206 E. Sunnyside Lane

To: Planning and Development Department

I am submitting this appeal regarding the recent decision to allow Metronet to establish a utility facility at 3206 E. Sunnyside Lane. As both a property owner and a resident of the Sunnyside Acres neighborhood, I believe the approval was made in error and does not properly account for zoning limitations, property rights, or neighborhood impact.

My Properties and Residency

- I own 3216 and 3226 E. Sunnyside Lane.
- I reside at 3311 E. Greenway Lane, directly north of the property in question.
- 3216 E. Sunnyside Lane is a licensed short-term rental (STR #STR-2025-002486), which shares a wall with the proposed Metronet site.

Key Grounds for Appeal

1. Zoning and Permitted Use

- Lots #18 and #19 were originally zoned R1-14 residential. To my knowledge, no clear and valid amendment has been shown that permits this type of industrial use.
- Even under R-O zoning, the intent is low-impact, residential-character operations. An unmanned fiber utility hub does not meet that intent.

2. Metronet's Corporate Status

- Metronet is not a public company; it is privately held, most recently owned by a joint venture of T-Mobile and KKR, a global investment firm. Its shares are not available on any public exchange, distinguishing it from public utilities.
- At the same time, Metronet is not a "private company" in the traditional sense either. It operates as a privately owned entity without a stock ticker, independent in its day-to-day fiber-to-the-home operations, but fueled by outside investment for expansion. This structure does not make Metronet a public utility provider, and it should not automatically receive the land use privileges of one.

- **See attached documentation** regarding Metronet's ownership and private/public status for reference.

3. Virtual Meeting Concerns Ignored

- During the virtual meeting on **September 17, 2025, at 10:00 AM**, I directly asked Metronet to provide proof that they are permitted to operate under the current zoning. Their only response was, *"we are allowed to be there."* No documentation, explanation, or offer to follow up with proof was provided.
- None of my concerns regarding the impact of an **unmanned facility** near homes and a licensed STR were addressed or mitigated. No commitments were made to ensure security, maintenance, or monitoring.
- This lack of clarity is especially troubling because **all of Metronet's own sites state that they are a private company**, which raises further questions about whether they should be afforded the same zoning considerations as a public utility.

4. Impact on Properties and Neighborhood

- The proposed facility directly adjoins my STR at 3216 E. Sunnyside Lane and is close to my residence at 3311 E. Greenway Lane. Its presence threatens the safe, quiet, and residential environment that guests and neighbors expect.
- **Risks to property and neighborhood:**
 - **Reduced property values:** The facility could make both my STR and surrounding homes less desirable to buyers or renters.
 - **Guest perception and income loss:** Guests may perceive potential health risks from electromagnetic interference (EMI) generated by fiber optic converters and associated equipment, which could reduce bookings and revenue.
 - **Security and blight risks:** Unattended facilities often attract loitering, trespassing, and trash accumulation, as already seen at Lot #18 with Southwest Gas.
 - **Neighborhood impact:** The facility could undo years of work controlling homelessness and maintaining Sunnyside Acres as a safe, welcoming neighborhood.
- Overall, the combination of visual, security, and perceived health impacts makes the property less desirable, threatens the viability of my STR, and harms the broader

community.

Conclusion

For these reasons, I respectfully request that this approval be overturned. The proposed Metronet facility does not align with the intent of the zoning, fails to meet the standards of a public utility, and will negatively affect homeowners, tenants, and visitors in our neighborhood.

Metronet should be required to relocate this facility to a commercial or industrial site where such use is appropriate.

Thank you for your attention to this appeal.

Sincerely,

Chinnaz Sayegh

Owner: 3216 & 3226 E. Sunnyside Lane

Resident: 3311 E. Greenway Lane

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Metronet

Telecommunications

Evansville, Indiana · 29,809 followers

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About us

Welcome to the nation's largest privately owned 100% fiber-optic service provider! Metronet started in 2005 in Greencastle, IN and continues to expand to new cities and states across the United States. Our 100% fiber technology allows customers access to some of the fastest symmetrical internet speeds in the world (Multi-Gig speeds available!) We pride ourselves on our cutting-edge technology combined with industry-leading customer care. In 2023, Metronet was awarded Fastest Internet Service Provider by PCMagazine, and received Fastest Internet and Most Reliable Speeds claims in several cities and states from Ookla. We also received PGMagazine's Best Gaming Internet Service Provider award in 2024. If you are already a customer, thank you for choosing Metronet! If you haven't signed up for our services, we hope to welcome you into the Metronet family soon! We're looking for tech-savvy, innovative thinkers to join our team and help us create what's next! We are committed to cultivating and preserving

a culture of inclusion and connectedness. We strive to continually lead with our values and beliefs that enable associates to develop their potential, bring their full self to the workplace, and engage in a world of inclusion. As an Equal Opportunity Employer, we do not discriminate against any associate or applicant for employment because of race, color, sex, age, national origin, religion, sexual orientation, gender identity and/or expression, status as a veteran, and basis of disability or any other federal, state or local protected class.

Website <https://www.metronet.com/> 

Industry Telecommunications

Company size 1,001-5,000 employees

Headquarters Evansville, Indiana

Type Privately Held

Specialties

Fiber Internet, Fiber Phone, Fiber IPTV, Home Security, Telecommunications, Customer Service, and High Speed Internet

Locations

Primary

300 E Walnut St

Evansville, Indiana 47713, US

[Get directions](#) 

3701 Communications Way

Evansville, IN 47715, US

[Get directions](#) 

Employees at Metronet

Sign up online and get FREE Installation* on all speeds! Hurry - offers end soon!

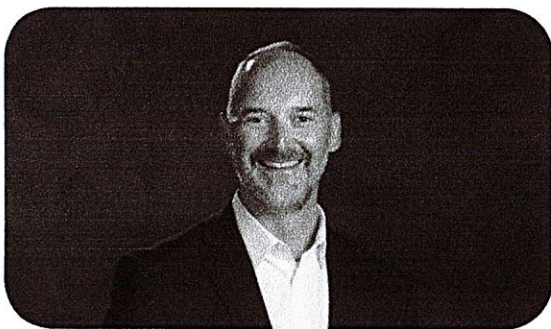


About Us

Metronet, the nation's fastest-growing fiber-to-the-home builder, is now owned by a joint venture of T-Mobile, America's 5G leader, and KKR, the global investment firm. The company operates its 100% fiber optic networks on a commercial and wholesale basis, with T-Mobile Fiber providing marketing, sales and the customer experience for residential users. In cities across the country, Metronet has been building and operating fiber networks since 2005. Today, more than 2.6 million homes and businesses in more than 300 communities across 19 states have access to Metronet fiber, with new communities added each month.

VISIT THE NEWSROOM

Metronet Leadership



PRESIDENT AND CEO

Dave Heimbach



CHIEF FINANCIAL OFFICER

Sarah Overbaugh

EXHIBIT B

August 7th, 2025

Mr. Byron Easton
Planning Hearing Officer
City of Phoenix, AZ Development Services Department
200 W. Washington St, 2nd Floor
Phoenix, AZ 85003

Re: PHO Stipulation Modification from PHO-3-11--Z-47-87-1

Mr. Easton,

We, Metronet Infrastructure Group, LLC (Metronet/Vexus), request the Planning Hearing Officer's approval to modify a stipulation for our development parcel. Metronet/Vexus is a fiber-optic service provider that is proposing the communications hut located at 3206 E. Sunnyside LN/15051 N 32ND ST. The parcel is currently undeveloped, and our proposed development would include an 864sqft hut, natural gas back-up generator, CMU block screening wall around our compound, and landscaping of the whole parcel.

Metronet/Vexus is requesting to modify stipulation #1 of the Zoning Case PHO-3-11--Z-47-87-1. The stipulation reads:

1. That development be in general conformance with the site plan presented as modified by the site plan dated ~~April 16, 1999~~ **August 1, 2025**, and elevation dated ~~May 18, 1999~~ **August 1, 2025**, for the ~~north~~ **south** portion of the site.

The attached/submitted site plan and elevations will show a smaller development, which would be located on the Northern middle of the parcel, with access coming off 32nd Ave. The rest of the parcel would be landscaped per city requirements/standards. This will be an unmanned communications hut to provide fiber-optic service to the residents of Phoenix. Minimal traffic will be on site after construction, besides for normal maintenance of the building, equipment and landscaping. The existing site plan has shown a proposed building of 8,500sqft, with 35 parking spaces. This is a major decrease in development size adjacent to a residential property.

All other stipulations to the zoning case PHO-3-11--Z-47-87-1, will be met by Metronet. Those stipulations are:

2. That an 8-foot landscaped setback be provided along the east property line including 24-inch box size, drought-resistant shade trees planted 20' on center, or in equivalent groupings.
3. That no trash dumpsters will be located within 50 feet of the east property line.
4. That the building height be limited to one story (17 feet, 4 inches)
5. That a one-foot vehicular non-access easement be placed along both Sunnyside Lane and Greenway Lane.
6. That cross access be provided on the north portion of the site upon final site plan approval for the north property, or in the alternative, a common driveway entrance be provided, as approved by the Planning and Development Department.

