



City of Phoenix

Staff Report: Z-165-06-7(8) (PHO-1-19)

- APPLICATION:** Z-165-06-7(8) (PHO-1-19)
- APPLICANT:** Jennifer Hall, Rose Law Group
- REPRESENTATIVE:** Tom Galvin, Rose Law Group
- OWNER:** Virtua 35th LLC
- LOCATION:** Northwest corner of 35th Avenue and Carver Road
- REQUEST:**
- 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.
 - 2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.
 - 3) Deletion of Stipulation 19 regarding conditional development approval.
 - 4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.
 - 5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.
 - 6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.
 - 7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.
 - 8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

STAFF RECOMMENDATION

It is recommended that this request be denied as filed and approved with modifications and additional stipulations as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION

On January 15, 2020, the Planning Hearing Officer (PHO) took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

BACKGROUND/ANALYSIS

The subject property is located at the northwest corner of 35th Avenue and Carver Road and consists of approximately 59.48 gross acres. The eastern portion is approximately 20 acres and zoned R1-8. The western portion is approximately 40 acres and zoned R1-18. The applicant's request would only impact stipulations as applied to the eastern portion of the site zoned R1-8.

The conceptual site plan depicts a 92-lot single-family detached residential development at a density of 5.5 dwelling units per gross acre. The proposed layout utilizes a cluster development design, primarily in blocks of four units oriented towards private drives. The conceptual site plan depicts a total of 40.47 percent open space. However, the applicant clarified at the January 15, 2020 PHO hearing that the R1-8 portion would provide a minimum 26 percent open space, after clarifying the City's standards for calculating open space. Amenities will include a tot lot, pool, and open space to be centrally located within the development.

The applicant requested modification of Stipulation 1, regarding general conformance to the stipulated site plan and elevations, to accommodate a new site plan for the R1-8 portion of the site. The applicant proposed that the stipulation also be modified to ensure that the R1-18 portion of the site retain its requirement for conformance with the original stipulated site plan.

The applicant requested modification of Stipulation 7, regarding the landscape setback adjacent to 35th Avenue. The applicant requested to decrease the landscape setback from a 235-foot average and 200-foot minimum setback to a minimum 100-foot setback. The applicant stated that the proposed site plan shifted units further east to reduce the number of proposed lots in the hillside areas at the northwest corner of the site. They stated that the stipulated landscape setback needs to be reduced in order to further mitigate impacts on the hillside area.

The applicant requested deletion of Stipulation 19, regarding conditional development approval. The applicant stated that the deletion of this stipulation would not change the integrity of the project. Additionally, the original rezoning case was approved by ordinance adoption and the zoning of the site was vested with the adoption of that ordinance.

The applicant requested modification of Stipulation 27, regarding the height of terraced berms along the quarry cut slope base, and proposed that the stipulated minimum 8-foot

terrace height be modified to permit a maximum 8-foot terrace height. They noted that reduced terrace heights would be more consistent with the natural environment.

The applicant requested modification of Stipulation 31, regarding raised, vertical curbs within the R1-18 portion of the site, arguing that the community will be private and will implement the City's standard for private accessways, which depicts rolled curbs.

The applicant requested modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site. Their proposed modification would remove the requirement for detached sidewalks and enhanced planting standards. Instead, the proposal would permit five-foot wide attached sidewalks throughout the development. The applicant noted that mature trees would thrive in a natural environment versus a constrained five-foot landscape strip. They also noted that the proposal would include multi-use trails within the development.

The applicant requested deletion of Stipulation 39, regarding one-story homes along 35th Avenue arguing that the stipulation language is unclear, and it does not clearly define what distance or location along 35th Avenue the prohibition would apply to. The applicant also noted that elimination of the stipulation would allow all buildings in the development to adhere to the height restrictions for R1-8 zoning.

PREVIOUS HISTORY

On December 15, 2006, the Phoenix City Council approved the rezoning request from S-1 (Ranch or Farm Residence) to R1-18 (Single-Family Residence) and R1-8 (Single-Family Residence) on an approximately 59-acre property located at the northwest corner of 35th Avenue and Carver Road, subject to stipulations.

The applicant's initial application consisted of both RE-35 and R-2 zoning. The conceptual site plan depicted a gated, mixed residential community including 22 one-acre hillside lots (RE-35) with custom homes, 55 townhome units (R-2), and 81 condominiums (R-2) totaling 158 dwelling units for the site and an overall project density of approximately 2.6 dwelling units per acre. The custom home lots were to be sold and developed on an individual basis. The custom home lots would be accessible via 39th Avenue or through the eastern portion of the site via 35th Avenue. Ingress and egress along 39th Avenue was intended to be gated since the primary entrance would be from 35th Avenue.

The application was modified and ultimately approved for R1-18 on the western 39.6-acre portion of the site and R1-8 on the eastern 19.4-acre portion of the site. The stipulated site plan depicted 121 dwelling units on 59 acres with an overall site density of 2.05 dwelling units per acre. There were no changes to the layout of homes on the R1-18 portion of the site, but the new plan now depicted 99 single-family, villa style units on the R1-8 portion. The villa concept consisted of four detached units surrounding a central courtyard with garage access around a shared driveway at the rear of each unit.

The eastern R1-8 portion of the site contains the remnants of an abandoned gravel mine site. The applicant argued that the area was being developed with a higher density residential product to rehabilitate the damaged site area. The detached villa product was also viewed by the developer as an opportunity to enhance the residential diversity in the Laveen area. Additionally, the higher density villa product was supported by staff given the costly development associated with the mine. The applicant stated that site is risky regarding development and would have to remove hazardous debris, import dirt to level the site, and provide infrastructure improvements.

Numerous residents opposed the proposed density on the eastern portion of the site and spoke in opposition at various meetings and hearings. Approximately 30 emails or letters were received that discussed context, compatibility, and traffic conditions. Residents stated that they wanted responsible development and adherence to the general plan of Residential 0 to 1 dwelling units per acre. Residents also noted that there was a lack of communication with the community. The applicant stated that it was difficult to reach a resolution because there was no common ground between the developer and the neighborhood and he was not willing to decrease the proposed density.

NEIGHBORHOOD CONCERNS

Correspondence

Ninety-eight letters of opposition were received regarding this request. Concerns expressed in the correspondence include the following:

- The City of Phoenix needs to enforce Ordinance G-5020, which requires zoning to be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violated City Zoning Ordinance (83 emails);
- Amend the General Plan to reflect Residential 0 to 1 and Parks/Open Space (83 emails);
- Stipulation 19 protects the neighbors and community from high density development that does not fit the area (83 emails);
- Proposed density is too high for the area (5 emails);
- City officials and City Council members should advocate for Laveen residents and consider how residents will be negatively impacted (1 email);
- Approval of the case would indicate corruption between the builder and government officials (2 emails);
- Two-story development will halt the appeal and devalue the real-estate in the area (2 emails);
- No notice was received by mail (1 email);
- City signage at the site is hidden, illegible, and ineffective (2 emails);
- The proposal does not address dangerous road conditions on Carver Road (4 emails);
- Density greater than two houses per acre has ruined the rural character of Laveen (4 emails);
- The subject property is in the path of flood waters (4 emails);

- The proposed development will increase traffic, consume resources, and increase noise (3 emails);
- The applicant is not providing elevations (1 email);
- Any buildings within 200 feet of the eastern property line should be limited to one story with a maximum height of 20 feet (1 email); and
- The developer should provide an Environmental Impact Study (1 email).

GENERAL PLAN DESIGNATION

Parks/Open Space – Future 1 dwelling unit per acre, Residential 3.5 to 5 dwelling units per acre, and Residential 0 to 1 dwelling units per acre

CHARACTER OF SURROUNDING LAND USE

	<u>Zoning</u>	<u>Land Use</u>
On-site:	R1-18, R1-8	Former mine, vacant land
North:	S-1, R1-18 PRD	Vacant land
South: residential	R1-18, County	Vacant land, single-family
East:	County	Vacant agricultural land, single-family residential
West:	County	Vacant land, single-family residential

DEPARTMENT REVIEW COMMENTS

Archaeology

The City of Phoenix Archaeology Office (CAO) recommends archaeological survey of the western portion of the project area to current professional standards. Archaeological survey is stipulated under the original zoning case (Z-165-06) approved by the City Phoenix Council on October 10, 2007. Additional archaeological work such as data testing excavations or monitoring may be necessary based upon the results of the survey. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist.

This work is recommended in order to assist the project proponent in complying with the State Burial Law, ARS 41-865, and Chapter 8, Section 802[B2] of the City’s Historic Preservation Ordinance.

Aviation

No response.

Fire Prevention

Fire prevention does not anticipate any problems with this case. The site or/and building(s) shall comply with the Phoenix Fire Code.

Also, we do not know what the water supply (GPM and PSI) is at this site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

Floodplain Management

We have determined that the project is not located in a Special Flood Hazard Area (SFHA) but is located in a Shaded Zone X, on panel 2660 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. Based on the project information provided, there are no Floodplain Management requirements to fulfill.

Light Rail

No response.

Parks and Recreation

Parks and Recreation Department would require that the developer/owner dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 35th Avenue and the north side of Carver Road and construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.

Public Transit

No comments.

Street Transportation

1. The developer shall provide a primary roadway from 35th Avenue extended to the western property boundary, as approved by the Planning and Development Department.
2. The primary roadway connecting 35th Avenue to the western edge of the property line shall terminate as a stub street to the adjacent undeveloped land to the west to provide for a future vehicular connection.
3. The proposal shall eliminate the stipulation related to rolled and vertical curbs.
4. The developer shall dedicate right-of-way as determined by Maricopa County Department of Transportation (MCDOT) for 35th Avenue and as approved by Planning and Development Department.
5. The developer shall dedicate right-of-way as determined by Maricopa County Department of Transportation (MCDOT) for Carver Avenue and as approved by Planning and Development Department.

Pedestrian Safety Coordinator - Street Transportation Department, Traffic Services Division

The development should include detached sidewalks along Carver Road and along 35th Avenue. The south side of Carver Road has a canal and restrictive barriers, which would make it likely for pedestrians to use the north side of the road. The east side of 35th Avenue is county jurisdiction, making it unlikely for any future development to include detached sidewalks on the east side of 35th Avenue. The speed limit on both roads is 45 mph but we often receive complaints from residents in this area that these speed limits are not respected, and people go 15 and 20 miles over the speed limit. This condition is aggravated by the road slopes and overall darker conditions in this area. Therefore, in order to provide a safer environment for pedestrians the developer should include detached sidewalks with a generous landscaped buffer between the sidewalk and the road.

Water Services

New public water mains required per the Carver Mountain Master Plan. This project falls within pressure Zone 2S. A new Zone 2S, 12-inch main shall be required from the existing 12-inch water main east of the proposed project (approximately 2,200 linear feet) within Elliot Road, west to 35th Avenue, north on 35th Avenue crossing the canal and then northeast within the Carver Road alignment (north side of canal) and tie into the existing 12-inch main within 27th Avenue. The existing 8-inch main within the Carver Road alignment west of 27th Ave will need to be replaced by the new 12-inch main. A 12-inch 2S main will also need to be extended north on 35th Avenue along the frontage of the proposed project. All onsite water will have to remain private, owned and maintained by the homeowners.

All onsite sewer will have to remain private, owned and maintained by the homeowners. The closest available sewer is approximately 2,800 linear feet north of the proposed project. Given topography of the area to reach this available sewer, a private lift station and private force main will be required. There is another available sewer main within 43rd Avenue just north of the Elliot Canal but would require crossing several private properties with the private force mains. Another option is to build a gravity sewer from the proposed project west along Carver Road to 51st Avenue and then north to Dobbins Road and 51st Avenue.

Standard Note Applies:

Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

EXISTING WATER

Water mains: No Services

Services: City map shows none

EXISTING SEWER

Sewer mains: No Services

SERVICES

City map shows none

REPAYMENT: N/A

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Laveen Village Planning Committee (VPC) heard this case on January 13, 2020 and recommended denial by a vote of 11-0. The Laveen VPC motion also included a request that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

PLANNING HEARING OFFICER FINDINGS

The Planning Hearing Officer's recommendation was based on the following findings:

- 1) The subject property of this request includes the entire 59 acres that comprised the original rezoning case. However, the applicant only submitted plans addressing the approximately 19.4 acres of R1-8 zoned property on the eastern portion of the site, adjacent to 35th Avenue. Modifications are recommended to the applicant's request to ensure that the existing stipulations on the approximately 39.6 acres of R1-18 zoned property on the western portion of the site are not modified or deleted. Additionally, the applicant did not submit elevations with the request. The original stipulations included a general conformance requirement for building elevations. A modification is recommended to the applicant's request to require a future Planning Hearing Officer application for review of conceptual building elevations.
- 2) The stipulated site plan depicted 99 detached single-family units arranged in clusters of two and four, oriented towards common courtyards. There are also seven free-standing units depicted at the northwest corner of the site partially in the hillside-designated area. The proposed conceptual site plan depicts 92 units in a similar cluster-style arrangement. However, the units have been shifted east on the property, reducing the total massing of development in the designated hillside areas. Additionally, the homes are not oriented towards courtyards and instead include larger private driveways in the front yards. There is more open space preserved in the hillside area in the northwest portion of the site. There is also more open space adjacent to the private accessways (Tract "A") which separates the homes from the streets. Because the homes are closer to 35th Avenue, there is less open space provided along the east property line. See Finding #3 for a more detailed description of the recommendation for minimum open space and Finding #4 regarding the landscape setback on 35th Avenue.
- 3) An additional stipulation is recommended to require the developer provide a minimum of 26% open space, of which a minimum of 12% shall be usable open

space. The conceptual site plan depicts 40.47% open space. However, there is no open space exhibit and the applicant indicated that a recalculation was necessary to adequately represent provided open space in the hillside area, setbacks, and other locations. The provision of 26% open space is compatible with the rural character of the surrounding area, consistent with other recent zoning actions in the Village, and significantly exceeds existing Ordinance standards.

- 4) The proposed reduction of the landscape setback on 35th Avenue from 235 feet (average) to minimum 100 feet accommodates the relocation of some residential units out of the designated hillside areas, consistent with the City approved slope analysis. The preservation of the hillside area will contribute to the rural character of the site and maintain this unique natural feature of the property. See Finding #9 regarding the restoration of the disturbed area on the abandoned gravel mine that occupies a portion of the remainder of the site.
- 5) Approximately 2,300 feet to the east of the subject property are the Hangar Hacienda Units One, Two, and Three subdivisions. These properties are in Maricopa County jurisdiction. These communities are oriented around an air strip utilized by residents who own private aircraft. Based on comments from a resident in this community, the typical flight path runs directly over the subject property of this request. An additional stipulation is recommended regarding notification of the aviation uses on these properties for future residents.
- 6) The subject property is archaeologically sensitive. Three additional stipulations are recommended which outline the City's requirements regarding data testing, data recovery, and archaeological assessments and survey.
- 7) The public right-of-way along 35th Avenue and a small portion along Carver Road is in Maricopa County Department of Transportation (MCDOT) jurisdiction. There is also an active drainage project along the roadway. Therefore, additional stipulations are recommended to acknowledge that MCDOT shall determine the final width and dedications needed for the portion of right-of-way adjacent to the subject property. City of Phoenix Street Transportation staff noted that in discussions with MCDOT staff, MCDOT does not have immediate concerns regarding the location of proposed retention areas shown on the conceptual site plan in regard to the drainage project.
- 8) Original Stipulation 19 states that approval shall be conditioned upon the development commencing within 48 months of the City Council approval. For properties with similar stipulations, the Planning and Development Department has required that a Planning Hearing Officer (PHO) action be pursued to modify or delete these conditions at the time that development is proposed, if the proposed development has exceeded the timeframe identified in the stipulation. The applicant is pursuing this process through their request for deletion of the stipulation. The modification or deletion of this stipulation through a PHO action is

unrelated to the zoning reversion process which is a separate public hearing process that is described in Section 506 of the Zoning Ordinance.

The applicant's request for deletion of original Stipulation 19 is recommended for approval. The current proposal is consistent with the City Council's original intent to see the subject property redevelop with a single-family residential land use in the R1-8 zoning district. Additionally, the request is consistent with City Council approved General Plan Amendment GPA-LV-1-08-7, which established a Residential 3.5 to 5 dwelling units per gross acre land use designation on the approximately 19.35 acres that comprises the R1-8 zoned portion of the property. Both the proposed conceptual site plan, as modified by this recommendation, and the existing R1-8 zoning designation are consistent with this land use designation.

- 9) Original Stipulation #27, requiring terraced berms planted with deciduous trees, may result in an environment that contrasts with the natural landscape of the existing hillside in the surrounding area. The stipulated terraced berm configuration is not consistent with the irregular natural landscape of the existing hillside in the surrounding area and there are no deciduous trees on hillside locations in the immediate vicinity. Proposals for fill are commonly intended to continue and promote a natural slope line, rather than creating terracing and other unnatural finishes.

There are a variety of alternatives to the stipulated requirement for terraced berms that may be considered for the site that would result in a more natural aesthetic to the restored hillside. These include chemical treatments and coloration to remove or camouflage scarring, hydroseeding of the slope to provide a mixture of natural grasses and plants which may also stabilize the slope, and roughening the cut or restored slope to integrate pockets for additional native landscaping.

Modified stipulation language is recommended to allow the applicant to work with City staff on an alternative approach to restoring the quarry cut slope base to promote a more natural landscape along the hillside.

- 10) The provision of detached sidewalks is consistent with numerous City policy plans. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the City's planning and development process. Additionally, the City Council adopted Guiding Principles for Complete Streets seeks to make Phoenix more walkable by promoting a safe and inviting pedestrian environment that encourages walkability and thermal comfort. These principles are also expressed and expanded upon throughout the 2015 General Plan.

Therefore, the applicant's request to delete this requirement and instead stipulate a 5-foot sidewalk width is recommended for denial. However, the street layout on the proposed conceptual site plan may require the utilization of both private drives (between units) and private accessways (Tract "A"). There are different technical

requirements and cross sections for these street types and it may be difficult to integrate detached sidewalks along both sides of private drives.

A modification of the applicant’s request is recommended to require that detached sidewalks shall be provided, as originally stipulated, along all streets that are developed as public streets or private accessways.

11) The Street Transportation Department noted that both original Stipulation 31 and the applicant’s proposed modified language may create conflicts if the development is to include both attached and detached sidewalks. The City of Phoenix standard detail for detached sidewalks along private accessways requires vertical curbs. Attached sidewalks may be permitted to provide rolled curbs. Deletion of the stipulation will allow the appropriate detail to be utilized based on the final configuration of sidewalks at appropriate locations throughout the development.

12) Original Stipulation 39 required that homes along 35th Avenue would be limited to one-story. The stipulation did not specify a maximum building height. Additionally, it is unclear whether the stipulation was intended to apply to the individual units located closest to 35th Avenue or the entire clusters. The original stipulation may permit a variety of building heights and locations for height-restricted lots.