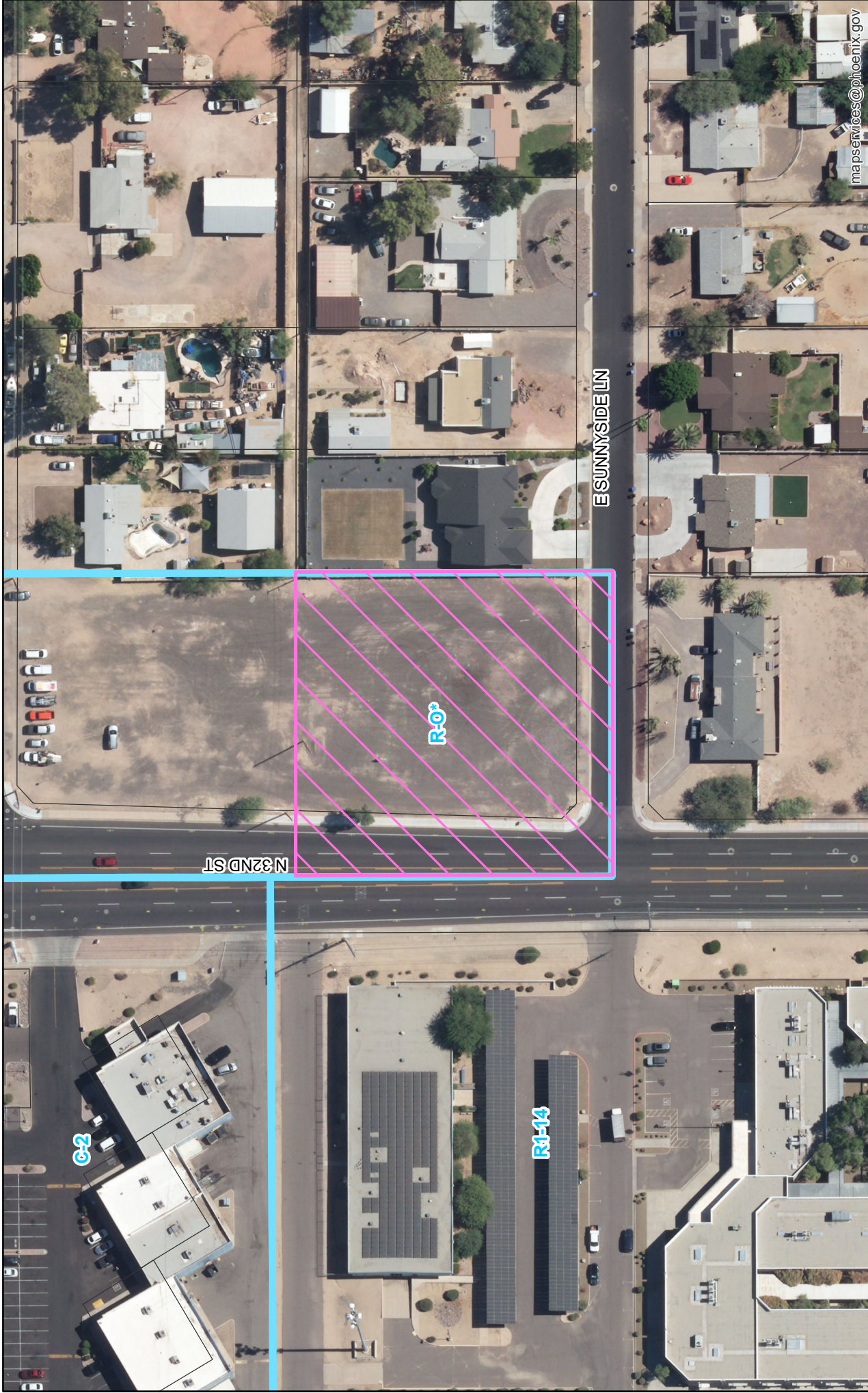
This development is necessary to provide fiber-optic service to the residents and businesses of Phoenix. Construction of the development should take around 2 months to complete, barring any inspection delays. We would like to have planning approval as soon as possible, so we could seek a building permit immediately after approval.

Please let us know if you have any questions or concerns about our development.

Sincerely,

Lee W. Wright, P.E.
Metronet Infrastructure Group, LLC
11880 College BLVD, Suite 100
Overland Park, KS 66214

EXHIBIT C



PHO-4-25--Z-47-87-1(3)

Property Location: Northeast corner of 32nd Street and Sunnyside Lane

EXHIBIT D

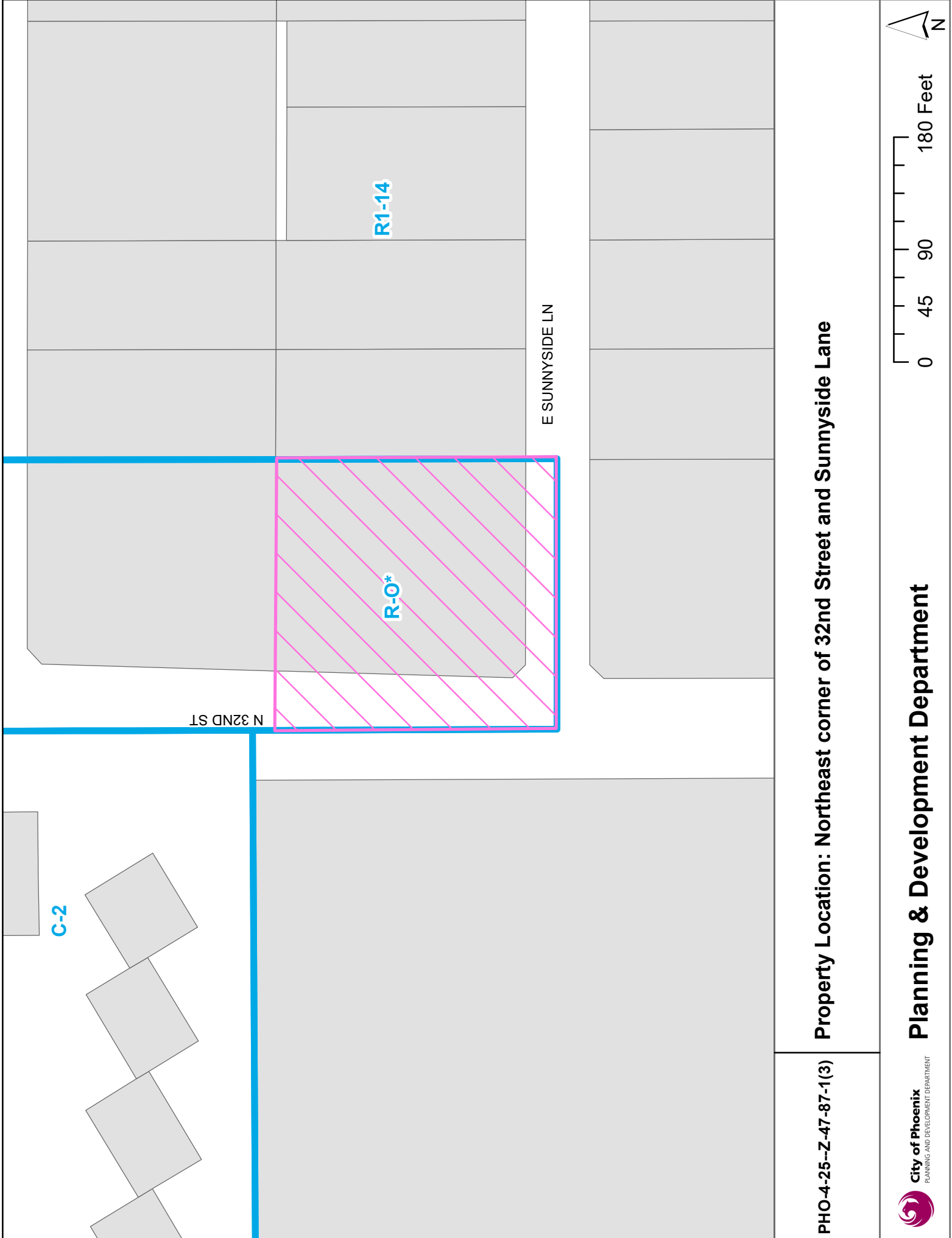


EXHIBIT E



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

February 9 2012

Daniel F & Ann W Bingham
8642 West Yukon Drive
Phoenix AZ 85382

RE Z-47-87 1 (NEW DISTRICT 3) – Southeast corner of 32nd Street and Greenway Lane

Dear Applicant

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 of the Zoning Ordinance has on February 8, 2012 considered a request for Administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations

The City Council ratified application Z 47 87 1 (NEW DISTRICT 3) as recommended by the Planning Hearing Officer for approval of the deletion of Stipulation 5

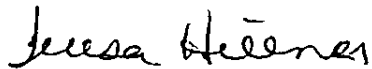
Stipulations

Mod

- ① That development be in general conformance with the site plan presented as modified by the site plan dated April 16 1999 and elevation dated May 18 1999 for the south portion of site
- 2 That an 8-foot landscaped setback be provided along the east property line including 24-inch box size drought-resistant shade trees planted 20 feet on center or in equivalent groupings
- 3 That no trash dumpsters be located within 50 feet of the east property line
- 4 That the building height be limited to one story (17 feet 4 inches)
- 5 That a one-foot vehicular non access easement be placed along both Sunnyside Lane and Greenway Lane

- 6 That cross access be provided on the north portion of the site upon final site plan approval for the north property or in the alternative a common driveway entrance be provided, as approved by the Planning and Development Department

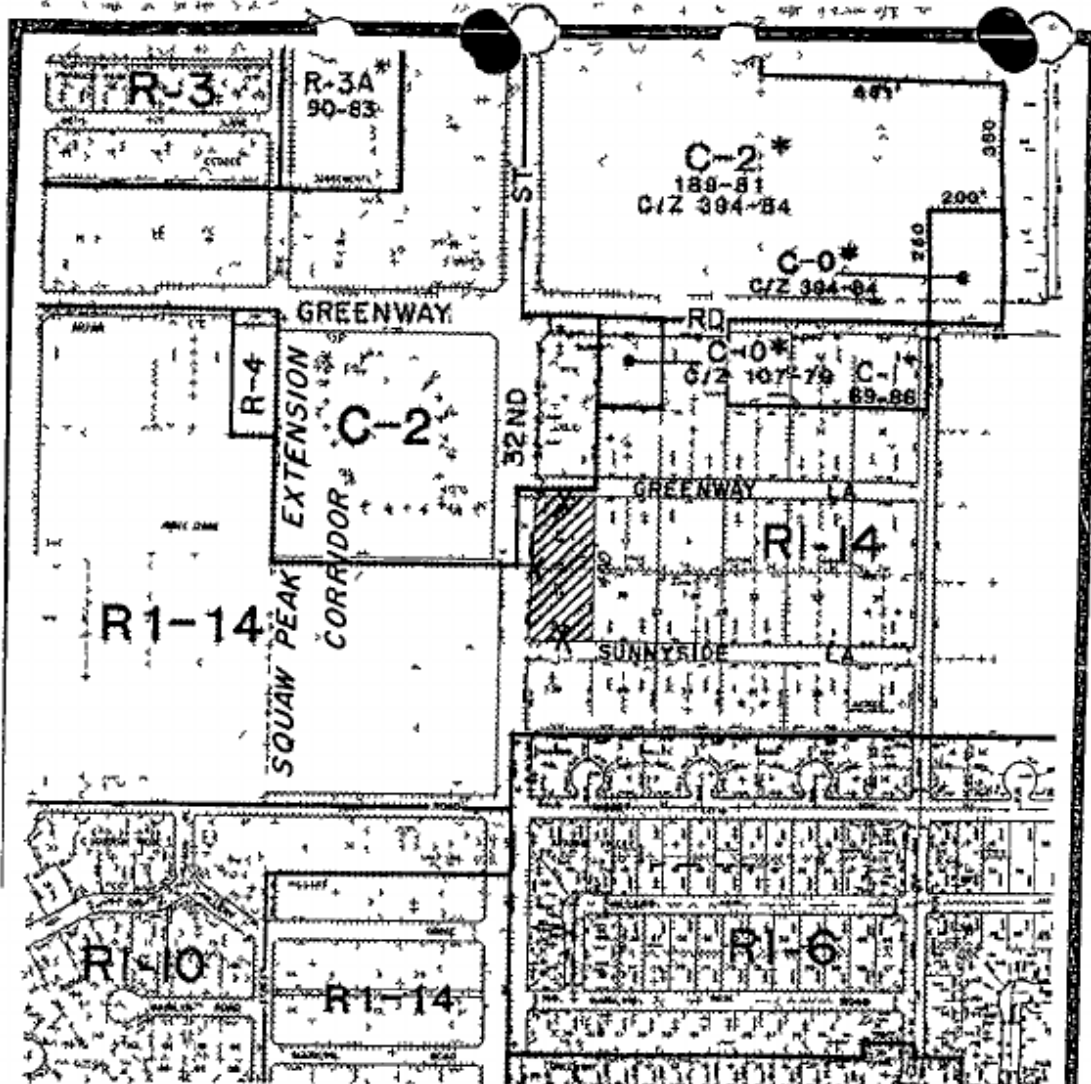
Sincerely



Teresa Hillner
Planner III

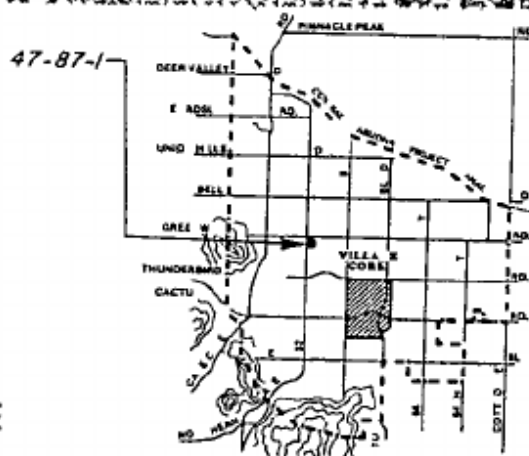
- c Aracely Herrera P&D-Planning (Electronically)
Sandra Hoffman, P&D-Development (Electronically)
Annie Alvarado NSD (Electronically)
Penny Parrella City Council (Electronically)
Book
Case File

EXHIBIT F



0 400 800
GRAPHIC SCALE IN FEET

CITY OF PHOENIX PLANNING DEPARTMENT
PARADISE VALLEY VILLAGE
CITY COUNCIL DISTRICT 1



APPLICANT'S NAME ANITA F GUTKIN		REQUESTED CHANGE	
APPLICATION NO 47-87-1		FROM R1-14	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 2.23 ACRES		TO C-0/G-0	
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
HEARING DATES ZHO PC CC 8 12 87 3 25 87 5 6 87		AERIAL PHOTO & QUARTER SEC. NO. 34-35	
ZONING MAP L-10(K-B)		UNITS STANDARD OPTION	
MAXIMUM UNITS ALLOWED WITH P.R.D. BONUS			

EXHIBIT G

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Teresa Garcia, Planner I, Assisting

September 17, 2025

ITEM NO: 1	
	DISTRICT NO. 3
SUBJECT:	
Application #:	PHO 4-25--Z-47-87-1(3)
Location:	Northeast corner of 32nd Street and Sunnyside Lane
Zoning:	R-O
Acreage:	1.12
Request:	1) Request to modify Stipulation 1 regarding general conformance to the site plan date stamped April 16, 1999 and the elevations date stamped May 18, 1999.
Applicant:	Lee Wright, Metronet Infrastructure Group, LLC
Owner:	Lee Wright, Metronet Infrastructure Group, LLC
Representative:	Lee Wright, Metronet Infrastructure Group, LLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with additional stipulations.

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard the request on September 8, 2025 and recommended denial by a vote of 11-1.

DISCUSSION:

Lee Wright, representative with Metronet Infrastructure Group LLC, introduced the background of Metronet, a fiber optic provider. He stated the request is to modify Stipulation 1 regarding general conformance to a previously approved site plan dated April 16, 1999 and elevations dated May 18, 1999. He indicated the stipulated site plan shows an 8,500 square foot office building and the proposed site plan includes an 850 square foot Inline Amplification Hut (ILA Hut).

Byron Easton, Planning Hearing Officer, asked for clarification on the size of the previously approved building.

Mr. Wright responded 8,500 square feet (office building) as shown on the site plan from 1999. Mr. Wright stated that the proposed hut would be located on the north side of the parcel enclosed by a 75-foot X 75-foot CMU block wall. He

added the ingress and egress to the site would be located off 32nd Street. He also included the site would meet all landscaping requirements.

Mr. Easton asked for the height of the wall around the proposed site.

Mr. Wright responded that the applicant is proposing a 6-foot wall but they would be willing to go as high as necessary. Mr. Wright noted the 12-foot-tall building would be concealed behind the CMU block wall. He added the east/west elevations are the shorter side at 24 feet wide, with air conditioners on each side, and the north/south elevations feature an entry door on each side.

Mr. Easton asked what the stipulated height was.

Logan Zappolo, Planning Hearing Officer Assistant, confirmed it was taller (17 feet, 4 inches) than is currently proposed.

Chinnaz Sayegh, member of the public in opposition, stated her properties will be affected by the proposed development. She noted that she operates a Short-Term Rental (STR) close to the subject site and said there is no record in the CC&R's that the lots were changed from residential to office use. She continued to state that the proposal will affect her investment, source of income, will create blight, and will negatively affect neighborhood safety. She included this use should be relocated to either a commercial or industrial site.

Mr. Wright added that fiber-optic service is considered a public utility, is registered with the city and state, and is allowed to be located on this site as a public utility use.

Brett Reall, member in opposition, asked if there will be any intensification of this use on this site. He included concerns regarding radio frequency transmissions, small cell or macro sites in the future.

Mr. Wright stated this application is only for a fiber optic hut. He included they have their own stipulations to only allow one ILA Hut on the parcel. There will be no more huts, or intensification of the use. He included that they cannot sell or lease the land to any other companies. Mr. Wright added they are only a fiber optic provider, there will be no RF's, cell phone towers, cellphone providers, 5G towers or small cells.

Ms. Sayegh asked where the documentation is that says he is allowed to have the hut at this location.

Mr. Easton stated that through City review it has been determined the proposed development is considered a public utility.

Mr. Easton stated correspondence was submitted for the case, including from Ms. Sayegh, indicating concerns regarding noise, unsightly condition, decrease in property value, blight, homelessness and the absence of a completed environmental study. Mr. Easton stated the correspondence in opposition received was focused on the use, but that is not the intent of the PHO hearing. The focus of the PHO hearing is to determine if the proposed building is in general conformance to the stipulated site plan. He added the Paradise Valley Village Planning Committee heard the case on September 8, 2025 and recommended denial by a vote of 11-1. Mr. Easton recommended that the proposed modification of Stipulation 1 be approved regarding general conformance to the site plan and elevations. He stated that the site has been identified as archaeologically sensitive and that three additional stipulations will be added to address related requirements. He also added a stipulation requiring a Recorded Proposition 207 Waiver prior to final site plan approval.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding general conformance to a site plan and elevations is recommended for approval. The proposed project, a fiber-optic service communications hut, will have access to the ROW from a proposed concrete drive immediately west of the parcel. The parcel is currently undeveloped, and the development will include an approximately 864 square foot hut, natural gas back-up generator, CMU block screening wall around the compound and landscaping throughout the entire parcel. The proposed development is less intense and will create less traffic, sound and impact on the surrounding neighborhood. The proposal is compatible with and consistent with development in the surrounding area.
- 2) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.
- 3) The site is identified as archaeologically sensitive and three additional stipulations are recommended to be included to address requirements for archaeological survey and testing.

STIPULATIONS:

1.	That THE development SHALL be in general conformance with the site plan AND ELEVATIONS DATE STAMPED AUGUST 7, 2025, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. presented as
----	---

	modified by the site plan dated April 16, 1999 and elevations dated May 18, 1999 for the south portion of site.
2.	That An 8-foot landscaped setback SHALL be provided along the east property line including 24-inch box size drought-resistant shade trees planted 20 feet on center or in equivalent groupings.
3.	That No trash dumpsters SHALL be located within 50 feet of the east property line.
4.	That The building height SHALL be limited to one story (17 feet 4 inches)
5.	That A one-foot vehicular non access easement SHALL be placed along both Sunnyside Lane and Greenway Lane.
6.	That A cross access SHALL be provided on the north portion of the site upon final site plan approval for the north property or in the alternative a common driveway entrance be provided, as approved by the Planning and Development Department.
7.	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.
8.	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.
9.	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.
10.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST,

	AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. To request a reasonable accommodation, please contact Saneeya Mir at saneeya.mir@phoenix.gov or (602) 686-6461 or TTY: 7-1-1.