However, the intent of the stipulation was to mitigate the impacts of building height for units closest to 35th Avenue and would have impacted homes at approximately 235 feet (the stipulated average setback in original Stipulation 7). This remains a valid concern and consistent with the design of other recent projects in the Village. Therefore, the applicant’s request for deletion of this stipulation is recommended for denial. An alternative stipulation is proposed that limits maximum building height to 20 feet for the 12 lots that are located within approximately 235 feet of 35th Avenue. This recommendation is intended to clarify the limitation on building height and identify the specific lots impacted.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

General	
4.	That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.
1.	THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:

	A.	THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	B.	THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.
2.		CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.		THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. 2.		That d Development of the R1-18 portion of the site shall not exceed 22 lots.
5. 3.		That d Development of the R1-8 portion of the site shall not exceed a density of 99 lots.
6.		THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
Site Design		
7. 4.		That u Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development Services Department.
8. 5.		That n No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except

	that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development Services Department.
a.	Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.
b.	Retaining wall.
9. 6.	That a No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development Services Department.
10. 7.	That a 235-foot (average), 200-foot (minimum) THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE adjacent to 35th Avenue shall be provided , as approved by the PLANNING AND Development Services Department.
11. 8.	That a A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development Services Department.
12. 9.	That t Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development Services Department.
Disclosures	
13. 40.	That p Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
14.	THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF

	THE SUBJECT PROPERTY IN MARICOPA COUNTY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED, WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.
Parks and Recreation	
15. 44.	That The developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.
Archaeology	
16. 42.	That The applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.
17.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
18.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
19.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
Street Transportation	
20. 43.	That Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
21.	That Right-of-way totaling 55 feet shall be dedicated for the west half of Carver

14.	Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
22.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
23.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER ROAD AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
24. 15.	That a A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development Services Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development Services Department.
25. 16.	That t The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all AmericanS with Disabilities Act accessibility standards.
26. 17.	That t The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
27. 18.	That p Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder’s Office and a copy shall be provided to the PLANNING AND Development Services Department for the case files.
19.	That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.
Neighborhood	

28. 20.	That b Building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development Services Department.
29. 21.	That a All two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development Services Department.
30. 22.	That c Concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the PLANNING AND Development Services Department.
31. 23.	That t The use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development Services Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.
32. 24.	That w Washes with a one-hundred-year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development Services Department.
33. 25.	That H Lots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development Services Department.
34. 26.	That e On non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development Services Department.
35. 27.	That a A minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF be 8 feet tall, minimum, and shall be PLANTED planted with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS to center, as approved OR MODIFIED by the PLANNING AND Development Services Department.

	THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
36. 28.	That s Solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development Services Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.
37. 29.	That t The entire 60-acre site shall have no perimeter fencing, as approved by the PLANNING AND Development Services Department.
38. 30.	That p Private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the PLANNING AND Development Services Department.
39. 31.	That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.
40. 32.	That a All HVAC units shall be ground mounted.
41. 33.	That a All street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development Services Department.
42. 34.	That b Bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the PLANNING AND Development Services Department. Photovoltaic energy sources for bollard lighting shall be provided.
43. 35.	That a Any request to delete or modify these stipulations SHALL be preceded by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:
	a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b. Cyd Manning, P.O. Box 41234, Mesa, 85274
	c. Judy Brown, P.O. Box 41234, Mesa, 85274

	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, 2300 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
44. 36.		That The following individuals shall be notified of any and all PLANNING AND Development Services Department (DSD) meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the DSD meeting(s):
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274
	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, 2300 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
45. 37.		That aAll sidewalks, within the R1-8 portion of the site, WHICH ARE DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum rate of 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.
46. 38.		That aA mix of two and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development Services Department.

<p>47. 39.</p>	<p>That only one-story homes shall be located along 35th Avenue.</p> <p>LOTS 52-61 AND 82-83, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p>
<p>48. 40.</p>	<p>That a A detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development Services Department.</p>

PLANNING HEARING OFFICER RECOMMENDATION

It is recommended that this request be denied as filed and approved with modifications and additional stipulations as recommended by the Planning Hearing Officer.

ATTACHMENTS

- A – Appeal Documents (4 pages)
- B – Applicant’s Narrative (4 pages)
- C – Aerial Map (1 page)
- D – Zoning Map (1 page)
- E – Ordinance G-5020 from Rezoning Case No. Z-165-06-7 (11 pages)
- F – Sketch Map from Rezoning Case No. Z-165-06-7 (1 page)
- G – Proposed Site Plan date stamped November 21, 2019 (3 pages)
- H – Stipulated Site Plan date stamped October 8, 2007 (1 page)
- I – Stipulated Elevations (2 pages)
- J – Laveen Village Planning Committee Minutes (13 pages)
- K – PHO Summary for Z-165-06-7(8) (PHO-1-19) (18 pages)
- L – Correspondence (191 pages)

ATTACHMENT A

PLANNING HEARING OFFICER APPEAL			
I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
APPLICATION NO:	PHO-1-19--Z-165-06-7(8)		
LOCATION:	Northwest corner of 35th Avenue and Carver Road		
PHO HEARING DATE:	1/15/20 (UA 2/13/20)	RECEIVED:	2/14/20
APPEALED BY:	<input checked="" type="checkbox"/> Opposition	<input type="checkbox"/> Applicant	
APPEALED TO:	PLANNING COMMISSION	4/2/20	
	CITY COUNCIL	TENTATIVE DATE	
		TENTATIVE DATE	
NAME/ADDRESS/CITY/STATE/ZIP			PHONE #
Cyd Manning 3220 West Ceton Drive Laveen, Arizona 85339			480-747-0769
RECEIPT NUMBER:			
REASON FOR REQUEST:			
The City of Phoenix is in violation of its own Zoning Ordinance and is bound to enforce Ordinance G-5020--Z-165-06-7. The zoning on this property expired October 2011 and is technically S-1. Stipulation 19 was approved with the original case to protect the community from the R1-8 spot zoning that was clearly inconsistent with the area in 2007 and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The Planning Commission & City Council can and should immediately correct the violation and codify the zoning reversion to S-1 and realign the General Plan, prior to hearing any requested action on this case. The applicant states they will sue the City if they don't get what they want regarding deleting Stipulation 19. No one is above the law.			
Taken By:	Radesha Williams		

c: Ben Ernyei – Posting
Benjamin Kim, IS
PDD All

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FEB 14 2020

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Planning & Development
Department

1/15/20 - Z-165-06-7(8)
Taken out from under

The PLANNING HEARING OFFICER agenda for advisement on 2/13/20 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on
March 18, 2020 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by
5:00 p.m. on Thursday, February 20, 2020. (There is a \$630.00 fee for hearings
requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing
Officer's action, request a hearing by the Planning Commission on any application. If
you wish to request a hearing, fill out and sign the form below and return it to the
Planning and Development Department by 5:00 p.m. on Thursday, February 20, 2020.

APPEAL FORM

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

Z-165-06-7(8) (PHO-1-19)

Northwest corner of 35th Avenue and Carver
Road

APPLICATION NO

LOCATION OF APPLICATION PROPERTY

Cyd Manning
NAME (PLEASE PRINT)

[X] OPPOSITION [] APPLICANT

3220 W. Ceton Drive
STREET ADDRESS

Laveen, AZ 85339
CITY, STATE AND ZIP CODE

480-747-0769
TELEPHONE NO

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

1/15/20 - Z-165-06-7(8)
Taken out from under
APPEALED FROM advisement on 2/13/20 PHO HEARING TO 4/2/2020 PC HEARING
DATE DATE

SIGNATURE: Cyd Manning DATE: Feb. 14, 2020

REASON FOR APPEAL: The City of Phoenix is in violation of its own zoning ordinance and is bound to
enforce G-5020 Z-165-06-7. The zoning on this property expired in Oct. 2011
and is technically S-1. Stipulation 19 was approved with the original case to protect the
community from the RT-8 spot zoning that was clearly inconsistent with the area in 2007
and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The
Planning Commission & City Council can and should immediately correct the violation and
codify the zoning reversion to S-1 and realign the General Plan. Prior to hearing any requested
action on this case, the applicant states they will sue the City if they don't get
what they want regarding deleting Stipulation 19.
No one is above the law.

PLANNING HEARING OFFICER APPEAL			
I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
APPLICATION NO:	PHO-1-19--Z-165-06-7(8)		
LOCATION:	Northwest corner of 35th Avenue and Carver Road		
PHO HEARING DATE:	1/15/20 (UA 2/13/20)	RECEIVED:	2/14/20
APPEALED BY:	<input checked="" type="checkbox"/> Opposition	<input type="checkbox"/> Applicant	
APPEALED TO:	PLANNING COMMISSION	4/2/20	
	CITY COUNCIL	TENTATIVE DATE	
		TENTATIVE DATE	
NAME/ADDRESS/CITY/STATE/ZIP			PHONE #
Lisa Vializ 8921 South 53rd Drive Laveen, Arizona 85339			602-741-5722
RECEIPT NUMBER:			
REASON FOR REQUEST:			
<p>The City of Phoenix is in violation of its own Zoning Ordinance and is bound to enforce Ordinance G-5020--Z-165-06-7. The zoning on this property expired October 2011 and is therefore S-1. Stipulation 19 was approved as part of the original zoning case to protect the community from R-8 spot zoning. That was clearly inconsistent with the area in 2007 and is clearly inconsistent today. Deleting Stipulation 19 is negligence in enforcement. The Planning Commission and City Council can and should immediately correct the violation and codify the zoning reversion to S-1 and align the General Plan with S-1 prior to hearing and requested action on this case. The applicant states they will sue the City if they do not set what they want regarding deleting Stipulation 19. No one is above the law.</p>			
Taken By:	Radesha Williams		

c: Ben Ernyei – Posting
Benjamin Kim, IS
PDD All

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FEB 14 2020

Planning & Development Department

City of Phoenix PLANNING & DEVELOPMENT DEPARTMENT

1/15/20 - Z-165-06-7(8) Taken out from under

The PLANNING HEARING OFFICER agenda for advisement on 2/13/20 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on March 18, 2020 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by 5:00 p.m. on Thursday, February 20, 2020. (There is a \$630.00 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. on Thursday, February 20, 2020.

APPEAL FORM

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

Z-165-06-7(8) (PHO-1-19)

Northwest corner of 35th Avenue and Carver Road

APPLICATION NO.

LOCATION OF APPLICATION PROPERTY

LISA VIALIZ

[X] OPPOSITION

[] APPLICANT

NAME (PLEASE PRINT)

8921 S. 53 RD DR.

STREET ADDRESS

LAVEN, AZ 85339

602-741-5722

CITY, STATE AND ZIP CODE

TELEPHONE NO

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

APPEALED FROM 1/15/20 - Z-165-06-7(8) taken out from under advisement on 2/13/20 DATE PHO HEARING TO 4/2/2020 DATE PC HEARING

SIGNATURE:

DATE:

THE CITY OF PHX IS IN VIOLATION OF ITS OWN ZONING ORD. AND IS BOUND TO ENFORCE ORD. G5020Z-165-06-7.

REASON FOR APPEAL: THE ZONING ON THIS PROPERTY EXPIRED OCTOBER 2011 AND IS THEREFORE S-1. STIPULATION 19 WAS APPROVED AS PART OF THE ORIGINAL ZONING CASE TO PROTECT THE COMMUNITY FROM R-8 SPOT ZONING THAT WAS CLEARLY INCONSISTENT WITH THE AREA IN 2007 AND IS CLEARLY INCONSISTENT TODAY. DELETING STIPULATION 19 IS NEGLIGENCE IN ENFORCEMENT. THE PLANNING COMMISSION AND CITY COUNCIL CAN AND SHOULD IMMEDIATELY CORRECT THE VIOLATION AND CODIFY THE ZONING REVERSION TO S-1 AND ALIGN THE GENERAL PLAN W/ S-1 PRIOR TO HEARING ANY REQUESTED ACTION ON THIS CASE. THE APPLICANT STATES THEY WILL SUE THE CITY IF THEY DON'T GET WHAT THEY WANT REGARDING DELETING STIPULATION 19.

PLANNER TAKING APPEAL: Karolsha Williams

Copies to:

Case File

PHO Planner - Julianna Pierre

PHO Secretary - Stephanie Vasquez

NO ONE IS ABOVE THE LAW.

ATTACHMENT B

December 9, 2019

Planning Hearing Officer
City of Phoenix
Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: Request to modify stipulations for Rezoning Case Z-165-06

Dear Planning Hearing Officer:

Rose Law Group pc on behalf of Virtua 35th LLC (the "Owner") is pleased to request a Stipulation Modification to Ordinance G-5020 (Case Z-165-06-7) for 58.998 acres of real property located on the northwest corner of Carver Rd. and 35th Ave. (the "Property"), APN# 300-11-008V. This request is being made in order to facilitate and rationalize development on a property that has served as a blighted site for decades.

Although the site has been vacant for over a decade, previous land uses included mining activity. Unnatural topography and significant disturbance are testament to the site's history and can still be seen today. Redevelopment of the Property proposes to revitalize the scarred areas while protecting those environmental features that still exist.

The Property is located within Council District 7 and the Village of Laveen. Existing and developing residential communities are located in the surrounding area, including the property adjacent to the site's southern boundary, an approximately 96 acre future residential community. Ancillary roadway and offsite improvements are also anticipated with the development of this site.

The subject zoning case (Z-165-06) was heard and approved by City of Phoenix Council on October 10, 2007 after appearing before Planning Commission and the Laveen Village Planning Committee. The zoning case was approved to rezone approximately sixty acres of S-1 (Ranch or Farm Residence) to forty acres R1-18 (Single-Family Residence) and twenty acres R1-8 (Single-Family Residences). In the original stipulations density per zoning district is stipulated at a maximum of twenty two lots on the R1-18, 40 acre area, and a maximum of 99 lots on the R1-8, 20 acre portion, for a total of 121 lots on approximately 60 acres.

The Owner proposes to maintain the intent of the original zoning case by not modifying those stipulations related to the R1-18 portion, and proposing a similar site plan and density that was approved, with a more practical, sensitive, and luxury approach on the R1-8 portion. Connections to the future community to the south, less units overall, sensitivity and specification on the site's hillside topography, and trail opportunities are

some of the ways the Property owner has holistically designed the site to respond to the community and the environment. The proposed lot dimensions have been updated since the original site plan, but maintains consistency with the conceptual elevations. This responds to market demand while implementing the luxuries of fee simple lots and private amenities.

Many years have passed since the rezoning and most of the surrounding area has changed hands and been partially developed. Subsequently some of the stipulations imposed as conditions of the zone change are no longer relevant or practical. Accordingly, the applicant believes that is appropriate to modify Z-165-06 stipulations and request modifications and deletions as shown below in legislative form. Please note this request only impacts the R1-8 (eastern +/-20 acres) portion and no stipulation or site plan modifications are requested to the western +/-40 acres of R1-18.

Proposed Modifications to Ordinance G-5020 (Case Z-165-06-7) Stipulations

1. That **R1-8** development shall be in general conformance with the site plan date stamped ~~October 8, 2007~~ **August 29, 2018**, and elevations date stamped ~~February 20, 2007~~, as modified by the following stipulations, and as approved by the Development Services Department.

Modification Rationale: A new site plan is proposed with this application to facilitate an alternative residential development on the eastern 20 acres. The proposed development will alter lot design and location but will not amend the approved density. The site plan considers the future development to the south and offers connectivity through a shared emergency exit road, as well as pedestrian linkage. Product elevations are still conceptual and will be finalized upon engagement from a builder. Until this time, the property owner would like to maintain elevation flexibility, but is willing to stipulate to lot design.

2. That **R1-18** development shall be in general conformance with the site plan date stamped **October 8, 2007**, as modified by the following stipulations, and as approved by the Development Services Department.

Addition Rationale: No change to the R1-18 portion of the site (western 40 acres) is proposed with this application. Therefore, the applicant is willing to maintain general conformance to the site plan provided in the original zoning case.

7. That a ~~235-foot (average), 200-foot (minimum)~~ **MINIMUM ONE HUNDRED (100) FOOT** landscaped setback adjacent to 35th Avenue shall be provided, as approved by the Development Services Department.

Modification Rationale: Several reasons play into the justification of a decrease in landscape setbacks along 35th Ave. First, the site plan setting this requirement in the zoning case was purely conceptual and did not elevate the site plan design to a technical level, including but not limited to parking

requirements, retention requirements, grading, street standards, etc. The proposed site plan conforms to the technical standards of the City, and subsequently requires additional space. The site plan has also slightly shifted east decreasing the landscape setback along 35th Ave. in order to mitigate disturbance to the environmentally sensitive areas located in the northwest corner. Other upgrades to the community have been made that have detracted from the setback along 35th Ave. including garage parking and additional common amenity spaces. It is worth noting that the stipulated landscape setback along Carver Road is maintained with this request.

19. ~~That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.~~

Deletion Rationale: As mentioned before the property owner is not a homebuilder and therefore does not have control of when building permits will be pulled. It is also likely that the developer of the R1-8 portion will be different than the builder of the R1-18 area, which is unreasonable to tie both areas to the same timeline. Additionally, the R1-18 lots lend to custom homesite, where an individual person could design and build independently. Removing this stipulation does not change the integrity of the project but allows for flexibility of timing so a quality developer/person can thoughtfully execute every aspect of the proposed site plan.

27. That a minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall be 8 feet tall, ~~minimum~~ **MAXIMUM**, and shall be plated with a staggered combination of 2-inch and 4-inch caliper, drought-resistant, deciduous trees at 25 feet center to center, as approved by the Development Services Department.

Modification Rationale: It is likely that the intent of this stipulation was to limit the disturbance to the area and treat in a way that would blend with the natural environment. Therefore, limiting the terrace height accomplishes this goal further.

31. That private roadways within the R1-8 portion of the site shall be provided with a ~~raised, vertical curb~~ **ROLL CURB**, as approved by the Development Services Department.

Modification Rational: The proposed community will likely be private, and therefore implement the City of Phoenix standard of "Private Accessway." This detail depicts a roll curb.