EXHIBIT H



Village Planning Committee Meeting Summary

PHO-4-25—Z-47-87-1(3)

Date of VPC Meeting	September 8, 2025
Date of Planning Hearing Officer Hearing	September 17, 2025
Request	Modification of Stipulation 1 regarding general conformance to the site plan date stamped April 16, 1999 and the elevations date stamped May 18, 1999.
Location	Northeast corner of 32nd Street and Sunnyside Lane
VPC Recommendation	Denial
VPC Vote	11-1

VPC DISCUSSION:

Four members of the public registered to speak on this item, in opposition.

Staff Background Presentation

Adrian Zambrano, staff, provided a background presentation of the request and stated the site is 1.12 acres and zoned R-O (Restricted Commercial). Mr. Zambrano noted the original rezoning case, Z-47-87-1, is subject to six stipulations. Mr. Zambrano displayed the original site plan and shared the original stipulations. Mr. Zambrano then provided background on the last three Planning Hearing Officer cases, PHO-1-89—Z-47-87-1, PHO-2-99—Z-47-87-1, and PHO-3-11—Z-47-87-1(3), including each request, their stipulations, and the site plan and elevations for PHO-2-99—Z-47-87-1. Mr. Zambrano summarized the request and proposal and displayed the site plan, landscape plan, and elevations.

Applicant Presentation

Lee Wright, with Metronet Infrastructure Group, LLC, introduced himself and provided an overview of the proposal. Mr. Wright stated that the hut would be an enclosed unmanned facility screened by a six-foot-tall CMU block wall. Mr. Wright stated that the hut would be a pre-cast manufactured building up to 12 feet tall. Mr. Wright added that there would be a natural gas back-up generator, which would only run once a week for maintenance. Mr. Wright stated that the vehicular driveway would be from 32nd Avenue and the rest of the parcel would be landscaped per City requirements. Mr. Wright displayed the landscape plan and elevations. Mr. Wright noted that the building footprint from the previous office building that was proposed compared to this proposal is about a

90 percent reduction in size, with the new building footprint proposed as 834 square feet.

Questions from the Committee

Committee Member Jennifer Hall asked what the purpose of the hut is for. **Mr. Wright** responded that it is for all fiber that would be servicing the residences of Phoenix. Mr. Wright stated that it would be the main office for fiber. Committee Member Hall asked if there would be above ground utility lines. Mr. Wright responded that all wiring would be located underground within the public right-of-way. Committee Member Hall asked if there are more of these facilities in Phoenix. Mr. Wright responded that this is the first Metronet hut in Phoenix, but there is one under construction in Glendale. Committee Member Hall asked what this land use would be considered in the Phoenix Zoning Ordinance.

Mr. Zambrano responded that it would probably fall under the public utility building or facility use, which is allowed in residential districts. **Committee Member Hall** asked what would happen with the north parcel. Mr. Zambrano responded that the north parcel would still remain vacant, and the original stipulations would still apply to the north parcel. Mr. Zambrano added that any new development that comes to the north parcel would have to go through the Planning Hearing Officer public hearing process to modify the stipulation for general conformance to the site plan and elevations.

Committee Member Daniel Mazza asked if this would support fiber for Cox customers. **Mr. Wright** responded that it would not. Mr. Wright stated that Metronet is a construction company that places fiber for T-Fiber, which is T-Mobile.

Committee Member Robert Goodhue asked what the decibel level is of the mechanical equipment. **Mr. Wright** responded that it is about the same level as a standard car at the maximum level. Committee Member Goodhue asked if the property would be subject to the City noise ordinance regarding noise levels.

Mr. Zambrano responded that it may be in the City Code. Mr. Zambrano stated that there is no specific zoning requirement regarding noise levels, but it could be added as a stipulation by the Committee if desired.

Committee Member Toby Gerst asked if the proposal is similar to a wireless communication facility and asked what the facility does. **Mr. Wright** responded that it houses all the equipment to run the fiber optic network. Mr. Wright stated that there would be no communication towers, and it has nothing to do with wireless communications or cellphones. Mr. Wright stated that they are a fiber optic company and everything they would be doing would be coming out of the proposed building and underground.

Committee Member Hall stated that the Committee has been trying to turn 32nd Street into a unique corridor with restaurants and pedestrian activities. Committee Member Hall asked why Metronet chose this location. **Mr. Wright** responded that one of their main thoroughfares through the city is the nearby freeway and along Bell Road.

Committee Member Hall asked for clarification that Metronet wants to be close to those thoroughfares. Mr. Wright responded affirmatively and added that this hut would connect to the hut in Glendale. Committee Member Hall stated that she is concerned because this site is along 32nd Street. Mr. Wright responded that the corner would be improved and would likely look like a park with the amount of landscaping that would be planted.

Public Comments

Erika Smith Royal introduced herself as a nearby neighbor, opposed to the project. Ms. Royal stated that these lots are within the Sunnyside Acres subdivision, which has recorded Covenants, Conditions, and Restrictions (CC&Rs). Ms. Royal stated that she has done extensive research and has not been able to find documentation that amended the CC&Rs for rezoning Lots 18 and 19. Ms. Royal stated that the proposed fiber optic hut is not consistent with the residential office uses per the R-O zoning district. Ms. Royal stated that the community is opposed to the shelter being built on this lot. Ms. Royal added that the Phoenix Zoning Ordinance states that a Use Permit is required for public utility buildings and facilities within the R-O zoning district. Ms. Royal summarized the conditions that must be met in order for the Hearing Officer to rule favorably on a Use Permit request. Ms. Royal expressed concerns with property values, homeless people, trash dumping, precedent for this use, and environmental impacts.

Committee Member Anna Sepic asked where in the CC&Rs would it limit land uses. **Ms. Royal** responded that the majority of the property owners have to agree to approve what is being stipulated. Ms. Royal shared a copy of the CC&Rs.

Committee Member Robert Goodhue stated that CC&Rs are a private matter that does not concern the City. Committee Member Goodhue stated that the City does not include CC&Rs in zoning approvals or City approvals.

Victoria Vinson introduced herself as a nearby neighbor, opposed to the project. Ms. Vinson stated that the community has worked hard to improve the community and to make it nice. Ms. Vinson stated that the proposed hut would invite more homeless people into the area. Ms. Vinson expressed concerns with noise levels.

Gene Colucci expressed concerns with the electrical components and fire near a residential community. Mr. Colucci stated that there was an explosion in Downtown Phoenix a few years ago. Mr. Colucci stated that residents in the community also have animals and expressed concerns with potential impacts to the animals. Mr. Colucci stated that the shelter should be located within an industrial area rather than next to a residential area.

Christian Marquez introduced himself as a nearby neighbor, opposed to the project. Mr. Marquez expressed concerns with property values and health impacts. Mr. Marquez stated that the shelter should be located within an industrial area rather than next to a residential area. Mr. Marquez added that there has been an issue in the neighborhood with homeless people that was recently resolved. Mr. Marquez expressed concerns with the site becoming a homeless encampment.

Applicant Response

Mr. Wright stated that all the power will be coming from the north side from the existing utility easement, noting that it is a 600-amp service. Mr. Wright stated that natural gas would be tied into from the west along 32nd Street, once the natural gas upgrade is complete. Mr. Wright stated that there is an existing water meter off of 32nd Street that can be used. Mr. Wright stated that all fiber cables would be placed off of 32nd Street, underground. Mr. Wright stated that there would not be a cellphone tower on the site that would emit radio waves and there would be no radio frequencies at all. Mr. Wright stated that the power coming into the facility would be a lot less than the school across the street. Mr. Wright added that there is an electrical transmission site on 33rd Place nearby, which is probably more concerning than the proposed fiber optic hut. Mr. Wright stated that adding fiber to properties increases home values. Mr. Wright stated that the generator is louder than the air conditioning units at 81 decibels, and with the muffler on it, it would be less than a standard truck at 47 decibels. Mr. Wright stated that the generator would run in a 20-minute cycle once a week and would otherwise not be running unless there is a loss of power. Mr. Wright stated that they are a permitted use under the R-O zoning district, classified as a public utility building and facility.

Committee Discussion

Mr. Zambrano clarified that the Use Permit requirement for public utility buildings and facilities within the R-O zoning district is specifically for repair and/or storage facilities, including outdoor, as accessory to a public utility building and facility.

Committee Member Gerst asked how many fiber optic facilities are located within the City of Phoenix. **Mr. Wright** responded that he does not know. Committee Member Gerst asked what kind of studies have been done regarding fiber optic facilities and their health impacts on humans. Mr. Wright responded that he does not know.

Committee Member Roy Wise stated that CenturyLink has been providing fiber optic all over the city, mostly in residential and commercial areas. Committee Member Wise stated that they are usually housed in a box, often seen at corners of intersections. Committee Member Wise stated that there is no electromagnetic force coming out of the fiber optic cables or its connections, so there is no effect on humans since it is all contained.

Committee Member Mazza stated that he has fiber at his home from Cox and there is a box within his neighborhood that hums a little when walking by it. Committee Member Mazza asked if this is a fiber optic box. **Committee Member Wise** responded that this is the electrical power box to allow the fiber optic to function. Committee Member Wise stated that the electrical power is no different than the amount needed to power a house. Committee Member Wise stated that it would be a centralized facility, similar to the central offices that telephone services used to go through. Committee Member Mazza stated that the residents do not want to be guinea pigs for this new type of facility in Phoenix. Committee Member Wise stated that CenturyLink has a centralized facility within a residential community, on Doubletree Ranch Road between Scottsdale Road and 64th Street, which looks like a residential property because the Town of Paradise Valley wanted it to look like a house.

Chair Anita Mortensen asked the applicant to describe the size of the building again. **Mr. Wright** responded that the hut would be 24 feet by 36 feet and 12 feet tall, with the compound being 75 feet by 75 feet, which would be enclosed by a CMU block wall.

Committee Member Hall stated that the Committee adopted the North 32nd Street Plan 10 years ago, which made a commitment to the community that 32nd Street would be transformed into a really special corridor. Committee Member Hall stated that she does not see how the proposed hut fits into what the community envisioned for 32nd Street.

Committee Member Sepic asked if the proposed modification to the stipulation for the south lot affects the zoning for the north lot. **Mr. Zambrano** responded that it does not. Mr. Zambrano stated that the modified stipulations would only be for the south lot, and the original stipulations would still be applicable for the north lot. Mr. Zambrano stated that once development comes in for the north lot, they will have to go through the Planning Hearing Officer public hearing process again to modify the stipulation for general conformance to the site plan and elevations for the north lot.

Committee Member Gerst asked what the noncompliance issue was. **Mr. Zambrano** responded that it was a previous PHO request, PHO-3-11—Z-47-87-1(3), which requested administrative action to modify Stipulation 5 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development, or take legislative action to revert the R-O zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations.

Committee Member Sepic stated that she knows this corridor well and noted that it is a major transient corridor. Committee Member Sepic stated that she is not a fan of the project. Committee Member Sepic suggested the applicant approach APS to locate on their substation site near Greenway Road and the SR-51 freeway. Committee Member Sepic added that the applicant would still have to go through the process with the HOA to amend the CC&Rs, which would likely be an uphill battle with the neighbors in opposition.

Committee Member Brendan Franks asked if this is part of Metronet's business plan to be centrally located in order to get to as many customers as possible without there being any fiber waste. **Mr. Wright** responded that they have a giant plan for the entire Metropolitan Phoenix area.

Committee Member Hall stated that she feels that this is a bad location for this type of facility.

Committee Member Sepic echoed Committee Member Hall.

MOTION – PHO-4-25—Z-47-87-1(3)

Committee Member Hall motioned to recommend denial of PHO-4-25—Z-47-87-1(3).

Committee Member Gerst seconded the motion.

VOTE – PHO-4-25—Z-47-87-1(3)

11-1; motion to recommend denial of PHO-4-25—Z-47-87-1(3) passes with Committee members Franks, Gerst, Goodhue, Gubser, Hall, Hamra, Mazza, Schmidt, Sepic, Sommer, and Mortensen in favor and Committee member Wise opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

EXHIBIT I

IMPROVEMENT
PLANS FOR

METRONET SHELTER

INDEX OF PLAN SHEETS:

- Cover Sheet

General Notes

General Notes, Cont.

Site Survey

Overall Site Plan

Grading & Storm

Landscaping Plan

Site Civil Details

Driveway Detail

Concrete Pad Install Details

Shelter Foundation Plan

Shelter Elevations

Site Utilities

Electrical Plan

Panelboard Schedule

Gas Service Plan

Grounding Plan & Details

Generator Details
- 1

2

3

4

5

6

7

8-10

11

12

13

14-14D

15

16

17-17B

18

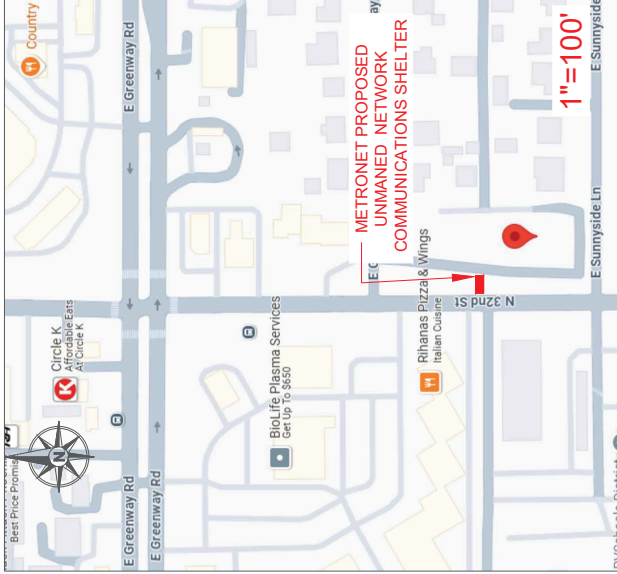
19

20-24

CITY OF PHOENIX

AUG 07 2025

Planning & Development
Department



CONTACTS

ENGINEER (CONTACT):	PROJECT MANAGER	LAND SURVEYOR	GEOTECHNICAL ENGINEER
LEE W. WRIGHT, P.E. METRONET 11880 COLLEGE BLVD SUITE 100 OVERLAND PARK, KS 66210 (810)-333-2303 LEE.WRIGHT@METRONET.COM	CHRIS DEER FACILITIES ENGINEERING DIRECTOR 3701 COMMUNICATIONS WAY, EVANSVILLE, IN 47715 CHRISTOPHER.DEER@METRONET.COM	US SURVEYORS 4929 RIVERWIND POINTE DRIVE, EVANSVILLE, INDIANA 47715 1-800-867-8783 EXT. 201 MJFELDBUSCH@USSURVEYOR.COM	JOSEPH V. BORRELLI, P.E. DELTA OAKS GROUP, PLLC 4904 PROFESSIONAL CT RALEIGH, NC 27609 919-235-5347 JBORRELL@DELTAOAKSGROUP.COM

PROJECT SITE INFORMATION:

Address: 3206 E Sunnyside Ln, Phoenix AZ 85032

Type: Public Utility Unmanned Communications Hut

Shelter Type: Prefabricated Concrete

Shelter Size: (1) 24' W X 36' L

Owner: Metro Infrastructure Group, LLC

Legal Description: SUNNYSIDE AC MCR 53-41 LT 19 EX BEG SW COR LT 19 N TO NW COR LT 19 THE E 6.62F TH SLY ALG A LN DESIG AS LN A TO PT IN S LN A TO PT IN S LN LT 19 WH IS 0.91F E OF POB TH TO POB & EX BEG INTERSEC SD LN A WI S LN LT 19 TH NLY ALG LN A 10F TH SELY YO PT IN S LN LT 19 WH IS 10F E OF POB TH TO POB

Zoning: R-0 (Residential Office Restricted Commercial)

Land Use: Vacant Commercial Urban Non-Subdivide

Proposed Land Use- Utility-Communications Hut

Proposed Building Height: 17'-4"

Allowed Building Height: 17'-4"

Square Foot of Building: 864'

Net Lot Area: 33,505.7' 0.76' Acres

Gross Lot Area: 34,396' 0.79 Acres

Allowed Lot Coverage: 30%

Percentage Net Lot Coverage: 2.51%

APPLICANT	METRO FIBERNET, LLC 8837 BOND ST OVERLAND PARK, KS 66214 810-333-2303
Rezoning Case Number: Z-47-87	KIVA 25-298 SDEV 2500107 PAPP 2501581 QS 34-35



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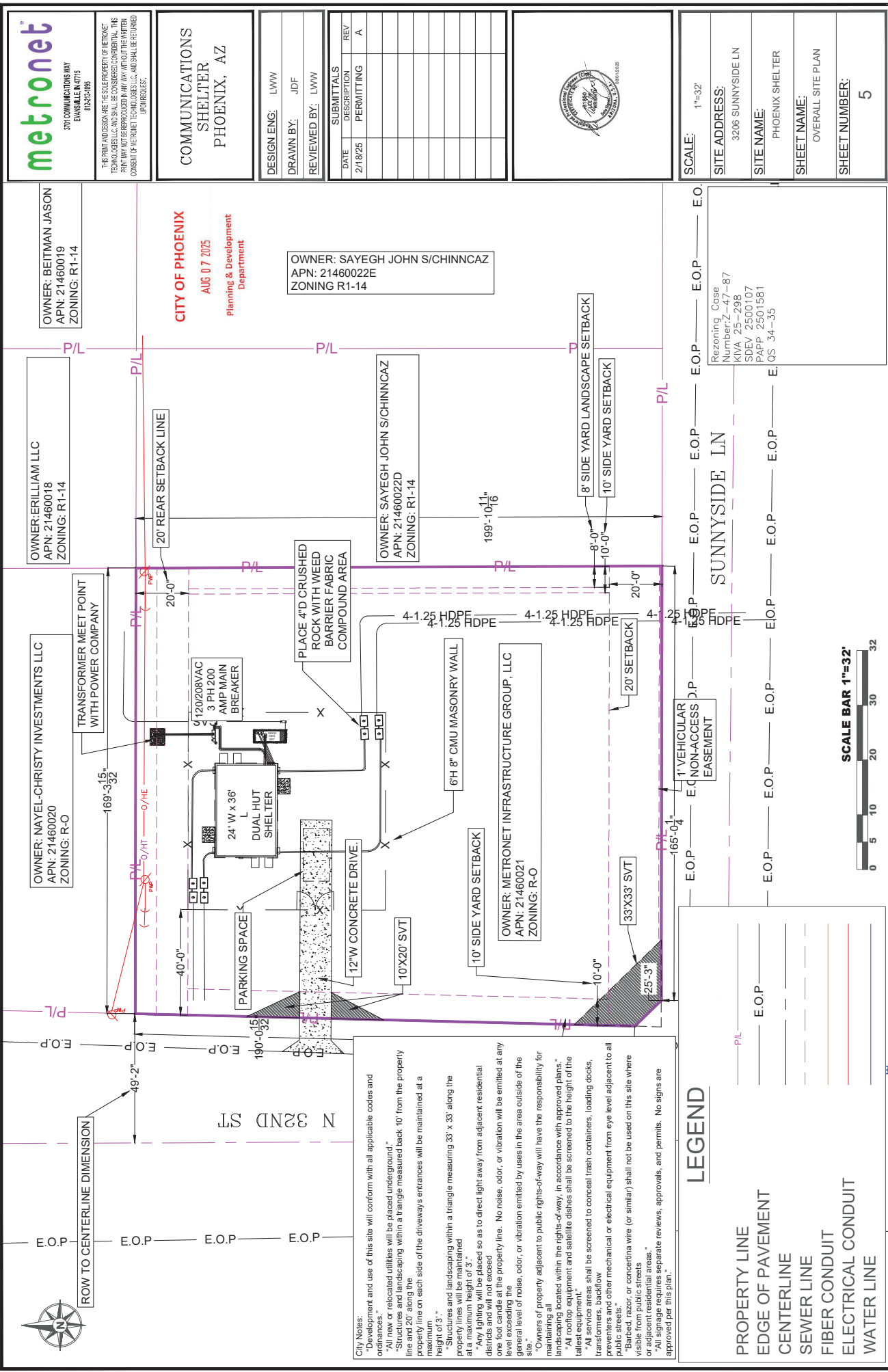
COMMUNICATIONS
SHELTER
PHOENIX, AZ