37. That all sidewalks, within the R1-8 portion of the site, shall be **A MINIMUM WIDTH OF FIVE (5) FEET**. ~~detached with a minimum five-foot-wide~~

~~landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted at a minimum rate of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners association.~~

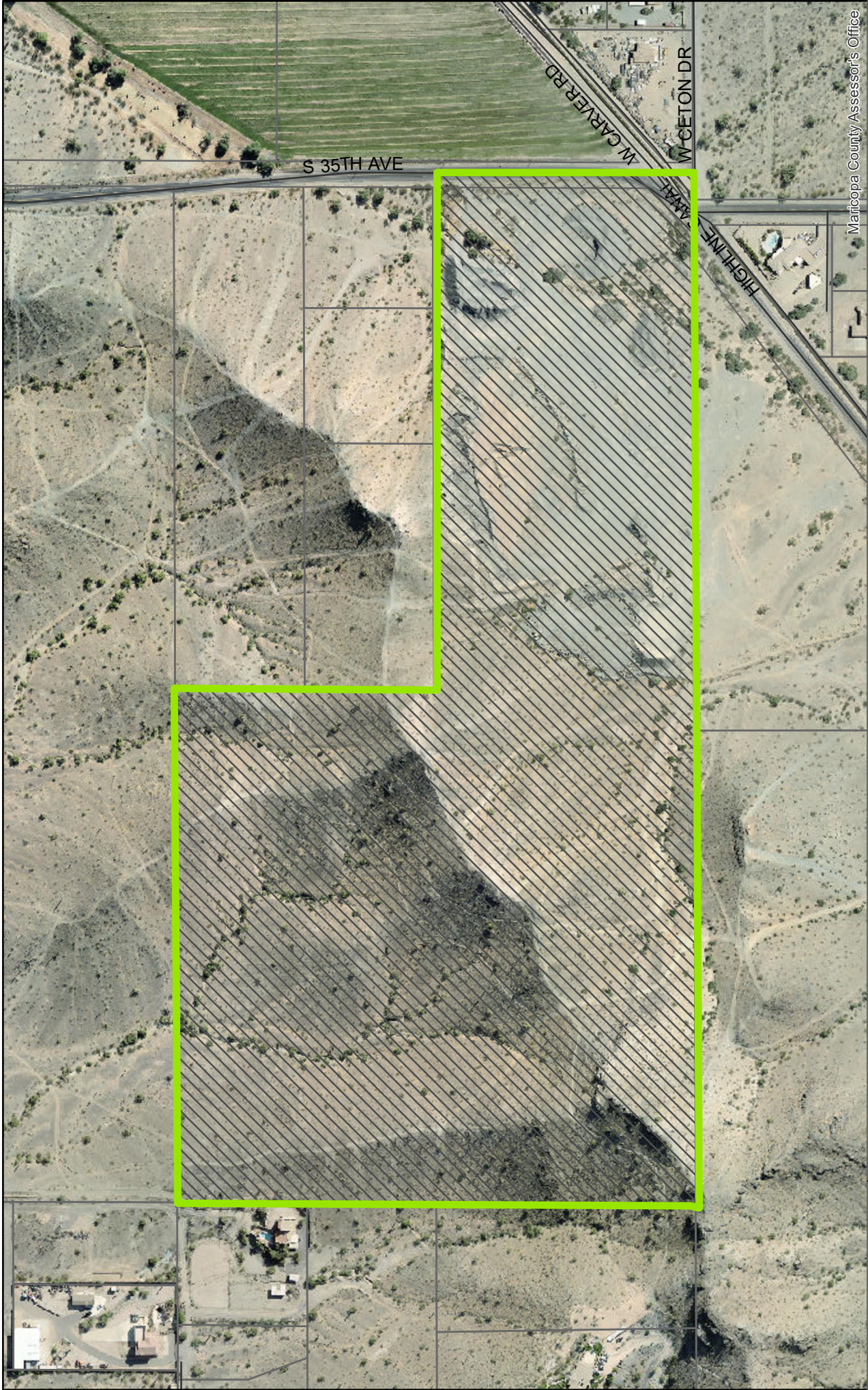
Modification Rationale: As previously mentioned the site plan approved with the current zoning case was conceptual and did not take into detail the technical aspect of implementing detached sidewalks of this magnitude. The proposed site plan has better utilized the site's space and has offered attached five foot wide sidewalks on all major circulation routes, in addition to multi-use trails. Landscaping has been appropriately planned to maximize areas of shade, while recognizing the importance of drought tolerant plant species. It should also be noted that mature trees often thrive in a more natural environment versus a constrained five foot landscape strip.

~~39. That only one-story homes shall be located along 35th Avenue.~~

Deletion Rationale: This stipulation, as written, is unclear and fails to define homes "along" 35th Ave. and specification of a building height associated with the stated stories. Additionally, given the proposed lot size and garage option, any single-story home would have severe square footage constraints. Deletion of this stipulation will eliminate various interpretations and mandate that all building heights conform to the zoning requirement (two stories and thirty feet).

The stipulations imposed in 2007 under zoning case Z-165-06 were based on a conceptual site plan that didn't consider the environmental and technical constraints of this unique site. This coupled with the change in market demand, evolving community, and adjacent residential development, justifies the needs to update and simplify the subject stipulations. This will result in a thriving and unique community on a vacant and otherwise blighted site. The proposed modifications reflect an effort to produce an appealing and sensitive development that aligns with the desires of the City and the community.

ATTACHMENT C



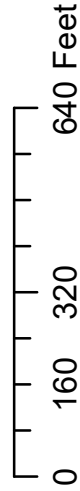
Maricopa County Assessor's Office

PHO-1-19-Z-33-165-06-7

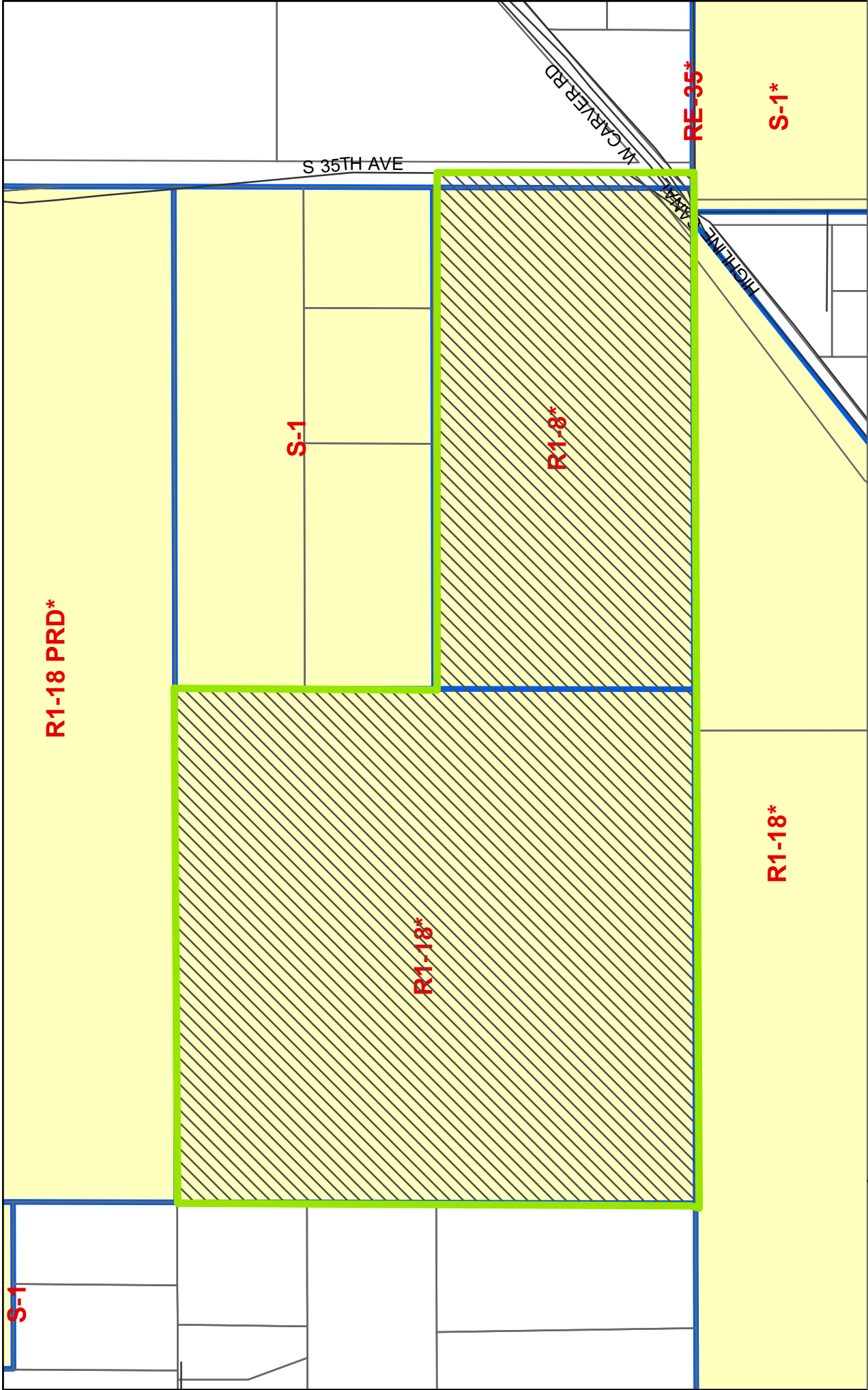
Property Location: Northwest corner of 35th Avenue and Carver Road



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



ATTACHMENT D

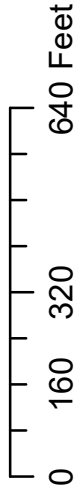


PHO-1-19-Z-33-165-06-7

Property Location: Northwest corner of 35th Avenue and Carver Road



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



ATTACHMENT E

ORDINANCE G-5020

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-165-06-7) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-18 (SINGLE FAMILY RESIDENCE) AND R1-8 (SINGLE FAMILY RESIDENCE)

WHEREAS, on December 15, 2006, the City of Phoenix Planning Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from LVA Urban Design Studio, having authorization to represent the owner, Steven Follmer of an approximately 59 acre property located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on June 13, 2007, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and

WHEREAS, the City Council, at their regularly scheduled meeting held on October 10, 2007, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 59 acre property located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "S-1" (Ranch or Farm Residence) to "R1-18" (Single Family Residence) and "R1-8" (Single Family Residence) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

General

1. That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.
2. That development of the R1-18 portion of the site shall not exceed 22 lots.
3. That development of the R1-8 portion of the site shall not exceed a density of 99 lots.

Site Design

4. That unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the Development Services Department.
5. That no solid wall in excess of three feet in height, as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the Development Services Department:
 - a. Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.
 - b. Retaining wall.
6. That no more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the Development Services Department.
7. That a 235-foot (average), 200-foot (minimum) landscaped setback adjacent to 35th Avenue shall be provided, as approved by the Development Services Department.
8. That a 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the Development Services Department.

9. That those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the Development Services Department.

Disclosures

10. That prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.

Parks and Recreation

11. That the developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.

Archaeology

12. That the applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.

Street Transportation

13. That right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
14. That right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.

15. That a traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to Development Services Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the Development Services Department.
16. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.
17. That the applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
18. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the Development Services Department and Planning Department for the case files.
19. That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.

Neighborhood

20. That building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the Development Services Department.
21. That all two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area, as approved by the Development Services Department.

22. That concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Development Services Department.
23. That the use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the Development Services Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.
24. That washes with a one hundred year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the Development Services Department.
25. That lots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the Development Services Department.
26. That on non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the Development Services Department.
27. That a minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall be 8 feet tall, minimum, and shall be plated with a staggered combination of 2-inch and 4-inch caliper, drought-resistant, deciduous trees at 25 feet center to center, as approved by the Development Services Department.
28. That solid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the Development Services Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.
29. That the entire 60 acre site shall have no perimeter fencing, as approved by the Development Services Department.

30. That private roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the Development Services Department.
31. That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.
32. That all HVAC units shall be ground mounted.
33. That all street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the Development Services Department.
34. That bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the Development Services Department. Photovoltaic energy sources for bollard lighting shall be provided.
35. That any request to delete or modify these stipulations be preceded by presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:
 - a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
 - b. Cyd Manning, P.O. Box 41234, Mesa, 85274
 - c. Judy Brown, P.O. Box 41234, Mesa, 85274
 - d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
 - e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
 - f. Phil Hertel, 2300 West Broadway Road, Phoenix, 85041
 - g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339
36. That the following individuals shall be notified of any and all Development Services Department (DSD) meetings which are open to the public. The applicant shall be responsible for notification to

the following via a first class letter to be mailed at least two weeks prior to the DSD meeting(s):

- a. Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
 - b. Cyd Manning, P.O. Box 41234, Mesa, 85274
 - c. Judy Brown, P.O. Box 41234, Mesa, 85274
 - d. Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
 - e. Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
 - f. Phil Hertel, 2300 West Broadway Road, Phoenix, 85041
 - g. Steven Klein, 6820 South 66th Avenue, Laveen, 85339
37. That all sidewalks, within the R1-8 portion of the site, shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum rate of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners association.
38. That a mix of two- and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the Development Services Department.
39. That only one-story homes shall be located along 35th Avenue.
40. That a detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the Development Services Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

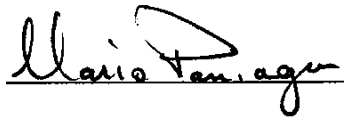
decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 31st day of October, 2007.

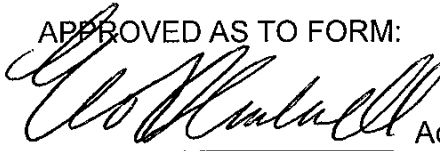


MAYOR

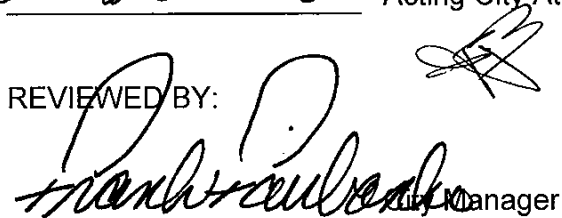
ATTEST:

 City Clerk

APPROVED AS TO FORM:

 Acting City Attorney

REVIEWED BY:

 City Manager

MLW:cz:714477v1
10/31/07:CM#59

CITY CLERK DEPT.
2007 OCT 29 AM 10:27

Attachments:

- A - Legal Description (1 Page)
- B - Sketch Map (1 Page)

ATTACHMENT A
LEGAL DESCRIPTION FOR Z-165-06-7

A.1

300-11-008R

THE SOUTH HALF OF THE SOUTHEAST QUARTER SECTION OF SECTION 10

OR

LOT 1, OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

EXCEPT THAT PART THEREOF, IF ANY, LYING WITHIN THE WEST 40 ACRES OF LOTS 1 AND 2;

EXCEPT THE NORTH HALF OF SAID LOT 1

A.2

300-11-008E

THE SOUTHWEST QUARTER SECTION OF SECTION 10

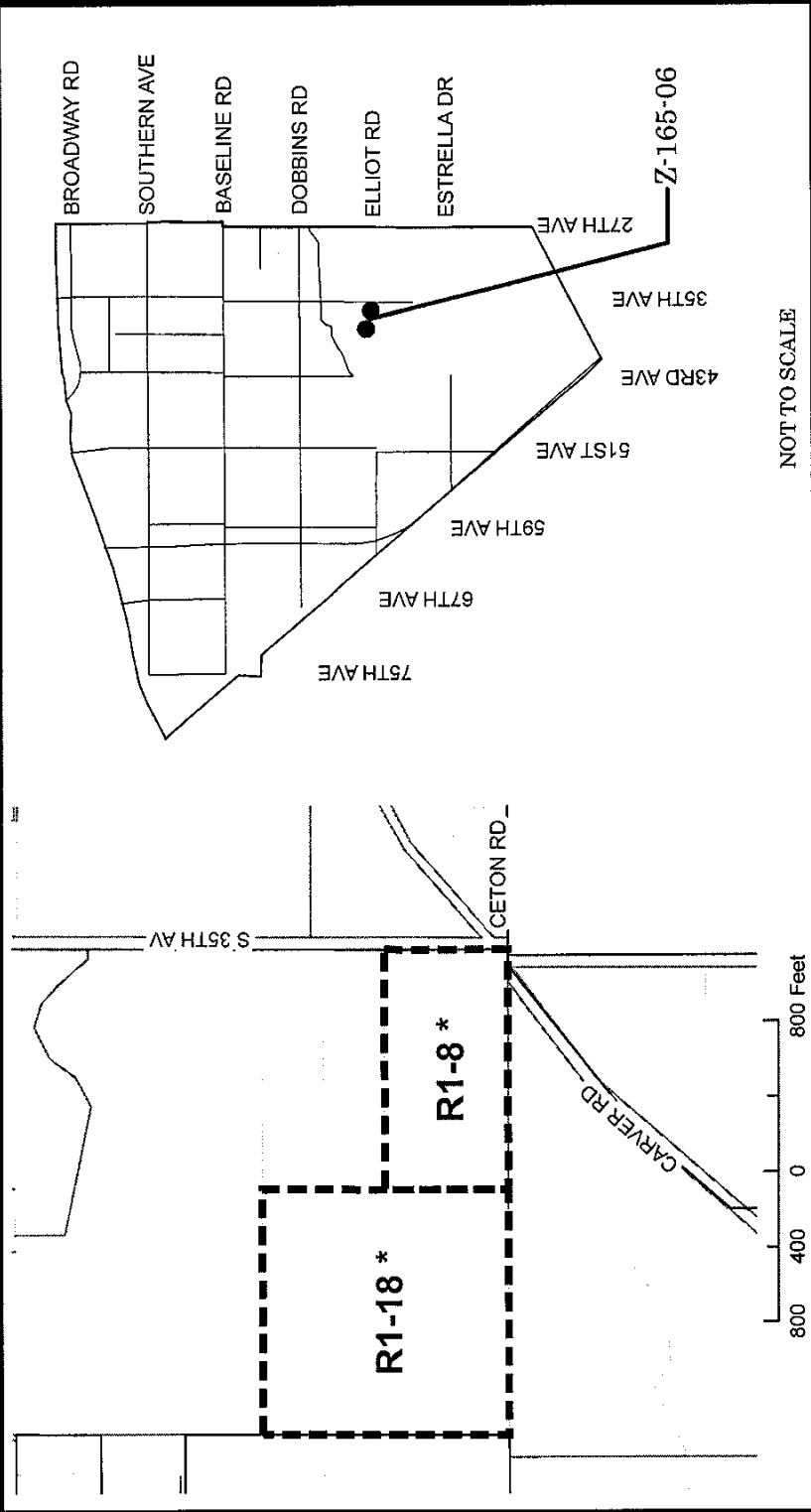
OR

THE WEST 40 ACRES OF GOVERNMENT LOTS 1 AND 2, (SOMETIMES KNOWN AS THE SOUTH HALF OF THE SOUTHEAST QUARTER) OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN

ORDINANCE LOCATION MAP

Zoning Case Number: Z-165-06
Planning Village: Laveen

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



City of Phoenix
PLANNING DEPARTMENT

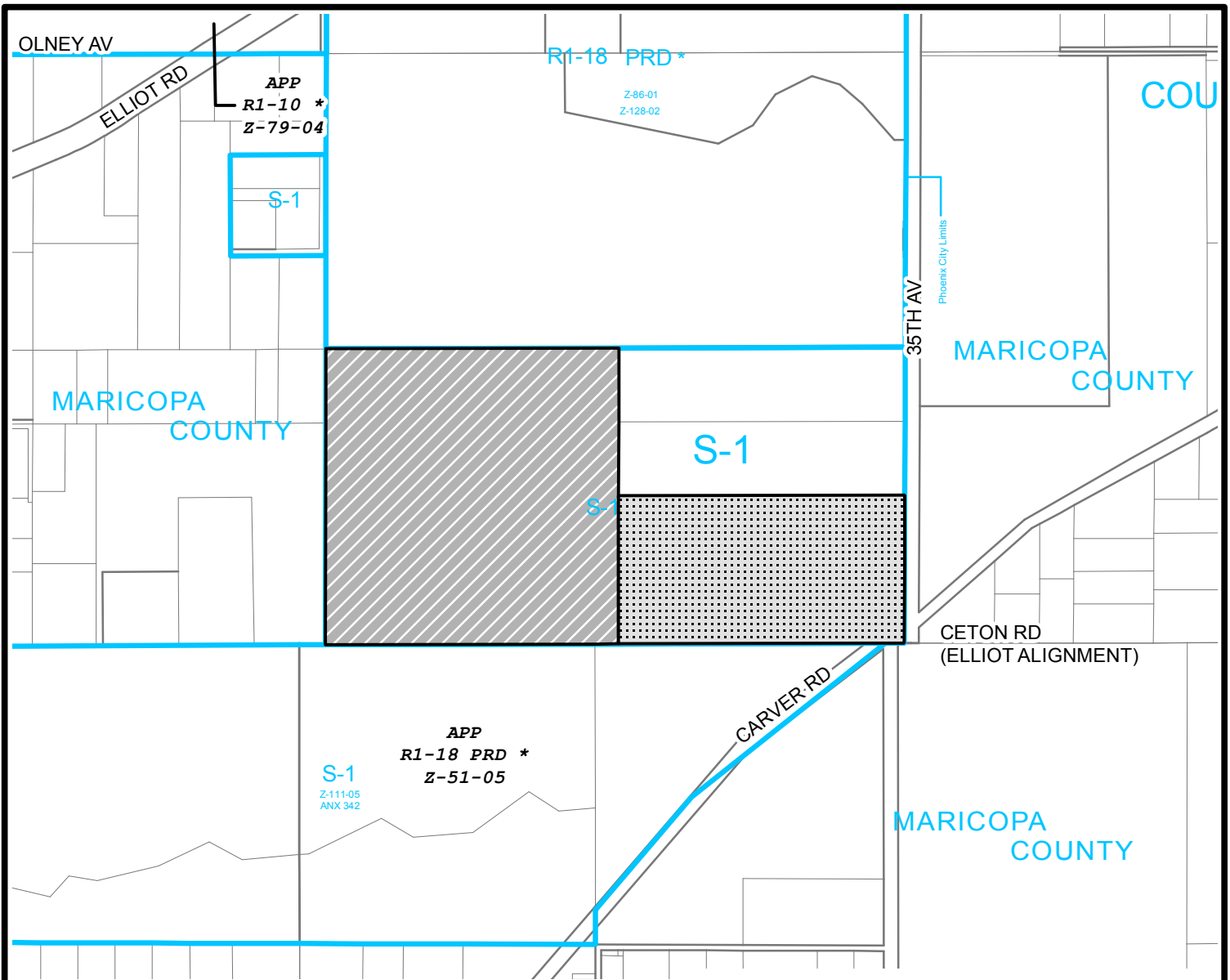


NOT TO SCALE

Drawn Date: 10-19-2007

(N:\IS_Team\Core_Functions\Zoning\SuppMaps\OctoberZ16506.mxd) 10/22/2007

ATTACHMENT F

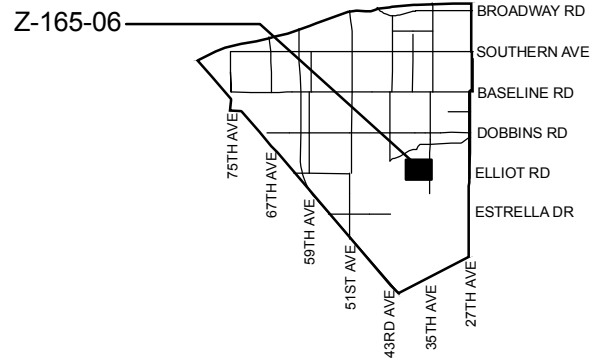


700 350 0 700 Feet

CITY OF PHOENIX PLANNING DEPARTMENT

LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 7



APPLICANT'S NAME: LVA URBAN DESIGN STUDIO - ALAN BEAUDOIN		REQUESTED CHANGE: FROM: S-1 (59.0 ac)	
APPLICATION NO. Z-165-06	DATE: 04-10-2007	REVISION DATES:	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 59 Acres	12-21-2006 10-09-2007	TO:	
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> Q04-20	<small>ZONING MAP</small> C6	R1-8 (19.4 ac)	R1-18 (39.6 ac)
MULTIPLES PERMITTED S-1 R1-8 / R1-18	CONVENTIONAL OPTION 59 77 / 77	* UNITS P.R.D. OPTION N/A 100 / 92	

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

ATTACHMENT G

PRELIMINARY SITE PLAN CARVER MOUNTAIN NORTH

"A PLANNED RESIDENTIAL DEVELOPMENT"
"SUBJECT TO SINGLE FAMILY DESIGN REVIEW"

CITY OF PHOENIX

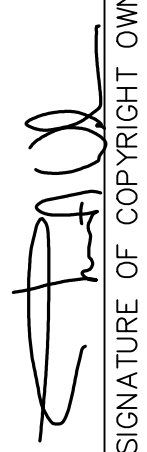
NOV 21 2019

Planning & Development
Department

NOTES

DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
ALL UTILITIES WILL BE PLACED UNDERGROUND.
STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' x 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
A MINIMUM 18' SETBACK WILL BE PROVIDED FROM BACK OF CURB TO FACE OF GARAGE DOOR.
EACH LOT CONSTITUTES A BUILDING ENVELOPE AND ACCESSORY USES AND STRUCTURES SUCH AS POOLS AND PRIVACY WALLS ARE PERMITTED EXCEPT AS OTHERWISE REGULATED BY OTHER CITY CODES AND ORDINANCES.
THE MAXIMUM BUILDING ENVELOPE ON EACH LOT IS 40% FOR PRIMARY STRUCTURES.
AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS TO BE NOTED AS "TRACTS" OR "EASEMENTS", INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
AFTER FINAL PLAT APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY DSD PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 262-6961 AND REQUEST A DESIGN REVIEW INSPECTION.

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE PURPOSE OF FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE PLAN.


SIGNATURE OF COPYRIGHT OWNER 11-12-19 DATE

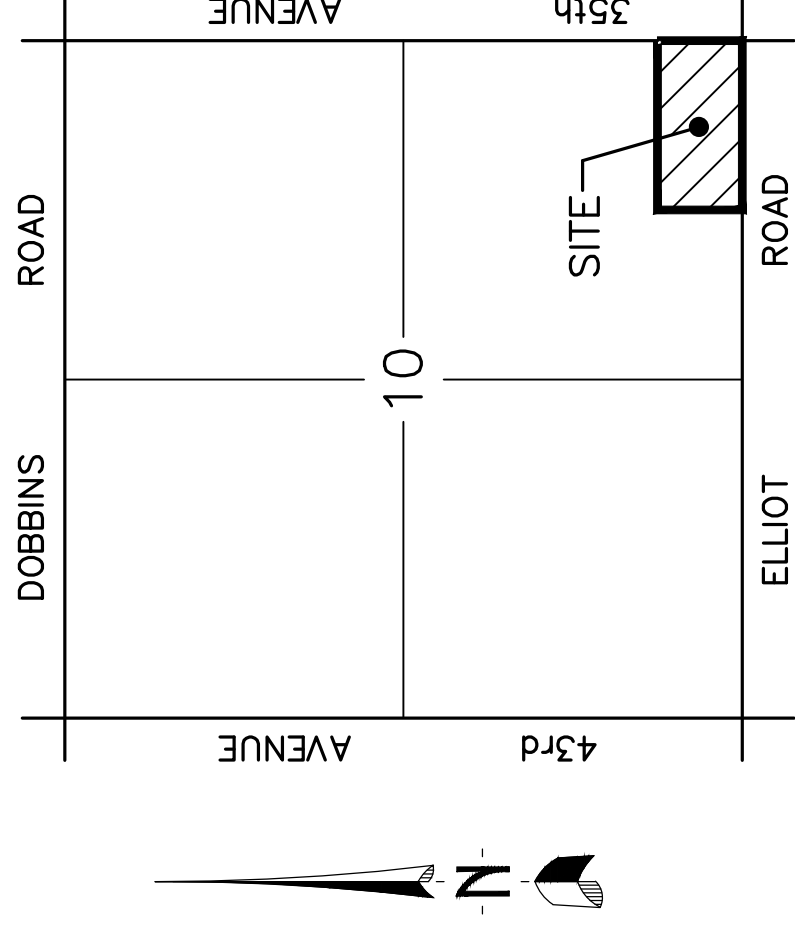
THOMAS A. WEBER 11-12-19 DATE
PRINT NAME OF COPYRIGHT OWNER

TRACT	AREA	USE	TRACT TABLE
"A"	4.0631 AC.	PRIVATE ACCESSWAY, WATER & SEWER EASEMENT, DRAINAGE EASEMENT, REFUSE COLLECTION AND EMERGENCY & SERVICE VEHICLE EASEMENTS	
"B"	5.2751 AC.	LANDSCAPING, P.A.E., P.U.E.	
"C"	0.3126 AC.	LANDSCAPING, P.A.E., P.U.E., RETENTION & DRAINAGE EASEMENT	
"D"	1.2197 AC.	LANDSCAPING, P.A.E. & P.U.E.	
"E"	1.3170 AC.	LANDSCAPING, P.A.E., P.U.E., RETENTION & DRAINAGE EASEMENT	
TOTAL	12.1873 AC.		

TRACT	AREA	DENSITY BONUS TABLE
"A"	4.0631 AC.	10 POINTS
"B"	5.2751 AC.	10 POINTS
"C"	0.3126 AC.	5 POINTS
"D"	1.2197 AC.	70 POINTS
"E"	1.3170 AC.	5 POINTS
TOTAL	343,354 S.F.	110 POINTS

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED (S.F.): GROSS AREA X 0.05
OPEN SPACE PROVIDED (S.F.): 848,415 X 0.05 = 42,421
OPEN SPACE PROVIDED (%): 343,354 / 848,415 = 40.47%
ADDITIONAL OPEN SPACE PROVIDED (%): 343,354 / 848,415 = 40.47%



VICINITY MAP
SECTION 10, T. 1 S., R. 2 E.

PROJECT DESCRIPTION
A PROPOSED SINGLE FAMILY DETACHED DEVELOPMENT WITHIN RT-8 PRD & RT-18 ZONING.

LEGAL DESCRIPTION
SOUTH HALF OF THE SE QUARTER SECTION 10, T. 1 S., R. 2 E.

PARKING CALCULATIONS
GARAGE SPACES: 184 (2 PER LOT)
GUEST SPACES: 28
TOTAL PARKING SPACES: 212

DEVELOPER
VIRTUA, 35th LLC
7600 N. 15th STREET, SUITE 150-19
PHOENIX, ARIZONA 85020
PHONE: (480) 930-4614
CONTACT: ERNEST AMPONSAH

ENGINEER
CLOUSE ENGINEERING, INC.
5010 E. SHAW BLVD, SUITE 110
SCOTTSDALE, ARIZONA 85254
PHONE: (602) 395-9300
CONTACT: TOM WEBER

SITE DATA

EXISTING ZONING: RT-8/RT-18
GROSS ACRES: 56,998 ACRES OR 2,569,970.27 S.F.
NET ACRES: 56.40 ACRES OR 2,543,961.02 S.F.
TOTAL NUMBER OF LOTS: 92 (RT-8 PRD)
PROPOSED DENSITY: 5.5 D.U. PER ACRE (NON-HILLSIDE, RT-8 PRD)
WATER, SEWER, AND SANITATION SERVICES BY THE CITY OF PHOENIX.
ELECTRIC SERVICE BY SALT RIVER PROJECT.
GAS SERVICE BY SOUTHWEST GAS CORPORATION.
TELEPHONE SERVICE BY CENTURYLINK
CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENT SHALL BE LIMITED TO UTILITIES, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.
ALL UTILITIES AND SINGLE PHASE ELECTRIC LINES ARE TO BE INSTALLED UNDERGROUND.
MAXIMUM HEIGHT FOR TRANSFORMERS, CABINETS, AND OTHER EQUIPMENT PER PERMETER STREET FRONTAGES:
LOT SALES: YES
MAXIMUM BUILDING HEIGHT IS 2 STORES AND 30'

RT-8 SLOPE ANALYSIS					
SLOPE OF LAND	ALLOWABLE DENSITY UNITS/AC	CREASE IN DENSITY CATEGORY	PRODUCT OF DENSITY X ACREAGE	TOTAL # ALLOWABLE HILLSIDE LOTS	ALLOWABLE TOTAL # NON-HILLSIDE LOTS
UNDER 10%	4.50*	16.86	75.87	-	75
10-14.9%	1.80**	0.35	0.63	-	-
15-19.9%	1.10**	0.30	0.33	-	-
20-24.9%	0.70	0.39	0.27	-	-
25-29.9%	0.50	0.25	0.13	-	-
30-34.9%	0.30	0.40	0.12	-	-
35% AND OVER	0.20	0.82	0.16	-	-
TOTAL	19.37	1.84	- 1	-	75

* DENSITIES SHOWN FOR NON-HILLSIDE CATEGORIES ARE BASE ALLOWANCES.
DENSITY BONUS POINTS (PRD OPTION ONLY) MAY ALLOW ADDITIONAL NON-HILLSIDE LOTS.

** UNLESS ZONING CATEGORY REQUIRES LESS

LOT COVERAGE

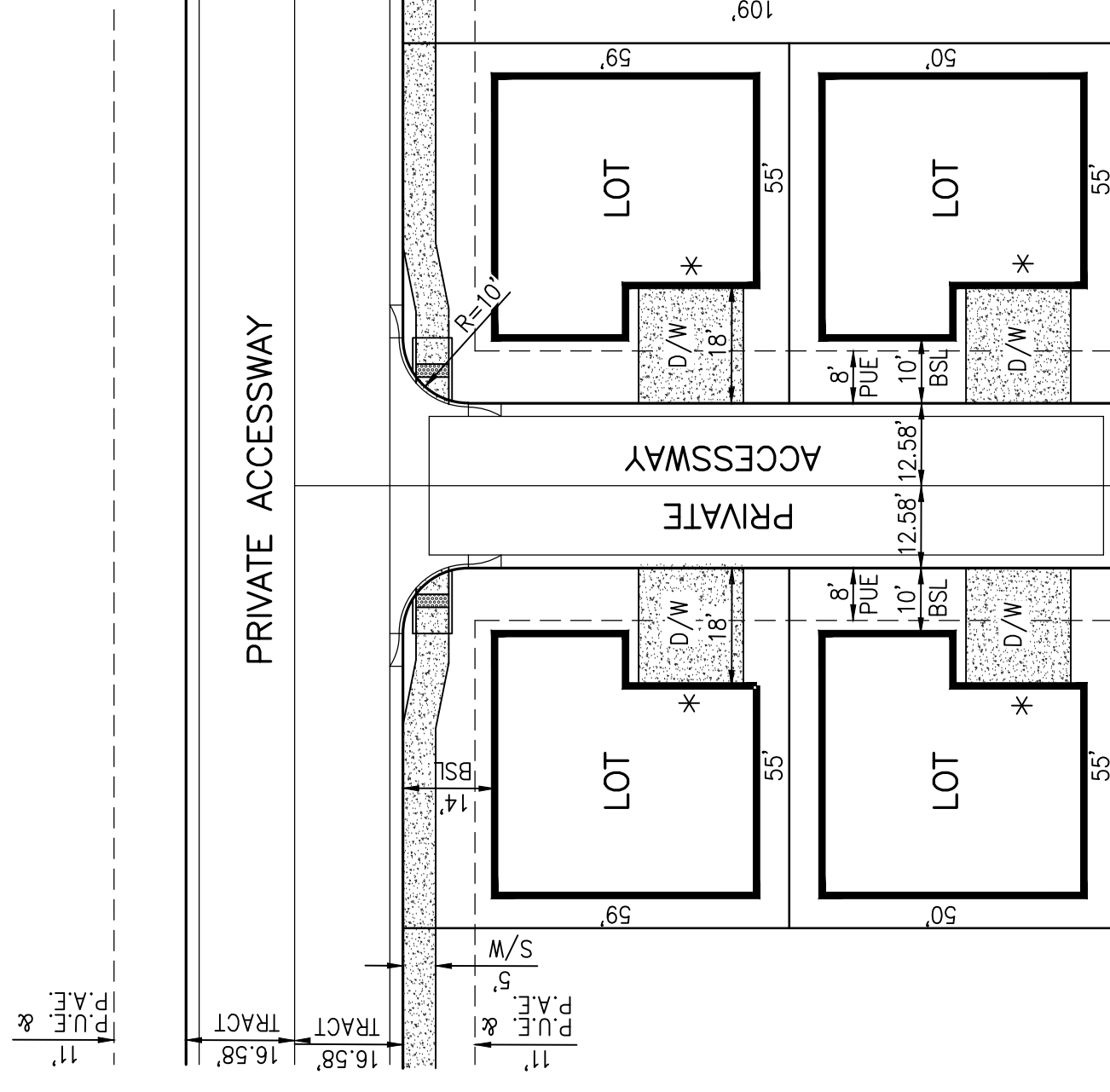
CALCULATION: $\frac{\text{MAX. COVERAGE (\%)} \times (\text{NET AREA} - \text{AREA UNDER ROOF PER LOT})}{\text{\# OF LOTS}} = \text{MAX. ALLOWABLE AREA UNDER ROOF PER LOT}$

$\frac{(0.40) \left(\frac{18,888}{4.06} \right) (43,560)}{92} = 2,806 \text{ S.F. MAXIMUM ALLOWABLE AREA PER LOT. (ENCLOSED STRUCTURES)}$

$\frac{(0.10) \left(\frac{18,888}{4.06} \right) (43,560)}{92} = 701 \text{ S.F. MAXIMUM ALLOWABLE AREA PER LOT. (SHADE STRUCTURES)}$

LEGEND

- INDICATES DIRECTION OF DRAINAGE
- INDICATES SUBDIVISION CORNER
- INDICATES FIRE HYDRANT
- B.S.L. INDICATES BUILDING SETBACK LINES
- M.U.T.E. INDICATES MULTI USE TRAIL EASEMENT
- INDICATES PUBLIC UTILITY EASEMENT AND PEDESTRIAN ACCESS EASEMENT
- 11' P.U.E. & 11' P.A.E.