DESIGN ENG:	LWW
DRAWN BY:	JDF
REVIEWED BY:	LWW

SUBMITTALS		
DATE	DESCRIPTION	REV
2/18/25	PERMITTING	A



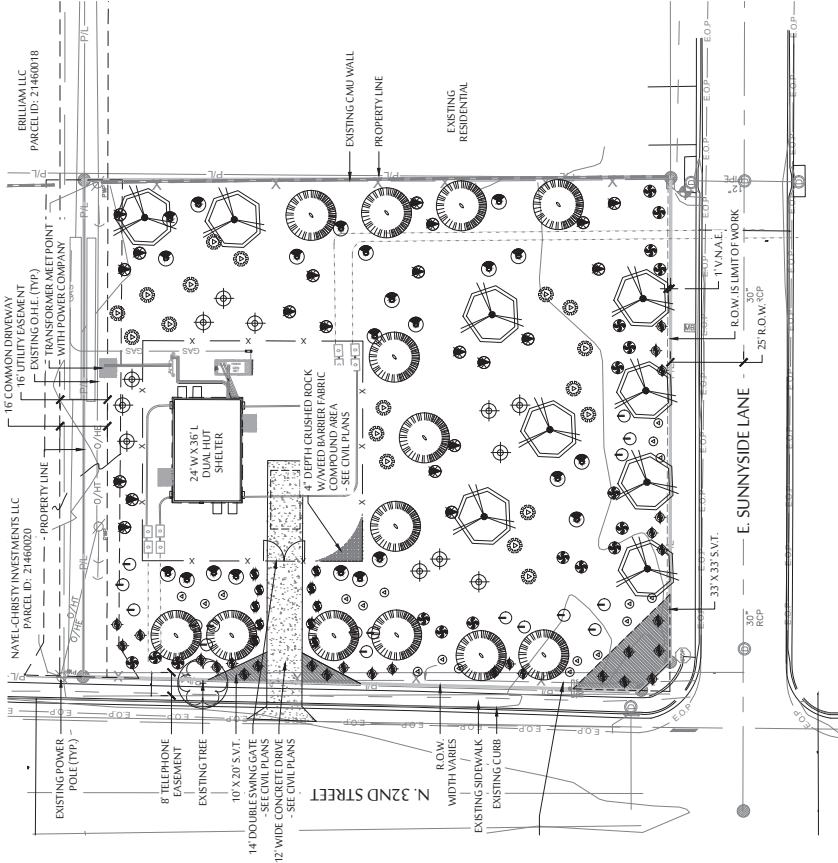
SCALE:	NTS
SITE ADDRESS:	3206 SUNNYSIDE LN
SITE NAME:	PHOENIX SHELTER
SHEET NAME:	COVER SHEET
SHEET NUMBER:	1



Proposed Conceptual Site Plan

Hearing Date: September 17, 2025

EXHIBIT J



PRELIMINARY PLANT LEGEND				
SYMBOL	BOTANICAL NAME - COMMON NAME	QTY.	SIZE	COMMENTS
TREES				
	CHILOPSIS LINEARIS - DESERT WILLOW	13	24" BOX	STANDARD
	PAKISONIA X DESERT MUSEUM	9	24" BOX	STANDARD
SHRUBS				
	CAESALPINIA PULCHERRIMA - RED BIRD OF PARADISE	12	5 GAL	FULL CAN
	CALLIANDRA CALIFORNICA - RED FAIRY DUSTER	21	5 GAL	FULL CAN
	EREMOPHILA HYGROPHANA - BLUE BELLS	18	5 GAL	FULL CAN
	LEUCOPHAEA FRUTESCENS GREEN CLOUD	18	5 GAL	FULL CAN
	TECOMA X SPARKY - SPARKYTECOMA	22	5 GAL	FULL CAN
ACCENTS				
	ASCLEPIAS SURULATA - DESERT MILKWEED	17	5 GAL	FULL CAN
	HESPERALOE PARVIFLORA - RED HESPERALOE	18	5 GAL	FULL CAN
GROUND COVERS				
	LANTANA MONTEVIDENSIS - PURPLE TRAILING LANTANA	10	5 GAL	FULL CAN
	LANTANA X NEW GOLD - NEW GOLD LANTANA	28	5 GAL	FULL CAN
SALVAGE MATERIAL				
	EXISTING TREE TO REMAIN	SEE PLAN	-	-
	DECOMPOSED GRANITE - T.B.D.			32,362 SQ. FT.

NOTES:

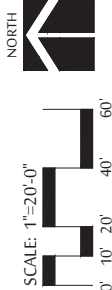
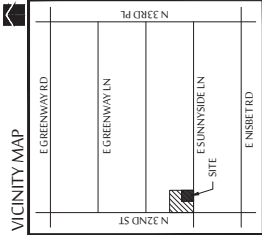
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE ADOBE LOW WATER USE PLANT LIST.
2. SUB-SPECIES OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.
3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR H.O.A. REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.
4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS.



CITY OF PHOENIX

AUG 07 2025

Planning & Development
Department



METRONET SHELTER

PRELIMINARY LANDSCAPE PLAN

3206 E. SUNNYSIDE LANE, PHOENIX, AZ 85032
JULY 30, 2025



PHO-4-25-Z-47-87-1(3)

Proposed Conceptual Landscape Plan

Hearing Date: September 17, 2025

EXHIBIT K



COMMUNICATIONS
SHELTER
PHOENIX, AZ

DESIGN ENG:	LWW
DRAWN BY:	JDF
REVIEWED BY:	LWW

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SCALE:

SITE ADDRESS:

3206 SUNNYSIDE LN

SITE NAME:

PHOENIX SHELTER

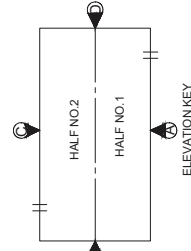
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SHELTER ELEVATIONS

SHEET NUMBER.

14
SHEET NUMBER:

NOTES:
1 REFER SHEET 1-3 FOR BUILDING NOTES.



CITY OF PHOENIX

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1300 DAVENPORT DRIVE, MINDEN, LA 71055
ph. (800) 824-2614 www.fibrebond.com

800) 824-2614 www.tirebond.com

24' - 0" X 36' - 0" BUILDING

ELEVATION, EXTERNAL,	SDEV 2500107
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DATE:	20 DEC 2024	APP. BY: MG	PAPP 2501581
			OS 34-35

DATE:	20-DEC-2021
APP. BY:	WID

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PHO-4-25--Z-47-87-1(3)

Proposed Conceptual Elevations

Hearing Date: September 17, 2025



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PHOENIX, AZ

DESIGN ENG: | WWW

DRAWN BY: JDF

REVIEWED BY: LWW

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SCALE:

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SITE ADDRESS:

3206 SUNNYSIDE LN

SITE NAME:

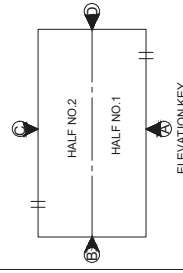
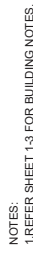
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CHILLING UNIT:

SHEET NAME:

SHELTER ELEVATIONS

SHEET NUMBER:

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CITY OF PHOENIX
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Planning & Development
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1300 DAVENPORT DRIVE, MINDEEN, IL ph. (800) 824-2614 www.firebond.com	METRO FIBERNET, LLC	24' - 0" X 36' - 0" BUILD	ELEVATION, EXTERNAL, V
DRN BY: GD	DATE: 28-DEC-2021	APP. BY: MG	
CHK BY: DL	DATE:	APP. BY:	

1300 DAVENPORT DRIVE, MINDEN, LA 71055
nh / 800\ 824-2614 www.fibroboard.com

METRO FIBERNET, LLC

Rezoning Case

24 - 0 X 36 - 0 BUILD
ELEVATION EXTERNAL V
Number: Z-47-87
KIVA 25-298

DATE:	20-DEC-2024	APP. BY: MG	SDEV 2500107
			PAPP 2501581

DATE:	20-06-2021	NO.	200100
APP. BY:		QS	34-35



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SHELTER
PHOENIX, AZ

DESIGN ENG: LWW

DRAWN BY: JDI

REVIEWED BY: LWW

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SCALE:

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SITE ADDRESS:

3206 SUNNYSIDE LN

SITE NAME:

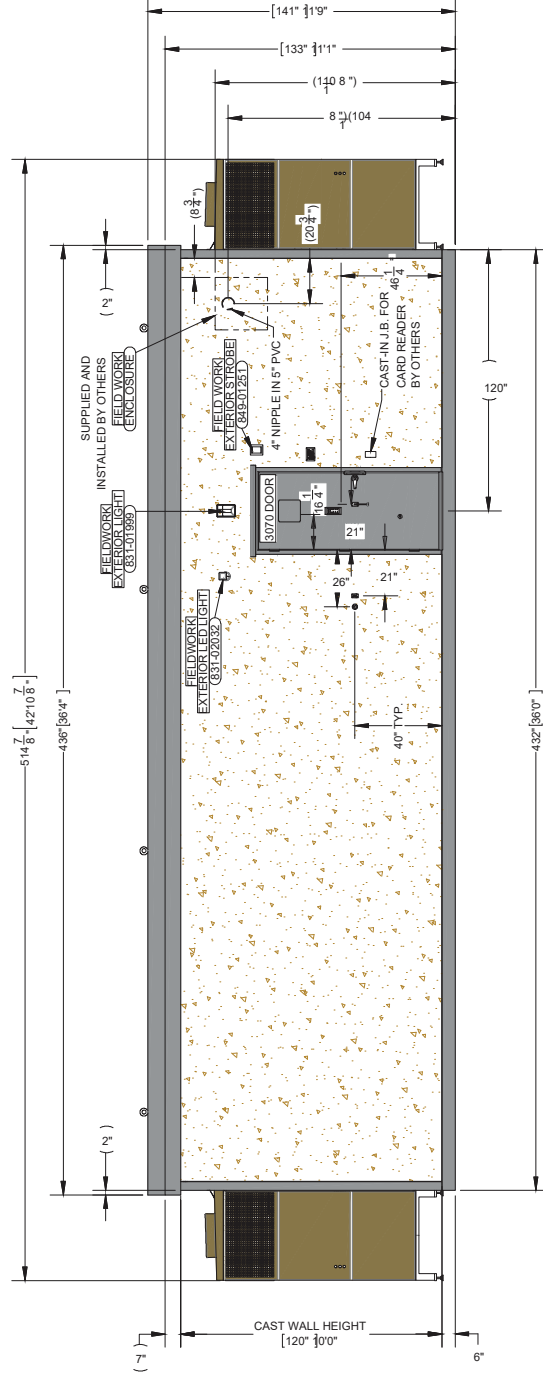
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SHEET NAME

SHELTER ELEVATIONS

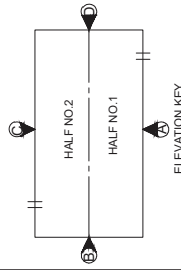
SHEET NUMBER:

11



ELEVATION, EXTERNAL, WALL-C

NOTES:
1 REFER SHEET 1-3 FOR BILLING NOTES



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AUG 07 2025
Planning & Development
Department

[illegible]

1300 DAVENPORT DRIVE, MINDEN, LA 71055
nh (800) 824-2614 www.fibrebond.com

ISSUE	REZONING CASE NUMBER: 7-47-87
METRO FIBERNET, L	24'-0" X 36'-0" BIII

KIVA 25-298

DATE:	APP. <small>DATE</small>
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DATE:	29-DEC-2021	BY: MG	QA 200100
APP.:			QS 34-35

[illegible]

1501

PHO-4-25--Z-47-87-1(3)

Proposed Conceptual Elevations

Hearing Date: September 17, 2025

EXHIBIT L

EXHIBIT M

Received @
PHO 5 19 99
Z 47-87-3



EXHIBIT N

CITY OF PHOENIX

SEP 15 2025

**Planning & Development
Department**

Home From Home STR LLC
3311 E. Greenway Lane
Phoenix, AZ 85032

September 14, 2025

Mr. Byron Easton
Planning Hearing Officer-City of Phoenix
Development Services Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: PHO-4-25--Z-47-87-1(3) for 3206 East Sunnyside Lane requesting to modify stipulation #1 of the Zoning Case PHO-3-11--Z-47-87-1 regarding conformance to the site plan date stamped April 16, 1999, and the elevations date stamped May 18, 1999.

Dear Mr. Easton,

As a long-time homeowner and active member of Sunnyside Acres, I am writing to express my deep concerns regarding the proposed **Metronet facility** at 3206 E. Sunnyside Lane. I own **3216 and 3226 E. Sunnyside Lane**, and my family and I care deeply about maintaining the safety, character, and livability of our neighborhood.

Through the research of one of our neighbors, Erika Smith Royal, who is an active and trusted member of our community, it has been determined that there is no record of an amendment to the CCRs that allowed lots #18 and #19 to be changed from R1-14 to R-O Residential Office – Restricted Commercial. If there is proof of such a change, I ask that it be provided. Even if the zoning stands, the intent of R-O zoning is for low-impact uses with residential characteristics, which this proposal does not meet.

The City of Phoenix Planning & Development Department's R-O Zoning Guidelines outline three types of residential district uses: purely residential, a mix of residential and commercial, and residential office where office use predominates. The proposed Metronet unmanned fiber optic hub, also called the Metronet Shelter, does not fit within any of these categories. While Section 620 of the Phoenix Municipal Code allows public utility buildings under a use permit, Metronet is a private utility, and this unmanned structure stretches the intended limits of the guidelines. Use permits are intended for special exceptions where the activity does not significantly increase pedestrian traffic, create odor, dust, gas, noise, vibration, heat, or glare beyond normal conditions, or contribute to neighborhood deterioration or loss of property value. In this case, the proposed shelter raises clear concerns on all of these points.

This project will have a **direct and immediate impact** on my property at 3216 E. Sunnyside Lane, which is a licensed short-term rental (Home From Home Short Term Rental LLC, License #STR-2025-002486) and shares a wall with the proposed facility. My guests come expecting a safe, quiet, and welcoming environment. An unmanned utility structure so close to my property

risks creating **noise, unsightly conditions, and potential security concerns**. **Guests may feel unsafe or uncomfortable**, which could harm my reputation as a licensed short-term rental operator, reduce bookings, and negatively affect the income that helps maintain my properties.

I am also concerned that this unmanned structure could **reduce the value of both of my properties**, as it sits directly adjacent to 3216 and 3226 E. Sunnyside Lane. Its presence could attract **loitering or unhoused individuals**, potentially reversing years of progress in controlling homelessness in the area. Additionally, even if the facility is safe, some **guests may have concerns about 5G and fiber optic equipment** nearby, which can influence their perception of safety and comfort.

In particular, there can be a significant issue with **high-speed fiber optic converters installed at the street or in homes**, as they are **not designed with low-EMI emissions in mind**. According to an article from EMF Analysis ([link](https://www.emfanalysis.com/fiber-optics-increasing-electrical-sensitivity/)), these converters and their power supplies can generate **high amounts of wide-spectrum electromagnetic interference (EMI)**. In my opinion, this **raises a physical concern to me and to our future tenants at 3226 E. Sunnyside Lane**, making the immediate environment less desirable for residents and guests alike. (<https://www.emfanalysis.com/fiber-optics-increasing-electrical-sensitivity/>)

Our neighborhood has worked for years to address **homelessness and blight**. Introducing a facility that is **unattended and invites loitering** threatens to reverse this progress. Trash and debris, as already seen at Lot #18 with Southwest Gas, accumulate quickly when structures are left unsupervised. **My guests should not have to contend with these risks**, nor should our neighbors.

There are additional unanswered questions about long-term impacts. **No environmental study has been conducted, no compliance with the City's Climate Action Plan has been demonstrated, and no assurances have been given that fiber optic converters or towers will not be added at a later date**. A facility like this belongs in an **industrial setting**, not directly adjacent to **residential homes** and a **permitted short-term rental**. With fiber lines being redesigned, this is a timely opportunity to place the hub in a location better suited for its commercial and operational needs.

I respectfully ask that the City carefully consider the voices of local residents and property owners and protect the **safety, comfort, and experience of residents and guests**, as well as the **integrity and value of our neighborhood**. Sunnyside Acres is a community we love and actively care for, and we hope the City will help preserve the qualities that make it a **safe and welcoming place for everyone**.

Thank you for your time, understanding, and attention to these concerns.

Sincerely,

Chinnaz & John Sayegh
Home From Home STR LLC (602.790.8796)
Cammar6571@gmail.com

Neighborhood Petition Form

CITY OF PHOENIX

SEP 15 2025

Planning & Development
Department



Reason for Petition: Petition Opposing the Metronet Shelter at 3206 East Sunnyside Lane

Action Requested:

We, the undersigned residents and community members, respectfully petition the City of Phoenix Planning & Development Department to **deny approval of the proposed Metronet unmanned fiber optic communications hub ("Metronet Shelter") at 3206 East Sunnyside Lane.**

Petition Forwarded to:

To: Mr. Easton and the City of Phoenix Planning & Development Department
From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

DATE	NAME	ADDRESS	SIGNATURE
9/10/25	Victoria Vinson	3230 E Sunnyside Lane	Victoria Vinson
9/11/25	Sandra Hines	3236 E Sunnyside Ln	Sandra Hines
9/11/25	AL HINES	11	AL HINES
9/11/25	Aurora Oberloh	3306 E Sunnyside Lane	Aurora Oberloh
9/11/25	RONALD OBERLOH	3302 E SUNNYSIDE LANE	Ronald Oberloh
9/11/25	Jennifer Kennedy	3318 E Sunnyside Lane	Jennifer Kennedy
9/11/25	Holly Dale	3216 E Greenway Ln	Holly Dale
9/11/25	Dale Golden	3224 E Greenway	Dale Golden
9/11/25	Konomi Smizu	3241 E Greenway Ln	Konomi Smizu
9/11/25	ROD HARRIS	3302 E GREENWAY LN	ROD HARRIS
9/11/25	Scaraya Turcotte	3314 E Greenway Ln	Scaraya Turcotte
9/11/25	Ross Kundral	3318 E. Greenway Ln	Ross Kundral
9/11/25	David Harms	3330 E Greenway Ln	David Harms
9/11/25	Alyssa Harms	3330 E Sunnyside Ln	Alyssa Harms
9/11/25	Dakodah Harms	3330 E Sunnyside Ln	Dakodah Harms
9/11/2025	Norine Colucci	3225 E Sunnyside Ln	Norine Colucci
9/11/2025	Eugene Colucci	3225 E Sunnyside Ln	Eugene Colucci
9/11/2025	Sandy Karick	3225 E Sunnyside Ln	Sandy Karick
9/11/25	Ayla Karick	3225 E Sunnyside Ln	Ayla Karick
9/11/25	Lynn Chiarella	3320 E Sunnyside Ln	Lynn Chiarella
9-11-25	Dili Magee	3243 E. Sunnyside Ln	Dili Magee
9-11-25	Redlin Kennedy	3218 E Sunnyside Ln	Redlin Kennedy
9-12-25	JOHN HADLEY	3229 E Sunnyside Ln	JOHN HADLEY

Neighborhood Petition Form



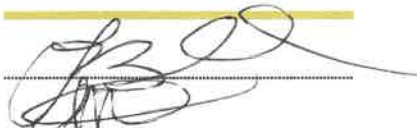
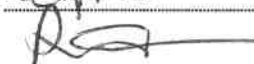

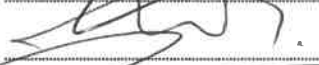





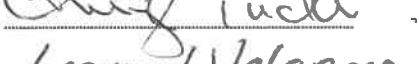
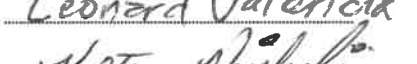
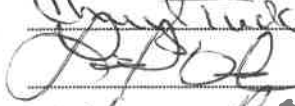
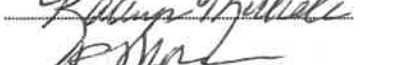
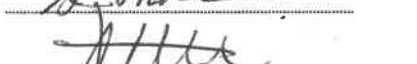