TYPICAL LOT

* MINIMUM 2 SPACES AT 9.5'x19'

PRELIMINARY SITE PLAN
CARVER MOUNTAIN NORTH

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C.
5010 E. Shaw Blvd Suite 110 Scottsdale, AZ 85254
Tel 602-395-9300 Fax 602-395-9310

ARIZONA

PHOENIX

Revised
01-11-19
01-29-19
01-30-19
09-04-19
11-12-19

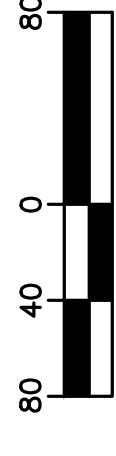
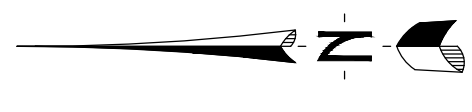
Date
08-29-18
As-Built
Job No.
180708

1 of 3

01-PRELU-SITE.DWG

PROPOSED SITE PLAN

PRELIMINARY SITE PLAN CARVER MOUNTAIN NORTH

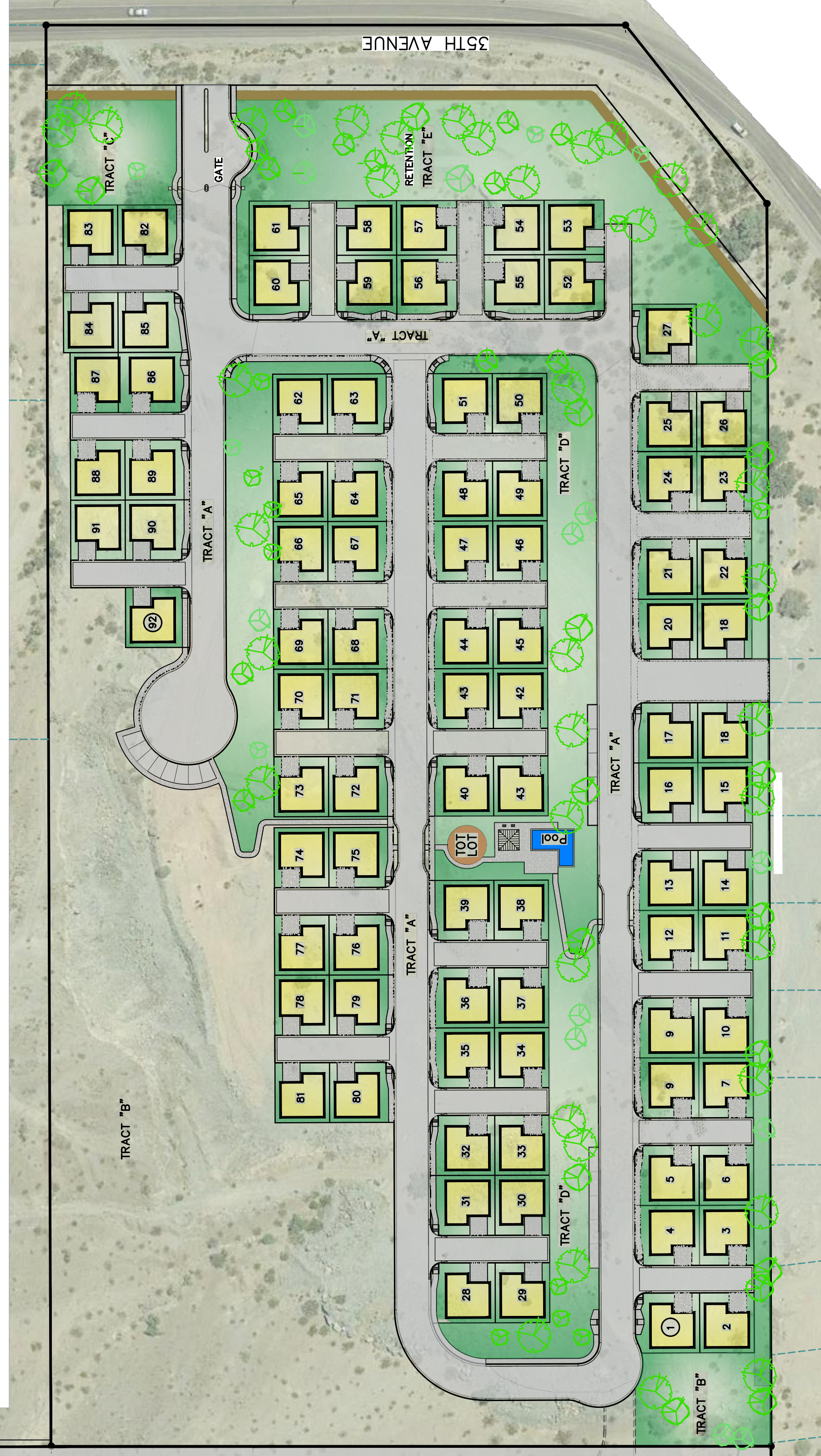


SCALE 1" = 80'

CITY OF PHOENIX

NOV 21 2019

Planning & Development
Department



PRELIMINARY SITE PLAN CARVER MOUNTAIN NORTH

Clouse Engineering, Inc.
ENGINEERS • SURVEYORS
5010 E. Shea Blvd Suite 110, Scottsdale, AZ 85254
Tel 602-395-9300 Fax 602-395-9310

PHOENIX

ARIZONA

02-PRELIM-SITE.DWG

Date	Revised
08-29-18	01-11-19
As-Built	01-29-19
	01-30-19
	09-04-19
	11-12-19

Job No.
180708

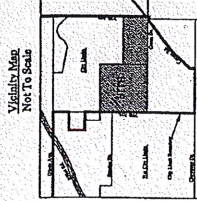
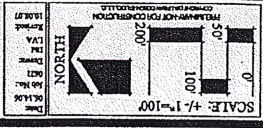
3 OF 3

ATTACHEMNT H

STIPULATED SITE PLAN

CVA urban design studio
 landscape architecture
 head planning - landscape architecture
 phone: 480.994.1994
 120 South Oak Avenue - Mesa, Arizona 85201

Zoning Site Plan
 35th Avenue & Carver Road
 Phoenix, Arizona



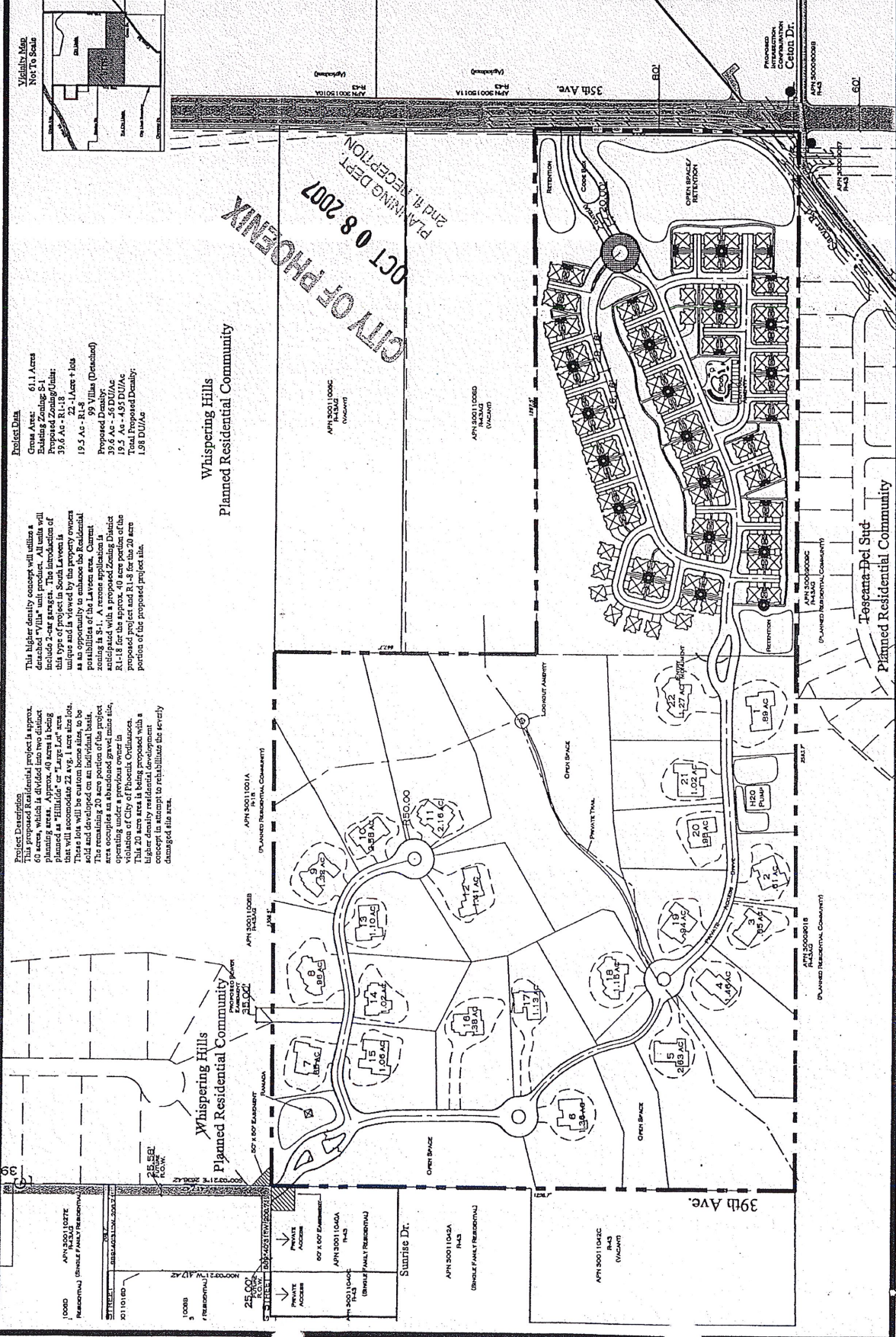
Project Data
 Gross Area: 61.1 Acres
 Existing Zoning: S-1
 Proposed Zoning/Use: R1-18
 19.5 Ac - R1-8 (Area + Job)
 99 Villa (Detached)
 Proposed Density: 39.6 Ac - 459 DU/AC
 39.6 Ac - 56 DU/AC
 Total Proposed Density: 1.98 DU/AC

This higher density concept will utilize a detached "Villa" unit product. All units will include 2-car garages. The introduction of unique and is allowed by the property owners as an opportunity to enhance the Residential possibilities of the Laveen area. Current zoning is S-1. A rezoning application is being submitted to the Planning Department for R1-18 for the proposed project and R1-8 for the portion of the proposed project site.

Project Description
 This proposed Residential project is approx. 60 acres, which is divided into two distinct parcels of 20 acres and 40 acres. The 40-acre parcel is being planned as "Hillside" or "Villa" units that will accommodate 22 single lot units. These lots will be custom home sites, to be sold and developed on an individual basis. The remaining 20-acre portion of the project is being planned as a "Villa" unit product, operating under a previous permit in this area, in violation of City of Phoenix Ordinances. This 20-acre area is being proposed with a higher density residential development concept in an attempt to reestablish the severity changed of the area.

Whispering Hills
 Planned Residential Community

Tescora Del Sud
 Planned Residential Community



CITY OF PHOENIX
 OCT 08 2007
 PLANNING DEPT
 2ND FLOOR RECEPTION

ATTACHMENT I

35th Avenue & Elliot Road

Conceptual
3-Unit Condominium
Building Elevations

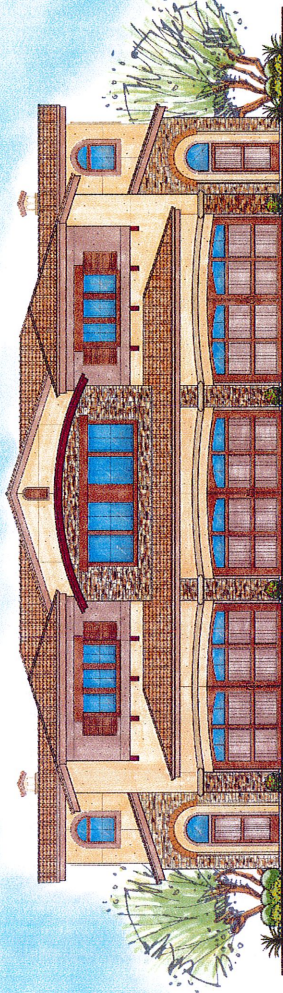
CITY OF PHOENIX

FEB 20 2007

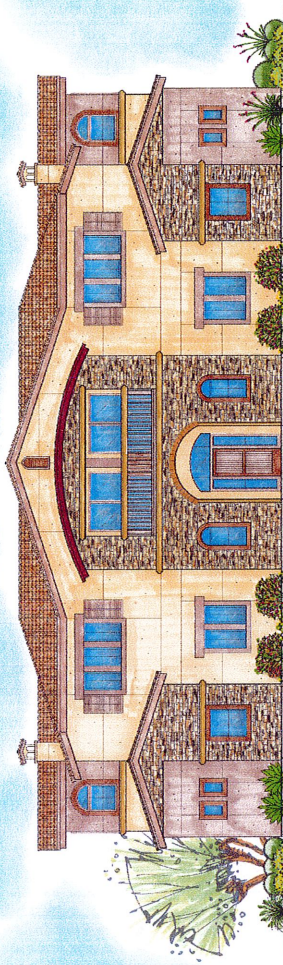
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2nd fl. RECEPTION



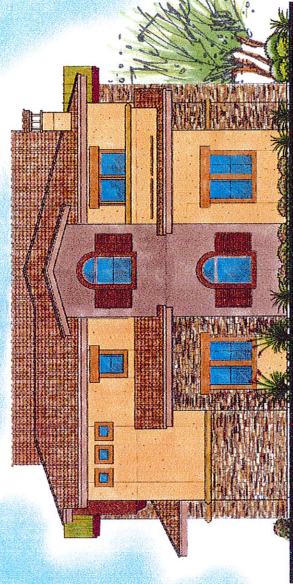
SCALE: Not to Scale



3-Unit Condo - Front Elevation



3-Unit Condo - Rear Elevation



3-Unit Condo - Side Elevation

35th Avenue & Elliot Road

Conceptual
Detached Villa
Building Elevations

CITY OF PHOENIX

FEB 20 2007

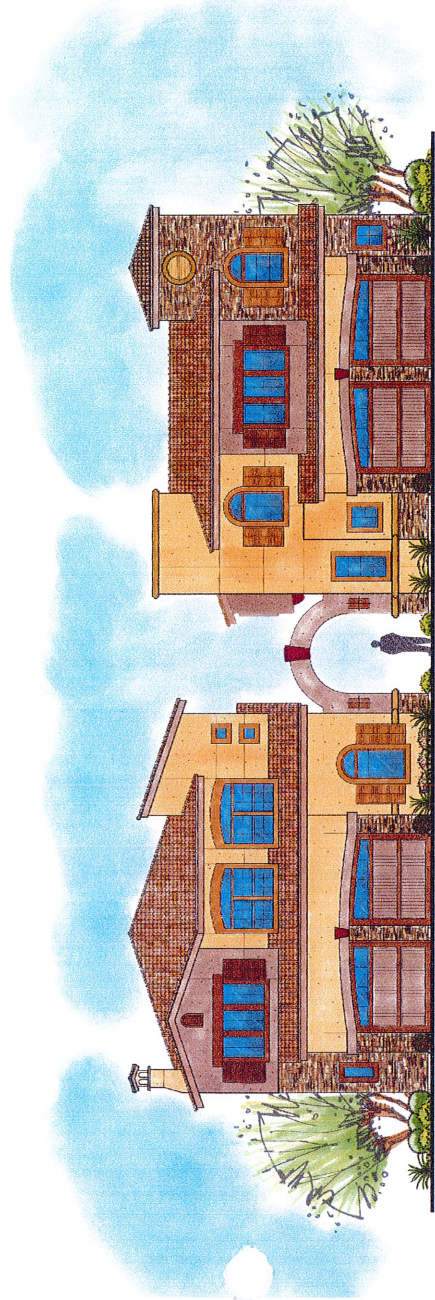
PLANNING DEPT.
2nd fl. RECEPTION



SCALE: Not to Scale



Detached Villa - Side Elevation



Detached Villa - Garage Side Elevation

ATTACHMENT J

LAVEEN VILLAGE PLANNING COMMITTEE

Meeting Minutes

Monday, January 13, 2020

Laveen Elementary School District Office #59
Laveen Education Center, Building B, Room #101
5001 West Dobbins Road, Laveen, Arizona.

Members Present

Robert Branscomb, Chair
Tonya Glass, Vice Chair
Linda Abegg
Wendy Ensminger
Cinthia Estela
Gary Flunoy
Rochelle Harlin
Stephanie Hurd
John Mockus
Carlos Ortega
Jennifer Rouse

Members Excused

Staff Present

Samantha Keating
Sarah Stockham
Christine Mackay

1. **Call to order, introductions and announcements by Chair.**

Chairman Robert Branscomb called the meeting to order at 6:35 p.m. There was a quorum with 11 members present.

2. **Review and approval of the December 9, 2019, meeting minutes.**

MOTION

Ms. Stephanie Hurd moved to approve the minutes as presented. **Mr. John Mockus** seconded the motion.

Vote

11-0, Motion to approve, with Committee Members Abegg, Branscomb, Ensminger, Estela, Flunoy, Glass, Harlin, Hurd, Mockus, Ortega and Rouse in favor.

3. **Public comment concerning items not on the agenda.**

Mr. Jon Kimoto commented that the Pledge of Allegiance was dropped from the agenda. He stated that the Pledge represents three basic American values: in God we trust, liberty, and "E Pluribus Unum" (out of many, one). He requested that the committee reaffirm our tradition and implement the recital of the Pledge of Allegiance.

Mr. Phil Hertel led the committee and audience in reciting the Pledge of Allegiance.

4. **INFORMATION ONLY:** Presentation and discussion regarding economic development opportunities for the Loop 202 corridor.

Ms. Christine Mackay, Community and Economic Development Director, presented on economic development along the Loop 202 Corridor. She expects high-tech and advanced services jobs along the Corridor. She explained that the marketing name is the “South Mountain Technology Corridor” which intends to bring high-wage jobs to the area. She explained that her office is doing marketing and outreach to get the right companies and jobs in Laveen.

Ms. Hurd expressed concern that a large technology company had lost interest in relocating to the area.

Ms. Mackay replied that her office is continuing to reach out to other large technology companies.

Mr. Flunoy wanted to see more signage stating the name of the freeway as the Ed Pastor Freeway.

Vice Chair Glass requested to be included in a subcommittee of community members who meet with the technology companies. She would also like to help draft marketing language for Laveen.

Ms. Mackay explained that community members can meet with City staff but meetings with technology companies must remain confidential due to non-disclosure agreements.

Mr. James Hughes inquired if the City was partnering with the County as there is County-owned land along the Corridor and if the City has education efforts for the Corridor as well.

Ms. Mackay replied that education is key and that training the workforce is pivotal to making the area desirable.

Ms. Jane Craig commented that there is a lack of trees along Baseline Road.

Ms. Mackay replied that the City has a capital improvement program to address those concerns.

Mr. Dan Penton explained that it is critical that the vision for the Laveen Village be acknowledged and listed existing area assets.

Ms. Mackay responded that she hoped to return the Village Planning Committee within the first half of 2020 with an update.

6. **Z-165-06 (PHO-1-19)**: Presentation, discussion, and possible recommendation on a request to modify stipulations of entitlement for a property located on the northwest corner of 35th Avenue and Carver Road. Request to modify stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007; modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue; deletion of Stipulation 19 regarding conditional development approval; modification of Stipulation 27 regarding height of terraced berms

along the quarry cut slope base; modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site; modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site; deletion of Stipulation 39 regarding one-story homes along 35th Avenue; and technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

Chair Branscomb elected to hear this item out of order.

1 speaker card was submitted in favor, wishing to speak.

1 speaker card was submitted in favor, not wishing to speak.

28 speaker cards were submitted in opposition, wishing to speak. Ten of those speakers chose to donate their time to Cyd Manning. Two of those speakers chose to donate their time to Jon Kimoto. One speaker chose to donate their time to John Knight. One speaker chose to donate their time to Scott Johnson.

99 speaker cards were submitted in opposition, not wishing to speak.

Ms. Sarah Stockham, staff, provided an overview of the request. She displayed an aerial map, previously approved site plan, proposed site plan, and briefly reviewed the request for stipulation modifications and deletions.

Mr. Tom Galvin, with Rose Law Group, explained the history of the case. He stated that the reason for the request is in response to on-site conditions and to comply with the Hillside Ordinance. He explained that they are not requesting a change in zoning, their proposal is less dense than what was originally proposed and that they are providing twenty-three percent open space. He then reviewed each stipulation modification and deletion. He explained that the reason to update the dates in Stipulation 1 is to match the current plan dates. The reason for modification of the required setbacks along 35th Avenue in Stipulation 7 is that the slope analysis required that the homes be shifted east to protect the natural hillside feature. He continued that Proposition 207 renders Stipulation 19 moot. He explained that modifying Stipulation 27 is for safety concerns regarding a terrace height of eight feet or more. He continued that landscaping and beautification of the quarry is still proposed, but under safer conditions. He stated that Stipulation 31 with the roll curb requirement violates the City's current standard and that the private drives will conform to the City of Phoenix's standards. He added that modifying Stipulation 37 to remove the detached sidewalk requirement is to conform to City standards. He explained that additional trails are offered through common area open spaces and surrounded by landscaping. Lastly, he explained that deletion of Stipulation 39 regarding one-story homes along 35th Avenue is necessary to provide diversity of housing size, style, and consumer choices.

Mr. Mockus inquired if the developer will be bringing in water service to the area and who will bear the cost of the water service extension.

Mr. Jeff Giles, with Clouse Engineering, explained that they will be working with

another developer to bring in water and sewer services. He added that there might be some cost sharing between their group and another developer.

Ms. Rouse shared a concern with lighting in the area. She added that the posted speed limit is too fast and that is a blind turn when rounding the corner from 35th Avenue to Carver Road. She argued that reducing the landscape setback would be increasing safety issues.

Mr. Giles stated that the project will be reviewed by the Streets Transportation Department with the City of Phoenix and Maricopa County.

Ms. Hurd asked if they had conducted an environmental survey report.

Ms. Alisse Caton with Rose Law Group, answered that there will be a soils report generated later.

Vice Chair Glass stated that drainage is an issue and development on the site could potentially cause flooding to the north. She stated that the expectation is that the developer goes above and beyond.

Ms. Estela stated that she wants quality over quantity and to preserve the character of Laveen.

Ms. Abegg stated that the Committee does not have the power to revert the zoning on the property. She identified that the site is a special part of Laveen. She stated that she wanted the elevations to come back to the Village Planning Committee for approval and that one-story homes along the perimeter is vital. She sought clarification regarding the open space amounts and how Proposition 207 affects Stipulation 19.

Ms. Samantha Keating, staff, stated that the property is zoned R1-8 with stipulations. The zoning and stipulations run with the land, and that the property owner has rights to that zoning designation. She stated that the purpose of this request is to not decide what the zoning should be.

Mr. Ortega stated that the site should be held to what it was originally zoned.

Mr. Galvin restated that the slope analysis necessitated that they request to change stipulations. He continued that the request is only for the right side of the property, and that the proposed zoning is less than what was originally proposed.

Ms. Abegg stated that the Committee could deny the request completely or approve with modifications and add stipulations the Committee wants.

Public Comment

Mr. John Knight stated that the request is changing the landscape of everything that was approved. He stated that the project is cancelled, and that the area is a hazard. He continued that this project puts lives in jeopardy due to the flooding hazard.

Mr. Dan Penton shared that the zoning should have been reverted, and it affects our land value. He urged the Committee to deny the request.

Ms. Suzee Gelner asked about the tri-plex, the acreage and the size of the lots.

Mr. James Hughes shared concern that the request does not reference the Carver Hills Storm Drain Plan. He shared that the area floods. He also shared that the 200-foot setback will help with safety along the dangerous intersection. He urged the Committee to not change a thing.

Mr. Sandy Hamilton, representing the Laveen Citizens for Responsible Development, stated that the reversion stipulation is key. He continued that the original owner agreed to a contract.

Mr. James Parisella stated that he likes one house per acre, and that Laveen is the last agricultural area that people can build on. He stated that it is quiet, open and does not have bright lights. He added that his home has been flooded out twice.

John Bizdel asked what they needed to do to initiate a reversion?

Chair Branscomb stated that the process starts here, with whether they recommend to deny or approve the stipulation modifications.

Ms. Abegg added that Planning Commission is where the reversion process starts. Rezoning does not happen with the Planning Hearing Officer.

Ms. Keating repeated that the requests is to modify the stipulations. She added that there is no automatic reversion process, it is a separate process from the request before the Committee now. She repeated that the zoning is R1-8 and that the applicant can request to modify the stipulations.

Mr. Phil Hertel stated that the one-minute allotted time for public comment was absurd. He believed that the applicant misrepresented the amount of open space, which went from fifty percent to twenty three percent. He requested that the Committee deny the request until the reversion issue is resolved.

Chair Branscomb asked Mr. Hertel why the Committee approved the project back in 2007.

Mr. Hertel replied that back then the project was tolerable, and now it is intolerable.

Mr. Kimoto stated that the proposed site plan falls short of the current community quality standards. He recommended the Committee deny the request. He added that the current site plan shows a repetitive housing layout and believes that the original plan is achievable. He continued that the only change he agrees with is the roll curbs. He continued that detached sidewalks were originally requested for pedestrian safety and shade. Further, he stated that the intent of Stipulation 39 is to avoid a wall along

35th Avenue with two-story homes within the view corridor. Lastly, he added that the reversion stipulation is a City self-induced problem which they try to cover up with a band aid. He feels that it sends mixed-messages to the community. He requested four additional stipulations be added to the request:

1. A minimum of three site cross sections, traversing north to south across the 20-acre site at one-third points from the east property line at 35th Avenue shall be submitted prior to City Council approval.

The intent is to provide a line of site illustration to show the visual impact of a forty-five-foot-high change in elevation.

2. A minimum of two oblique aerial perspectives indicating proposed building and site improvements from south to north (from Carver Road) and from east to west (from 35th Avenue) shall be submitted prior to City Council approval.

3. A concept drawing showing the vertical mining cut from the terraced base to summit shall be provided to illustrate how it will be revitalized and to mitigate vertical height prior to City Council approval.

4. A detailed site plan, landscape plan, perimeter screen wall/fencing plan and elevations, entry monument plan and elevations, sign plan, and lighting plan shall be brought to the Village Planning Committee and the community for review and comment.

Mr. Scott Johnson, president of the Hangar Haciendas Home Owners Association, stated that his community is a private residential airpark subdivision located to the east of the subject property. He expressed concern that the project will be impacted by the flight path. He asked the City to initiate the reversion.

Vice Chair Glass shared that the community concerns are not falling on deaf ears, and that the Committee hears their concerns.

Cyd Manning stated she is directly by the parcel and that there was a lot of passion surrounding the project now and in 2007. She explained that the current entitlement was not brokered by the Village, but rather by Mayor Phil Gordon. She shared that she felt that the applicant is fast-tracking the case and will not meet with the neighbors, and that history is repeating itself. She clarified that there was an environmental study done for the site and no environmental issues were found. She continued that the housing market does not want small homes. She agreed with Ms. Keating that the request is not about changing the zoning. She continued that the property has been flipped four times and that Stipulation 19 was to protect the neighbors and is key to the compromise. She said that she reviewed the current plan and that the open space is reduced, the amenities are non-luxurious, and that the applicant is attempting to delete any stipulation that was put in place to protect the neighbors. She continued that the City has a policy to act on reversions, the City has no excuse to be in violation and the current request is like trying to travel on an expired passport. She gave an example of a General Plan Amendment that was initiated in 2008 that took three months to process. She stated that when the reversion is completed, she would like to work on a different

project for the site. She continued that the community has worked with other large developers in the past, and that she would like to go to City Council and support a future project at this site. She told the Committee that she is aware that they do not have the final say on the request and that other large land owners are considering the property. She believes that this case is precedent-setting. She urged the Committee to deny the request and recommend that the Planning Hearing Officer initiate a zoning reversion.

Mr. Tom Galvin responded that the City has said that the request is not about a zoning reversion. They are trying to find a win-win solution. He continued that they met with Mr. Kimoto and that they have reached out to the community. He explained that they had a meeting scheduled with Sandy Hamilton. He said that they hear their frustrations with the City, and if the community believes that the zoning should be reverted they should take that request to the City. He finished by saying that their request is to modify stipulations because of the slope analysis and they are not here to fight over a S-1 zoning reversion.

Ms. Caton clarified that there is a slope analysis for the R1-18 portion of the site and that an additional slope analysis was done for the R1-8 portion. She stated that "hillside" is any slope over ten percent. She explained that while they are requested a removal of the detached sidewalks, they are proposing pedestrian trails that lead to amenities such as tot lots. She stated that she understands the community's passion and that she would be happy to discuss any design or aesthetic issues.

Mr. Giles stated that the site will have less runoff when developed and that they are proposing single-lot single-family detached homes.

Ms. Abegg asked for clarification on the number of garage spaces per unit. She stated that if the Committee denies the request, there is no comment to the Planning Hearing Officer. She stated that the Committee likes to amend the stipulations. She suggested a motion to recommend approval with modifications and a competing motion to recommend denial. She continued that if the Committee recommends denying the request the applicant will not return to the Committee with any updated or detailed plans. She explained that the reason for the stipulation for general conformance to the elevations dated February 20, 2007 is that the applicant has not provided new elevations and that the stipulation should not be modified until they do. The site is unique with custom homes on large lots and the elevations need to be planned with care to maintain the character. She stated that the modification to Stipulation 39 is to provide clarity. She continued that the reason for retaining Stipulation 19 is that the Laveen Village Planning Committee supports the community's efforts to revert the zoning. She stated that the reason for the additional stipulation for enhancing the elevations is that the applicant states that it will be a luxury development but has not provided elevation details, and the Committee would like to ensure that the elevations are upgraded. The reason for adding stipulations for open space and the total number of lots is to that is what is currently being proposed.

Ms. Keating stated that for procedural purposes the Committee should hear one motion and act on it and should not have two competing motions.

MOTION

Linda Abegg made a motion to recommend approval with three modifications and seven additional stipulations as follows:

Modifications

- 1) Modification to Stipulation 1 to maintain that the elevations be in general conformance with the elevations date stamped February 20, 2007.
- 2) Retain the existing text of Stipulation 19.
- 3) Modification of Stipulation 39 to read "Any buildings within two hundred feet of the eastern property line shall be limited to one-story with a maximum height of twenty feet.

Additional Stipulations

- 1) All sides of each building shall be enhanced with a minimum of 50% non-stucco material such as wood, stone, brick, etc.
- 2) The developer shall provide a minimum of twelve percent useable open space centrally located within the community and a minimum of twenty-six percent total open space
- 3) The R1-8 portion shall be limited to ninety-two lots
- 4) The developer shall provide a minimum of two garage spaces per unit
- 5) The driveways shall be at least twenty-two feet long
- 6) Prior to site plan approval, a final site plan, building elevations, detailed landscape plan, detailed entry monument plan, and perimeter fence plans shall be approved through the Planning Hearing Officer process with alternate site plans listed below to be provided:
 - o A minimum of three site cross sections, traversing north to south across the 20-acre site at one-third points from the east property line at 35th Avenue
 - o A minimum of two oblique aerial perspectives indicating proposed building and site improvements from south to north (from Carver Road) and from east to west (from 35th Avenue)
 - o A concept drawing showing the vertical mining cut from the terraced base to summit shall be provided to illustrate how it will be revitalized and to mitigate vertical height prior to City Council approval
 - o A detailed site plan, landscape plan, perimeter screen wall/fencing plan and elevations, entry monument plan and elevations, sign plan, and lighting plan
- 7) Any request to change, delete or modify stipulations be presented through the Planning Hearing Officer process.

Carlos Ortega seconded the motion.

VOTE

4-7 Motion fails; with members Abegg, Ortega, Glass and Branscomb in favor; members Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, and Rouse opposed.

Ms. Keating clarified that the applicant will need to delete or modify Stipulation 19 in order to move forward and develop the property.

MOTION

Stephanie Hurd made a motion to recommend denial of the request. She also requested that the Planning Hearing Officer recommend to the Planning Commission to initiate a zoning reversion for the site.

Jennifer Rouse seconded the motion.

VOTE

11-0 Motion passed; with members Abegg, Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

5. **Z-96-06 (PHO-2-19):** Presentation, discussion, and possible recommendation on a request to review and approve conceptual elevations by the Planning Hearing Officer per Stipulation No. 2 of Rezoning Case No. Z-96-06-7 for a property located on the southwest corner of 59th Avenue and Southern Avenue.

Four speaker cards were submitted in favor, wishing to speak.

Two speaker cards were submitted in opposition, wishing to speak.

Ms. Stockham, staff, provided an overview of the request and reviewed Stipulation 2 and the proposed elevations.

Ben Tate, with Withey Morris, PLC, reviewed the history of the case and that Stipulation 2 requires the applicant to return with conceptual elevations to be reviewed by the criteria set forth in the stipulation. He shared that the site plan was approved in October and that the elevations show variation in color and material. He continued that the elevations were shown to the Laveen Citizens for Responsible Development and they are identical to the elevations approved at another project located at 59th Avenue and Elliot Road.

Vice Chair Glass shared that she did not believe the elevations looked the same.

Mr. Tate replied that this is the single-story version of the elevation, for the property to the east of the freeway.

Ms. Harlin shared that she thought the west side of the property would be developed first, and then the east side would be developed.

Mr. Mockus said that when the project was first approved there were roads going through the entire property. He asked if it will still be one community with connecting roads.

Mr. Tate replied that there is a common entrance off Southern and that the communities will have two different names.

Vice Chair Glass commented that the elevations for the project at 59th Avenue and Elliot Road had been created more thoughtfully.

Mr. Tate responded that he had worked on the project at 59th Avenue and Elliot Road and assured Ms. Glass that the elevations were the same.

Ms. Abegg reminded the Committee that the request is to evaluate the elevations

based on the criteria included in the stipulation.

Public Comment

Mr. Dan Penton commended that they applicant met with the Laveen Citizens for Responsible Development and that the elevations are identical to the previously approved project. He shared that the design looked rural and asked what the density will be for the project.

Mr. Tate responded that the density will be 11.5 dwelling units per acre.

Mr. Penton asked if there will be a monument entry sign.

Mr. Tate responded that they will have a low agrarian monument that is more like a boutique hotel.

Mr. Vance Pierce stated that he was surprised by the elevations and that they need more projects like this in Laveen. He stated that it is good for developers to listen to the needs of the community.

Ms. Jadestorm Shamsid-Deen stated that she is the founder of a company called Mir`Ra I.M.A.G.E, Inc, which inspires young adults to find a better future. She stated that her complaint was that her company's name was slandered on the Nextdoor application. She continued that it is the homeowners that help fund education and that this project does not help the youth. She added that they are ugly one-story apartments.

Mr. Alex Moctezuma shared that he is the vice president of a small home owners association near 67th Avenue and Dobbins Road. He questioned what the project will look like in ten years and that the quality of the build is vital.

Vice Chair Glass asked what the price point will be for these units.

Mr. Tate responded that they will be rented in the range of \$1,000 - \$1,500 a month, the same as the units at 59th Avenue and Elliot Road. He added that the developer invests in quality materials and that they project will look good in ten years due to the design not being trendy.

MOTION

Linda Abegg made a motion to recommend approval.

Jennifer Rouse seconded the motion.

VOTE

11-0 Motion passed; with members Abegg, Ensminger, Estela, Flunoy, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

7. **Z-115-A-99-7:** Presentation, discussion, and possible recommendation regarding a request to rezone an approximately 4.26-acre site located approximately 325 feet south of the southwest corner of 67th Avenue and Baseline Road **from** R1-6 PCD (Approved C-1 PCD) (Single-Family Residence District, Planned Community District, Approved Neighborhood Retail, Planned Community District) **to** C-2 SP PCD (Intermediate Commercial, Special Permit, Planned Community District) to allow for a self-service

storage facility and all underlying C-2 uses.

Mr. Gary Flunoy left at 9:35 PM bringing the quorum down to 10 members.

Two speaker cards were submitted in support, not wishing to speak.

Four speaker cards were submitted in support, wishing to speak.

Ms. Stockham, staff, provided an overview of the request, noting the location, the history of the site, previous stipulations and current request. She displayed an aerial map, previously approved site plan, proposed site plan, and briefly reviewed staff's recommendation and stipulations.

Mr. Greg Loper introduced himself and stated that the project is named The Collective. He stated that members of his team met with the Laveen Citizens for Responsible Development because they want to be conscientious about community concerns and design that is compatible with the community. He continued that there will be access to the site from Meadows Loop East and Baseline Road. He added that the site will be a place for the community and local businesses to store items.

Mr. Ortega asked about adding a stipulation that addresses what would happen if the project does not get built.

Mr. Mockus asked if the applicant owned the strip of land going north to Baseline Road.

Mr. Loper replied that they do.

Mr. Mockus asked what would keep the applicant from developing the property

Mr. Loper responded that the developer has done many projects like this.

Ms. Harlin asked for clarification about Stipulation 16.

Public Comment

Mr. Dan Penton thanked the applicant for working with the Laveen Citizens for Responsible Development (LCRD) and believes it is a great product for the area. He asked that the Committee recommend approval.

Mr. Jon Kimoto stated that it is a positive project, it creates a passive buffer between the commercial parcel to the north and the residences. He stated that the issue is with the existing wall.