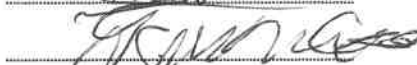



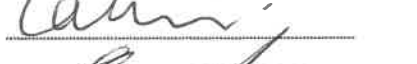




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From: Concerned Residents of Sunnyside Acres and the Surrounding Neighborhoods

DATE	NAME	ADDRESS	SIGNATURE
9/12/25	Hien Duong	3305 E Greenway Rd	[Signature]
9/12/25	Rosalee Fossell	15049 N. 10th Ave Phx 85022	[Signature]
9/12/25	Jeffrey W. H. B.	3205 E. Sunnyside	[Signature]
9/12/25	Seven Ruby	9205 K Sunnyside Ln	[Signature]
9/12/25	Gabino Salgado	3305 E. Sunnyside Ln	[Signature]
9/12/25	Brent Iverson	3205 E Sunnyside Ln	[Signature]
9/17/25	Wayne J. Kim	3205 E Sunnyside Ln	[Signature]
9/17/25	Christian Marquez	3205 E Sunnyside Ln	[Signature]
9/12/2025	Christian Marquez	3215 E. Sunnyside Ln Phx, AZ 85032	[Signature]
9/12/2025	Galvan	3215 E Sunnyside Ln	[Signature]
9-12-2025	Eduardo Galvan	3215 E Sunnyside Ln	[Signature]
9-12-2025	Casey Galvan	3215 E. Sunnyside Ln	[Signature]
9/12/25	Thanya Marquez	3215 E. Sunnyside Ln	[Signature]
9/13/25	ERIKA SMITH ROYAL	3329 E. Greenway Ln	[Signature]
9/13/25	Emily Mary Dale	3216 E Greenway Ln	[Signature]
9/13/25	Paul Morris	3228 E Greenway Ln	[Signature]
9/13/25	Tim Boye	3228 E Greenway Ln	[Signature]
9/13/25	D. Baker	3230 E. Greenway Ln	[Signature]
9/13/25	Mario Herrera	3247 E Greenway Ln	[Signature]
9/13/25	Trinidad Lopez	3247 E Greenway Ln	[Signature]
9-13-25	Clayton Walton	3314 E Greenway Ln	[Signature]
9-13-2025	LEAH GAKKULU	3324 E Greenway Ln	[Signature]
9-13-2025	Blanca Martinez	3324 E Greenway Ln	[Signature]
9-13-25	Adesh Mirza	3228 E. Greenway Rd	[Signature]

DATE	NAME	ADDRESS	SIGNATURE
9/12	Jonathan Busby	3235 E Sunnyside Ln	
9/12	Trudy Miranda	3235 E Sunnyside	
9-12	Paul Fenton	3143 E Greenway Rd	
9-12	Sam Aiket	3143 E Greenway Rd	
9-12	Max Riehm	3143 E Greenway Rd	
9/12	Travis Barr	15230 N. 32nd St	
9/12	Pam Brooks	15230 N. 32nd St	
9/12	Matt Lipp	15230 N 32 St	
9/12	TE D DANKA/H	15230 N 32 ST	
9/12	Rose Thornton	16225 N. Cave Creek Rd	
9-12	Shang Tucker	18250 N 32nd St	
9-12		2829 E. Wagon Rd	
9-12	Katung Thihali	3928 E PARADISE DRIVE	
9-12	Rita Moran	3121 E. Greenway Rd.	
9-12	Nick Zahredine	3121 E. Greenway Rd.	
9-12	Naha Zahredine	3121 E Greenway Rd.	
9-12	Justin Gordon	3111 E Greenway Rd	
9/12	Tanner Shipman	3111 E Greenway Rd	
9/12	Armando Antiller	15235 N 32nd St	
9/12	Cass	12844 N Paradise Valley Pkwy	
09/12	Candy A.	3305 E Greenway Rd	
09/12	Stacy Q	3305 E Greenway Rd	
9/12	WENDY TIER	4012 E. ADAMS ST	

[illegible]

Erilliam LLC.
6001 E. Surrey Ave.
Scottsdale, AZ 85254

September 1, 2025

Mr. Byron Easton
Planning Hearing Officer
City of Phoenix
Development Services Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: PHO-4-25--Z-47-87-1(3) for 3206 East Sunnyside Lane requesting to modify stipulation #1 of the Zoning Case PHO-3-11--Z-47-87-1 regarding conformance to the site plan date stamped April 16, 1999, and the elevations date stamped May 18, 1999.

Mr. Easton:

The Covenants, Conditions, and Restrictions (CCRs) for Sunnyside Acres, from its inception, designated that lots #5, #6, #7, and #8 may be used for business purposes and a C-1 zoning. There was an amendment to the CCRs for Sunnyside Acres in January 1999, recorded with the Maricopa County Recorder's office as 1999-0025614. This amendment allowed C-1 zoning for the lots on the south side of Greenway Road. According to the CCRs for Sunnyside Acres, approval of the majority of owners is required for these zoning modifications to take place. (Please see attached.)

Through all my research I have determined that there was not an amendment that was filed to change lots #18 and #19 to R-O Residential Office – Restricted Commercial. I want to be provided a zoning case history or proof of a rezoning ordinance for parcel #214-60-021 Lot #19 of Sunnyside Acres. If indeed it can be proven there is an amendment to the CCRs that was filed to allow the change from R1-14 to R-O Residential Office – Restricted Commercial the key to this zoning district is low impact and with residential characteristics.

The City of Phoenix Planning & Development Department's R-O Zoning Guidelines states that there are three types of residential district uses. These are purely residential, combination of residential and commercial, and residential office, where office use of the property dominates. The proposed Metronet unmanned fiber optic communications hub, also known as the Metronet Shelter, does not meet the definition of these three types of uses.

Section 620 of the Phoenix Municipal Codes under Permitted Uses/Section 6 does note public utility buildings subject to a use permit. Metronet is classified as a private utility and this unmanned shelter pushes the limits of the guidelines. It is my understanding that the use permit is granted for special exceptions where the use will not cause a significant

increase in pedestrian traffic, emit odor, dust, gas, noise, vibration, heat, or glare at a level exceeding that of ambient conditions, contribute to the deterioration of the neighborhood, or the downgrading of property values. This neighborhood has only recently gotten the homeless situation under control. It took years of working together to achieve this. This unmanned structure invites the unhoused to settle among the landscaping and then drift into the neighborhood along with the trash that will accumulate on a daily basis contributing to the deterioration of the surrounding homes. One only has to look at all the trash around the construction yard on lot #18 for the Southwest Gas pipeline to confirm this.

Since there is no other facility of this type in a residential Phoenix neighborhood or any residential neighborhood in the surrounding areas, there is nothing to use for comparison. No environmental impact study has been done nor has Climate Action Plan compliance been shown so we have no idea what the effect of this unmanned structure will have on the property values and the rest of Sunnyside Acres. We have also not been assured that fiber optic converters will not be used on the property or that towers will be added at a later date. This facility would be better placed in an industrial setting. Since the fiber lines can no longer run down the east side of 32nd Street and are subject to a redesign, this would be the perfect opportunity for relocation of this fiber optic hub.

Thank you for considering these items. Please let me know if you have any questions regarding my concerns or requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Erika Smith Royal". The signature is fluid and cursive, with a large initial "E" and "R".

Erika Smith Royal

Erilliam LLC.

Texazgall@gmail.com

602-330-2847

Attachment



Unofficial
Document

When recorded mail to:

CHICAGO TITLE INSURANCE CO.
2415 E. CAMELBACK RD. #300
PHOENIX, AZ. 85016
ATTN: PATTI KRISIK

MAR

99-0025614

01/11/99

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1 OF 31

CHICAGO TITLE INSURANCE COMPANY

129

This space reserved for recording information

Order No. 009808698

AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS

The Covenants, Conditions and Restrictions recorded in Docket 1008, page 281 and modified by Docket 1066, page 309 are hereby amended to allow Commercial use together with Single Family use.

Attached hereto and by this reference made a part hereof are approvals of the majority of the owners of Sunnyside Acres, a subdivision recorded in Book 53 of Maps, page 41, records of Maricopa County, Arizona.

Dated this 8th day of January 1999.

SHAMROCK INVESTMENT COMPANY, a
general partnership

BY: _____
John J. Doherty
Its: General Partner

E & T LIMITED PARTNERSHIP,
an Arizona limited partnership

BY: [Signature]
Erich Spillman
Its: General Partner

[Signature]
Erich Spillman

Attached to AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS

State of _____)
County of _____) ss. Date of Acknowledgement: _____

Acknowledgment of _____

This instrument was acknowledged before me this date by the persons above-subscribed and if subscribed in a representative capacity, then for the principal named and in the capacity indicated.

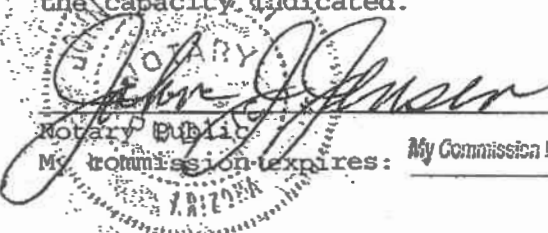
Notary Public
My commission expires: _____

State of Arizona)
County of Maricopa) ss. Date of Acknowledgement: 1-8-99

Acknowledgment of ERICH SPILLMAN

Unofficial Document

This instrument was acknowledged before me this date by the persons above-subscribed and if subscribed in a representative capacity, then for the principal named and in the capacity indicated.

Notary Public
My commission expires: My Commission Expires Aug. 26, 1999

State of _____)
County of _____) ss. Date of Acknowledgement: _____

Acknowledgment of _____

This instrument was acknowledged before me this date by the persons above-subscribed and if subscribed in a representative capacity, then for the principal named and in the capacity indicated.

Notary Public
My commission expires: _____