Ms. Keating stated that typically a developer adds a wall and then has a landscaped setback. She added that there is already an existing wall.

Mr. Phil Hertel stated that the community does not want an extra wall and that the

existing wall will buffer the neighboring residential uses. He requested that his address be changed as written in the stipulation.

Mr. Vance Pierce shared that he generally likes a storage facility between homes and the commercial uses to the north and that the homes along the west side have shallower yards. He would have preferred to see a more “L”-shaped layout to buffer the residences to the west more.

Mr. Loper responded that the lighting will be wall-mounted, and motion activated except for the parking lights. He added that they development will keep light shielded from the residences.

MOTION

Linda Abegg made a motion to recommend approval with one modification and one additional stipulation as follows:

Modifications

- 1) Modification to Stipulation 17 to update Phil Hertel’s address to 2845 W Broadway Road.

Additional Stipulations

- 1) The development shall be in general conformance with the site plan and elevations date stamped December 23, 2019 as modified by the following stipulations and approved by the Planning and Development Department.

John Mockus seconded the motion.

VOTE

10-0 Motion passed; with members Abegg, Ensminger, Estela, Harlin, Hurd, Mockus, Ortega, Rouse, Glass and Branscomb in favor.

8. **INFORMATION ONLY**: Presentation and discussion regarding the 2019 Laveen Village Annual Report.

Not heard.

9. Staff update on cases recently reviewed by the Committee.

No updates given.

10. Committee member announcements, requests for information, follow up, or future agenda items.

Ms. Rouse urged Committee members to get involved with the budget process.

Ms. Abegg announced that Councilmember Garcia will attend the next meeting.

Mr. Dan Penton announced the 20th Anniversary Laveen Parade will be held on February 1st and the Laveen Barbeque will be on February 8th.

Vice Chair Glass announced that Reid Butler owns the Sachs-Webster House and is planning to revitalize the workshop.

11. **Adjournment**

The meeting was adjourned at 10:10 PM.

ATTACHMENT K

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Julianna Pierre, Planner I, Assisting

January 15, 2020

ITEM 5

DISTRICT 7

SUBJECT:

Application #: Z-165-06-7(8) (PHO-1-19)
Zoning: R1-8, R1-18
Location: Northwest corner of 35th Avenue and Carver Road
Acreage: 59.48
Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.
2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35th Avenue.
3) Deletion of Stipulation 19 regarding conditional development approval.
4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.
5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.
6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.
7) Deletion of Stipulation 39 regarding one-story homes along 35th Avenue.
8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.
Applicant: Alisse Caton, Rose Law Group
Owner: Virtua 35th LLC
Representative: Alisse Caton, Rose Law Group

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on January 13, 2020 and recommended denial by an 11-0 vote.

DISCUSSION

35 cards submitted in opposition to the request, 7 wishing to speak.

5 cards submitted expressing no position, 3 wishing to speak.

Thomas Galvin, applicant and representative with Rose Law Group, stated that the request is a response to site topography, City requests, and to make the area buildable. He stated that he met with staff in late 2018 and was instructed to conduct a slope analysis. He stated that the proposed site plan is based upon the results of the slope analysis and comments received from City staff. He stated that the new site plan reduces density and depicts seven less lots than the stipulated plan. He added that there will be an increase in the amount of open space required. He clarified that, after conducting research, they determined that of the open space required, 50% was to be tree coverage. Adam Stranieri asked where the requirement for the tree coverage originated. Alisse Caton, with Rose Law Group, clarified that this was discussed in a previous hearing and is not a stipulation. Mr. Galvin stated that in 2007 the rezoning was approved for 22 lots on the western 40 acres and 99 lots on the eastern 20 acres. He clarified that no changes were being proposed for the western portion and that the request only impacts the eastern portion.

Mr. Galvin stated that the modification of Stipulation 1, regarding general conformance to the site plan and elevations, is intended to update plans for the R1-18 portion. The modification of Stipulation 7, regarding the landscape setback adjacent to 35th Avenue, is a direct response to the slope analysis and an effort to protect the natural hillside features by moving the lots further east. He stated that Stipulation 19, regarding conditional development approval, should be deleted because the zoning change was approved in 2007 and any reversion would violate Proposition 207. Stipulation 27, regarding height of terraced berms along the quarry cut slope base, should be modified to allow landscaping and beautification under safer conditions. He stated that the modifications of Stipulation 31, regarding raised, vertical curbs within the R1-18 portion of the site, and Stipulation 37, regarding detached sidewalks and landscape strips within the R1-8 portion of the site, are to bring the site into conformance with current City standards. He stated that Stipulation 39, regarding one-story homes along 35th Avenue, should be deleted to allow consumer choices and a variety of housing types. Mr. Galvin concluded that all their changes will provide view corridors with appropriate connectivity and meet City standards.

Mr. Stranieri asked for clarification regarding the proposal to delete the requirement for detached sidewalks. Ms. Caton stated that there would be attached sidewalks on one side of the street and pedestrian trail connectivity between the units that provides connection to amenity spaces and parking. She added that the proposal is intended to conform with the City standards, but also wants to entertain doing attached 5-foot sidewalks in addition to the trails. She clarified that detached sidewalks would not be able to be provided on the private drives and that would be offset by the provided trails.

Mr. Stranieri asked for clarification regarding the percentage of open space being provided. Mr. Caton stated that the overall open space of the R1-8 and R-18 portions

would be 23%, but the open space in the R1-8 portion would be 26%. She stated that the open space calculations include both active and passive open space. Mr. Stranieri stated that the calculation exceeded 5 times what is required in the Zoning Ordinance and asked if the applicant understood that the calculation would not include any perimeter landscape setbacks. Jeff Giles, with Clouse Engineering, stated that the 26% of open space in the R1-8 portion of the site took into account the hillside areas and a portion of the landscape setback. However, Mr. Giles noted that there were some areas that were not included in the calculation due to the slope of the site, but could still be considered open space per the City's definition.

Linda Abegg, a member of the Laveen Village Planning Committee, stated that she shared the same concerns as the community regarding Stipulation 19. She also stated that she had concerns regarding the removal of general conformance to elevations without the applicant proposing new elevations. She stated that the Laveen Village always wants to see elevations come through the Planning Hearing Officer process. She stated that the general conformance could remain with prior elevations or an additional stipulation could be added that elevations have to come back through the Planning Hearing Officer process. She stated that the Laveen Village also recommends a standard for maximum one-story buildings along arterials. She stated that there are concerns regarding having taller buildings along 35th Avenue, especially with the blind corner. She also stated that the usable open space was 12% and the total open space was 26%. She stated that the enhanced open space should be stipulated to ensure that the open space is centrally located in the community and not only the mountainside.

Mr. Stranieri stated that the subject property of the current PHO is the same as the entire property of the original rezoning case and includes both the R1-8 and R1-18 portions. He noted that the legislative edit submitted by the applicant takes out the requirement for conformance to elevations without providing new plans. He stated that concerns about materials and other design elements could be addressed in a future PHO hearing at the time that the applicant proposed conceptual building elevations.

Phil Hertel, a member of the Laveen Citizens for Responsible Development (LCRD), noted that his name and address are outdated in Stipulations 35 and 36, regarding notifications. He stated that his address has changed and should be updated in the stipulation. He stated that the applicant did not meet with the LCRD and the applicant did not receive community input during the official meeting. He stated that he also had concerns about Stipulation 19 and that the site should be reverted back to S-1. He stated the community is supportive of development in the area, but that the item should be continued or denied until the reversion is addressed.

Dan Penton, a representative from the Laveen Community Council, stated that the area is unique and the proposed development would have a negative impact on the agrarian character and heritage of the area. He stated that the Laveen Southwest Growth Study and Laveen Residential Design Guidelines represent the values of the community and guidelines for future growth in the area. He stated that the intent of these documents should not be overlooked and that the proposed development is incompatible with the area. He stated that the reversion matter should be handled first, before the item moves forward.

Dave Blake, a member of the community, stated that he is a native of Phoenix and also supported the reversion. He stated that the City should revert the zoning because the area was never developed. He stated that the area is unique and does not need high density development.

Tami Blake, a member of the community, stated that most of the properties in the area are developed with approximately one home per acre. She stated that she often rides horses and expressed concern regarding the impacts of the proposal on her ability to continue riding in the area. She noted that this is one of the last areas in the City that hasn't had higher density residential development crammed in and that the area should instead be preserved as is.

John Bzdel, a member of the community, stated that there is an ethical dilemma. He stated that City employees have a duty to prevent improper government action. He stated that the process failed in 2011 because the zoning never reverted to S-1. He stated the second process failure was the acceptance of the PHO case without noting that the zoning was never reverted. He stated that the case should be taken under advisement to speak with the City's Law Department because the ethics policy violations need to be addressed.

Jon Kimoto, a member of the public, stated that the proposed site plan falls short of the design quality expected in Laveen. He stated that the proposed plan is a grid that attempts to impose a flat land subdivision upon a unique hillside situation. He stated that the proposed plan does not take into account the contours, views, and drainage issues of the site. He stated that the stipulated plan addressed the distinctive aspects of the area and had a more attractive entry feature. He added that there was a significant landscape buffer on the previous plan and there are now concerns about the height of homes along the perimeter of the subdivision. He stated that there were also concerns about the terraced berms along the quarry cut slope base. He stated that the applicant's proposal could decrease the height of the terraced berms and negatively impact the safety of residents in the area. He also stated that the City should revert the zoning and the case should be heard before the correct judicial body. He also stated that the addresses of those named in Stipulation 35 and 36 should be updated.

Scott Johnson, a member of the public and president of the Hanger Haciendas Homeowners Association, stated that Hanger Haciendas is a private residential airport community located 2300 feet east of the subject property. He stated that the subject property has changed hands several times since 2007 and he wants to ensure that the developer is aware of the project's proximity to a private airport. He stated that the community is 38 lots on 65 acres with 30 aircraft based there. He stated that flights typically land to the east and take off to the west, placing aircraft at low altitudes in close proximity to the subject property. He added that the application should never have been accepted because the zoning was never reverted. He stated that just because the reversion was missed before does not mean that it should be overlooked now. He stated that the application should be denied and the reversion initiated.

Stephanie Hurd, a member of the Laveen Village Planning Committee, stated the VPC is a vital link between the community and City decision makers. She stated that Laveen has one of the biggest areas of undeveloped land in the City of Phoenix and the community wants development, but also wants the area to retain its character. She stated that the area should be kept at low density and the developer should take the community's wishes into account. She stated that she agreed with the community and felt the case should be put on hold until the reversion issue is addressed.

Cyd Manning, a member of the community who was involved with the original rezoning, stated that she is affected by the site every day because she can see it from both her back and front yards. She stated that contrary to the applicant's materials, the area is not blighted and there are no known environmental issues. She stated that the market does not want small homes in the Laveen area. She stated that the property has been flipped numerous times since the original rezoning case. She stated that the proposed plans are uninspired with no view corridors. She stated the City is in violation of Ordinance G-5020 which approved the rezoning and should have initiated the reversion in 2011. She stated that when she requested the City to take action on the reversion she was told that there was no time or resources to process the cases with reversion stipulations. She stated that once the reversion is taken care of, she and other members of the community are willing to sit down with the developer to discuss possible development.

Mr. Galvin stated that the stipulated site plan does not reflect S-1 zoning and that the property is not zoned S-1. He stated that their case is not requesting a zoning change and instead requesting modifications and deletions to stipulations. He clarified that he did not reject a meeting with the LCRD, but could not meet due to scheduling issues. He stated that the LCRD also cancelled a planned meeting. He stated that the applicant is willing to work with the community, but it is impossible to revert back to S-1. He stated that the area is also a patchwork of land under the City of Phoenix and Maricopa County jurisdictions. He stated that the City of Phoenix land has more dense zoning, while land under the County has remained less dense. He stated that the City is also changing, specifically this area which may become a technology and employment corridor in the future. He stated that he respects residents who want to maintain their agrarian lifestyle, but the City should also provide affordable housing for those wishing to live in Phoenix. He added that the City would not be able to revert the property due to legal issues.

Ms. Caton clarified that when they stated the site plan responded to environmental issues they meant the plan was a direct reflection of the slope analysis. She stated that they have worked with an engineer to address the technical feasibility of the plan. She also stated that the applicant is working with the developers to the south and their site plan works in tandem with the proposed site plan.

Mr. Giles stated that Stipulation 27 required berms be a minimum of eight feet in height, but he noted that there may be a safety issue for hikers or kids in the neighborhood if the berms are higher than eight feet. He stated that the modification of Stipulation 31 is intended to allow for drainage considerations. He stated that some areas will require

vertical curb while others require rolled curb, but those decisions would all be engineer driven.

Mr. Stranieri asked for clarification regarding how the proposed unit types compare to the stipulated detached villas. Mr. Giles said that the product footprint has not really changed. The product has four homes clustered together, but without a courtyard. Mr. Stranieri clarified that the stipulated elevations did not specify if they were specifically for the R1-8 or R1-18 portion of the site. He stated that since the development was the entire site, the elevations are required for conformance for the entire site. Ms. Caton stated that the community would most likely not want a villa product on the 40 acres of R1-18. Mr. Stranieri agreed and stated that it would most likely be custom home lots.

Mr. Stranieri stated that the proposed minimum 100-foot landscape setback on 35th Avenue is over 5 times what is required by the Ordinance. He stated that the reduction will allow the units to be placed farther away from the hillside areas. He stated Stipulation 27 regarding terraced berms was intended to restore the disturbed hillside. However, there was no background information in the case file to determine the origin of the requirement for terraced berms with deciduous trees. He stated that a geotechnical report would identify what the appropriate slope is to stabilize the hillside. He stated that he could not confirm that 2:1 is the appropriate slope as stipulated and no existing report was found. He stated that a native landscaping palette along with some treatment to allow restoration of the natural aesthetic of the hillside would be most appropriate. He stated that additional flexibility should be introduced through consultation with Planning and Development Department staff, submission of a geotechnical report, and review of any proposed alternatives.

Regarding Stipulation 19, Mr. Stranieri stated that the current request is not a reversion hearing and he does not have the authority to initiate a reversion during or as a recommendation of the current PHO request. He stated that the current request solely involves the applicant's request for stipulation modifications and deletions. He clarified that the original rezoning was approved by ordinance adoption and the zoning was vested with the adoption of that ordinance. He clarified that the rezoning case was accompanied by a General Plan Amendment (GPA), approved by the City Council, which updated the General Plan Land Use Map designation for the subject property to correlate with the requested zoning. He stated that GPAs are appended to the City's General Plan Map upon adoption and that he did not know of any process or procedure to revert these requests. He added that if a Proposition 207 lawsuit was raised it would not be heard under a municipal zoning hearing like the PHO, but rather in a court of law.

Ms. Manning stated that there was a letter written by a Village Planner in 2008 that initiated an action to amend the General Plan, which was heard by the Planning Commission and ratified by City Council on October 15, 2008. Mr. Stranieri said that he would look into the history of this additional GPA and how it related to the base zoning case.

Mr. Stranieri stated that Stipulation 31, regarding vertical curbs, correlated with the requirement for detached sidewalks throughout the subdivision. He stated that the Street Transportation Department recommended deletion of the stipulation because

there are existing technical details and engineering requirements for the different types of streets in the development. Curb types will be engineered depending on the type of street. Further, based on the conceptual site plan, some of the proposed streets may be developed as private drives which would allow rolled curbs.

Mr. Stranieri stated that the City has been consistent with its recent policy plans and long range planning activities to focus on shade, heat island mitigation, and pedestrian safety in new developments. He added that the City's Tree and Shade Master Plan, City Council adopted Guiding Principles for Complete Streets, and the 2015 General Plan all expand upon the principles regarding urban forestry and walkability. He noted that detached sidewalks may not be able to be implemented on the portions of the right-of-way between the clusters of homes which may be developed as private drives. He stated that the originally stipulated detached sidewalks should be provided along all streets developed as private accessways and public streets, consistent with the original approval and City policies.

Mr. Stranieri stated Stipulation 39 lacked detail regarding the maximum building height and which homes the restriction may apply to. He added that "adjacent to 35th Avenue" does not give much context to the placement of homes given the stipulated 235-foot landscape setback and primary entry feature. He stated that a more appropriate height restriction could be implemented to identify a maximum building height and apply the restriction to houses within a specified distance from the east property line.

Mr. Stranieri stated that the site is archaeologically sensitive and additional stipulations were warranted regarding City requirements for archaeological data testing.

Mr. Stranieri stated that the Street Transportation Department also indicated that 35th Avenue is in Maricopa County Department of Transportation (MCDOT) jurisdiction. He added that additional stipulations should be added to identify MCDOT's jurisdiction and ability to approve the final improvements. He stated that these stipulations would not conflict with existing right-of-way dedication stipulations because of the jurisdictional issue.

Mr. Stranieri stated that the Street Transportation Department had concerns regarding how the site plan proposes access from 35th Avenue and travel through the site to the west perimeter. He stated that a vehicle would need to make three to four turns to access the proposed future connection to the west. Ms. Caton stated that she had spoken with the Street Transportation Department and that they had come to a resolution regarding the connectivity. Mr. Stranieri stated that revisions may be made to the site plan due to the stipulations recommended by the Street Transportation Department. He stated that the recommended stipulations would be appropriately placed in conjunction with a general conformance stipulation to allow for flexibility to accommodate an appropriate street layout.

Mr. Stranieri stated that he was aware of the Laveen VPC meeting on Monday night and that there were 99 speaker cards submitted. He stated that there was over two hours of discussion and that a summary of the meeting was not yet available. He noted that he had also received more than 90 pieces of correspondence on the case. He stated that

he would like more time to review all of this material. Because of these reasons, the PHO stated that he would take the case under advisement.

FINDINGS

- 1) The subject property of this request includes the entire 59 acres that comprised the original rezoning case. However, the applicant only submitted plans addressing the approximately 19.4 acres of R1-8 zoned property on the eastern portion of the site, adjacent to 35th Avenue. Modifications are recommended to the applicant's request to ensure that the existing stipulations on the approximately 39.6 acres of R1-18 zoned property on the western portion of the site are not modified or deleted. Additionally, the applicant did not submit elevations with the request. The original stipulations included a general conformance requirement for building elevations. A modification is recommended to the applicant's request to require a future Planning Hearing Officer application for review of conceptual building elevations.
- 2) The stipulated site plan depicted 99 detached single-family units arranged in clusters of two and four, oriented towards common courtyards. There are also seven free-standing units depicted at the northwest corner of the site partially in the hillside-designated area. The proposed conceptual site plan depicts 92 units in a similar cluster-style arrangement. However, the units have been shifted east on the property, reducing the total massing of development in the designated hillside areas. Additionally, the homes are not oriented towards courtyards and instead include larger private driveways in the front yards. There is more open space preserved in the hillside area in the northwest portion of the site. There is also more open space adjacent to the private accessways (Tract "A") which separates the homes from the streets. Because the homes are closer to 35th Avenue, there is less open space provided along the east property line. See Finding #3 for a more detailed description of the recommendation for minimum open space and Finding #4 regarding the landscape setback on 35th Avenue.
- 3) An additional stipulation is recommended to require the developer provide a minimum of 26% open space, of which a minimum of 12% shall be usable open space. The conceptual site plan depicts 40.47% open space. However, there is no open space exhibit and the applicant indicated that a recalculation was necessary to adequately represent provided open space in the hillside area, setbacks, and other locations. The provision of 26% open space is compatible with the rural character of the surrounding area, consistent with other recent zoning actions in the Village, and significantly exceeds existing Ordinance standards.
- 4) The proposed reduction of the landscape setback on 35th Avenue from 235 feet (average) to minimum 100 feet accommodates the relocation of some residential units out of the designated hillside areas, consistent with the City approved slope analysis. The preservation of the hillside area will contribute to the rural character of the site and maintain this unique natural feature of the property. See

Finding #9 regarding the restoration of the disturbed area on the abandoned gravel mine that occupies a portion of the remainder of the site.

- 5) Approximately 2,300 feet to the east of the subject property are the Hangar Hacienda Units One, Two, and Three subdivisions. These properties are in Maricopa County jurisdiction. These communities are oriented around an air strip utilized by residents who own private aircraft. Based on comments from a resident in this community, the typical flight path runs directly over the subject property of this request. An additional stipulation is recommended regarding notification of the aviation uses on these properties for future residents.
- 6) The subject property is archaeologically sensitive. Three additional stipulations are recommended which outline the City's requirements regarding data testing, data recovery, and archaeological assessments and survey.
- 7) The public right-of-way along 35th Avenue and a small portion along Carver Road is in Maricopa County Department of Transportation (MCDOT) jurisdiction. There is also an active drainage project along the roadway. Therefore, additional stipulations are recommended to acknowledge that MCDOT shall determine the final width and dedications needed for the portion of right-of-way adjacent to the subject property. City of Phoenix Street Transportation staff noted that in discussions with MCDOT staff, MCDOT does not have immediate concerns regarding the location of proposed retention areas shown on the conceptual site plan in regard to the drainage project.
- 8) Original Stipulation 19 states that approval shall be conditioned upon the development commencing within 48 months of the City Council approval. For properties with similar stipulations, the Planning and Development Department has required that a Planning Hearing Officer (PHO) action be pursued to modify or delete these conditions at the time that development is proposed, if the proposed development has exceeded the timeframe identified in the stipulation. The applicant is pursuing this process through their request for deletion of the stipulation. The modification or deletion of this stipulation through a PHO action is unrelated to the zoning reversion process which is a separate public hearing process that is described in Section 506 of the Zoning Ordinance.

The applicant's request for deletion of original Stipulation 19 is recommended for approval. The current proposal is consistent with the City Council's original intent to see the subject property redevelop with a single-family residential land use in the R1-8 zoning district. Additionally, the request is consistent with City Council approved General Plan Amendment GPA-LV-1-08-7, which established a Residential 3.5-5 dwelling units per gross acre land use designation on the approximately 19.35 acres that comprises the R1-8 zoned portion of the property. Both the proposed conceptual site plan, as modified by this recommendation, and the existing R1-8 zoning designation are consistent with this land use designation.

- 9) Original Stipulation 27, requiring terraced berms planted with deciduous trees, may result in an environment that contrasts with the natural landscape of the existing hillside in the surrounding area. The stipulated terraced berm configuration is not consistent with the irregular natural landscape of the existing hillside in the surrounding area and there are no deciduous trees on hillside locations in the immediate vicinity. Proposals for fill are commonly intended to continue and promote a natural slope line, rather than creating terracing and other unnatural finishes.

There are a variety of alternatives to the stipulated requirement for terraced berms that may be considered for the site that would result in a more natural aesthetic to the restored hillside. These include chemical treatments and coloration to remove or camouflage scarring, hydroseeding of the slope to provide a mixture of natural grasses and plants which may also stabilize the slope, and roughening the cut or restored slope to integrate pockets for additional native landscaping.

Modified stipulation language is recommended to allow the applicant to work with City staff on an alternative approach to restoring the quarry cut slope base to promote a more natural landscape along the hillside.

- 10) The provision of detached sidewalks is consistent with numerous City policy plans. The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the City's planning and development process. Additionally, the City Council adopted Guiding Principles for Complete Streets seeks to make Phoenix more walkable by promoting a safe and inviting pedestrian environment that encourages walkability and thermal comfort. These principles are also expressed and expanded upon throughout the 2015 General Plan.

Therefore, the applicant's request to delete this requirement and instead stipulate a 5-foot sidewalk width is recommended for denial. However, the street layout on the proposed conceptual site plan may require the utilization of both private drives (between units) and private accessways (Tract "A"). There are different technical requirements and cross sections for these street types and it may be difficult to integrate detached sidewalks along both sides of private drives. A modification of the applicant's request is recommended to require that detached sidewalks shall be provided, as originally stipulated, along all streets that are developed as public streets or private accessways.

- 11) The Street Transportation Department noted that both original Stipulation 31 and the applicant's proposed modified language may create conflicts if the development is to include both attached and detached sidewalks. The City of Phoenix standard detail for detached sidewalks along private accessways requires vertical curbs. Attached sidewalks may be permitted to provide rolled curbs. Deletion of the stipulation will allow the appropriate detail to be utilized based on the final configuration of sidewalks at appropriate locations throughout the development.

12) Original Stipulation 39 required that homes along 35th Avenue would be limited to one-story. The stipulation did not specify a maximum building height. Additionally, it is unclear whether the stipulation was intended to apply to the individual units located closest to 35th Avenue or the entire clusters. The original stipulation may permit a variety of building heights and locations for height-restricted lots.

However, the intent of the stipulation was to mitigate the impacts of building height for units closest to 35th Avenue and would have impacted homes at approximately 235 feet (the stipulated average setback in original Stipulation 7). This remains a valid concern and consistent with the design of other recent projects in the Village. Therefore, the applicant's request for deletion of this stipulation is recommended for denial. An alternative stipulation is proposed that limits maximum building height to 20 feet for the 12 lots that are located within approximately 235 feet of 35th Avenue. This recommendation is intended to clarify the limitation on building height and identify the specific lots impacted.

DECISION: The Planning Hearing Officer took this case under advisement. On February 13, 2020 the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications and additional stipulations.

STIPULATIONS

General	
4.	That development shall be in general conformance with the site plan date stamped October 8, 2007, and elevations date stamped February 20, 2007, as modified by the following stipulations, and as approved by the Development Services Department.
1.	THE R1-8 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:
A.	THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
B.	THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL TERMINATE AS A STUB STREET TO THE ADJACENT UNDEVELOPED LAND TO THE WEST TO PROVIDE FOR A FUTURE VEHICULAR CONNECTION.

2.	CONCEPTUAL ELEVATIONS FOR THE R1-8 DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	THE R1-18 DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED OCTOBER 8, 2007, AND ELEVATIONS DATE STAMPED FEBRUARY 20, 2007, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. 2.	That d Development of the R1-18 portion of the site shall not exceed 22 lots.
5. 3.	That d Development of the R1-8 portion of the site shall not exceed a density of 99 lots.
6.	THE R1-8 DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12% SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
Site Design	
7. 4.	That u Unobstructed pedestrian access (for the purpose of private pedestrian connectivity internal to the site) between the R1-18 and R1-8 portions of the site shall be provided, as approved by the PLANNING AND Development Services Department.
8. 5.	That n No solid wall in excess of three feet in height as measured from the finished grade, shall be located on the site (either in private lots or common tracts) except that solid walls greater than three feet in height shall be allowed for the following purposes, as approved by the PLANNING AND Development Services Department.
a.	Walls utilized to screen utilities, trash enclosures, or other facilities generally considered to be visually obtrusive.
b.	Retaining wall.
9. 6.	That n No more than 60,000 square feet of natural turf area shall be located within the common areas of the R1-8 portion of the site (this requirement does not apply

	to synthetic turf); if provided, common area natural turf should be centrally located and grouped so as to create one contiguous natural turf recreation area, as approved by the PLANNING AND Development Services Department.
10. 7.	That a 235-foot (average), 200-foot (minimum) THE DEVELOPMENT SHALL PROVIDE A MINIMUM 100 FOOT landscaped setback ALONG THE EAST PROPERTY LINE adjacent to 35th Avenue shall be provided, as approved by the PLANNING AND Development Services Department.
11. 8.	That a A 50-foot (minimum) landscaped setback adjacent to Carver Road (final alignment) shall be provided, as approved by the PLANNING AND Development Services Department.
12. 9.	That t Those portions of spider and jeep trails which are not part of the approved grading envelopes, access drives, or other necessary site disturbance related to the proposed development of the R1-8 portion of the site shall be re-vegetated in a manner consistent with adjacent undisturbed vegetation, as approved by the PLANNING AND Development Services Department.
Disclosures	
13. 40.	That p Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
14.	THAT PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSE TO TENANTS OF THE SITE OR PURCHASERS OF PROPERTY WITHIN THE SITE, THE EXISTENCE, PROXIMITY, AND OPERATIONAL CHARACTERISTICS OF ACTIVE AVIATION USES IN THE HANGAR HACIENDAS UNITS ONE, TWO, AND THREE SUBDIVISIONS LOCATED APPROXIMATELY 2,300 FEET TO THE EAST OF THE SUBJECT PROPERTY IN MARICOPA COUNTY. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE ACCORDING TO THE TEMPLATES AND INSTRUCTIONS PROVIDED, WHICH HAVE BEEN REVIEWED AND APPROVED BY THE CITY ATTORNEY.
Parks and Recreation	
15. 44.	That t The developer shall dedicate a multi-use trail easement and construct a multi-use trail, per adopted standards, along the north side of Carver Road, as approved by the Parks and Recreation Department.
Archaeology	

16. 12.	That The applicant shall complete an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, or grading.
17.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
18.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
19.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.
Street Transportation	
20. 13.	That Right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the Street Transportation Department. 35th Avenue shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
21. 14.	That Right-of-way totaling 55 feet shall be dedicated for the west half of Carver Road, as approved by the Street Transportation Department. Carver Road shall be constructed using rural streets standards similar to Dobbins Road, as approved by the Street Transportation Department.
22.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR 35TH AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
23.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY FOR CARVER AVENUE AS DETERMINED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

24. 15.	That a A traffic impact study shall be submitted to, and approved by, the Street Transportation Department prior to PLANNING AND Development Services Department prior to Development Services Department preliminary site plan approval. That all right-of-way dedications and associated infrastructure improvements as recommended by the traffic impact study shall be installed by the developer, as approved by the PLANNING AND Development Services Department.
25. 16.	That t The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as modified by these stipulations, and as approved by the Street Transportation Department. All improvements shall comply with all American with Disabilities Act accessibility standards.
26. 17.	That t The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
27. 18.	That p Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims utilizing the provided template. The waiver shall be recorded with the Maricopa County Recorder's Office and a copy shall be provided to the PLANNING AND Development Services Department for the case files.
19.	That approval shall be conditional upon the development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of the building walls on site.
Neighborhood	
28. 20.	That b Building pad cuts shall be terraced if more than 6 feet in height and treated with a stain, gunnite, or equivalent finish, as approved by the PLANNING AND Development Services Department.
29. 21.	That a All two story homes, within the R1-18 portion of the site, shall be designed in a manner such that the square footage of the second story floor area does not exceed 66 percent of the first story floor area does not exceed 66 percent of the first story floor area, as approved by the PLANNING AND Development Services Department.
30. 22.	That c Concrete channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the PLANNING AND Development Services Department.

31. 23.	<p>That tThe use of riprap and engineered culverts shall be minimized and, where utilized, shall be integrated with the desert setting through color, texture, soil plating, landscaping, or other means, as approved by the PLANNING AND Development Services Department. To the extent possible, culverts shall be undersized to allow minor flows (10 cfs or smaller) to cross roadways in their natural condition.</p>
32. 24.	<p>That wWashes with a one-hundred-year peak flow of 200 cfs or greater shall be preserved and enhanced with native vegetation as described in Appendix A, Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines, as approved by the PLANNING AND Development Services Department.</p>
33. 25.	<p>That HLots with 2 or more sides abutting undisturbed open space shall be designed with obtuse angles, rather than right angles or acute angles, as approved by the PLANNING AND Development Services Department.</p>
34. 26.	<p>That eOn non-hillside lots within the R1-18 portion of the development, all improvements, including driveways, landscaping, and underground utilities shall be located within a building envelope occupying no more than 50 percent of the lot up to a maximum of 20,000 square feet, whichever is less, as approved by the PLANNING AND Development Services Department.</p>
35. 27.	<p>That a A minimum of three terraced berms with 2:1 fill slopes shall be installed along the full length of the quarry cut slope base. The terraces shall BE LIMITED TO A MAXIMUM HEIGHT OF be 8 feet tall, minimum, and shall be PLANTED planted with a staggered combination of 2-inch and 4-inch caliper, drought resistant, deciduous trees at 25 feet ON center OR IN EQUIVALENT GROUPINGS to center, as approved OR MODIFIED by the PLANNING AND Development Services Department.</p> <p>THE DEVELOPER MAY ALSO IMPLEMENT ALTERNATIVE SOLUTIONS FOR THE NATURALIZING AND BLENDING OF THE QUARRY CUT SLOPE WITH THE ADJACENT UNDISTURBED HILLSIDE AREA, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p>
36. 28.	<p>That sSolid block walls, except for retaining walls or privacy fencing on individual lots, shall not be constructed outside of the building envelopes for the R1-18 portion of the site, as approved by the PLANNING AND Development Services Department. Fencing constructed outside of the building envelope shall be combination solid/view fencing. In addition, all fencing above the 15 percent slope line shall be 100 percent view fencing.</p>
37. 29.	<p>That tThe entire 60-acre site shall have no perimeter fencing, as approved by the PLANNING AND Development Services Department.</p>
38. 30.	<p>That pPrivate roadways within the R1-18 portion of the site shall be provided with ribbon curbs and colored asphalt, as approved by the PLANNING AND</p>

	Development Services Department.	
39. 31.	That private roadways within the R1-8 portion of the site shall be provided with a raised, vertical curb, as approved by the Development Services Department.	
40. 32.	That a All HVAC units shall be ground mounted.	
41. 33.	That a All street lighting and wall mounted security fixtures shall be full cut off lighting. Fixture height shall be a maximum of 12 feet. Street lighting fixtures shall be decorative and have a consistent architectural theme, as approved by the PLANNING AND Development Services Department.	
42. 34.	That b Bollards shall be used for accent lighting at the primary access, entry monument, driveways, and trail crossings, as approved by the PLANNING AND Development Services Department. Photovoltaic energy sources for bollard lighting shall be provided.	
43. 35.	That a Any request to delete or modify these stipulations SHALL be preceded by A presentation to the Laveen Village Planning Committee (VPC) for review and recommendation, and notification to the following persons two weeks prior to presentation at the VPC:	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274
	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, 2300 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
44. 36.	That t The following individuals shall be notified of any and all PLANNING AND Development Services Department (DSD) meetings which are open to the public. The applicant shall be responsible for notification to the following via a first-class letter to be mailed at least two weeks prior to the DSD meeting(s):	
	a.	Jon Kimoto, 3216 West Ansell Road, Laveen, 85339
	b.	Cyd Manning, P.O. Box 41234, Mesa, 85274

	c.	Judy Brown, P.O. Box 41234, Mesa, 85274
	d.	Christine Dicken, 10827 South 30th Avenue, Laveen, 85339
	e.	Richard Birnbaum, 11014 South 35th Avenue, Laveen, 85339
	f.	Phil Hertel, 2300 2845 West Broadway Road, Phoenix, 85041
	g.	Steven Klein, 6820 South 66th Avenue, Laveen, 85339
45. 37.		That a All sidewalks, within the R1-8 portion of the site, WHICH ARE DEVELOPED ALONG STREETS DEVELOPED AS PUBLIC STREETS OR PRIVATE ACCESSWAYS shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum rate of 20 feet on center or IN equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the PLANNING AND Development Services Department. The landscape strip shall be installed by the developer and maintained by the homeowners' association.
46. 38.		That a A mix of two and three-inch caliper trees shall be provided within all required common open space tracts. With the exception of the open space area adjacent to 35th Avenue, the species of trees provided shall shade 50 percent of the area of the open space at tree maturity, as approved by the PLANNING AND Development Services Department.
47. 39.		That only one-story homes shall be located along 35th Avenue. LOTS 52-61 AND 82-83, LOCATED ALONG 35TH AVENUE AND AS DEPICTED ON THE SITE PLAN DATE STAMPED NOVEMBER 21, 2019, ARE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 20 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
48. 40.		That a A detailed site plan, landscaping plan, elevations, perimeter fence or wall plan, lighting plan, and entry monument signage shall be reviewed by the Laveen Village Planning Committee prior to preliminary site plan approval by the PLANNING AND Development Services Department.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.

ATTACHMENT L

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 14, 2020 8:36 AM
To: Julianna Pierre
Subject: FW: Carver/35th ave development - follow the law!

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 14, 2020 7:55 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Carver/35th ave development - follow the law!

Good morning D & T,

Only received one email on Case Z-165-06 today. Please see below.

Thanks all for your assistance,
Cepand

From: Mayor Gallego
Sent: Tuesday, January 14, 2020 7:45 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Carver/35th ave development - follow the law!

From: Amy Weibel, Ph.D. [<mailto:acweibel@msn.com>]
Sent: Monday, January 13, 2020 3:07 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Carver/35th ave development - follow the law!

Laveen Village Planning Committee, Planning Management and Staff,

Keep the faith of the citizens of Laveen - follow the law!

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

--Amy--

DNA*DNA*DNA*DNA
Amy C. Weibel, Ph.D.
Cell: (602) 373-6344
acweibel@msn.com
DNA*DNA*DNA*DNA

“Somewhere, something incredible is waiting to be known.” – Carl Sagan [goodreads.com]

For exceptional professional real estate services - visit us at www.PhoenixLaveenHomes.com
[\[phoenixlaveenhomes.com\]](http://phoenixlaveenhomes.com).

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 4:13 PM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged

FYI



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Mari Kay Parry <marikaywp@att.net>
Sent: Monday, January 6, 2020 3:08 PM
To: Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>
Cc: Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Andrew & Mari Kay Parry
5332 W Samantha Way, Laveen AZ
435-590-7605
marikaywp@att.net

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: Request to deny



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Angela <angeegutie@yahoo.com>
Sent: Friday, January 10, 2020 1:58 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Request to deny

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Angela Esparza
9020 S 41st Glen
602-708-7000

Sent from my iPhone

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 10:32 AM
To: Julianna Pierre
Subject: FW:

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----

From: waterhouseranch@yahoo.com <waterhouseranch@yahoo.com>
Sent: Saturday, January 11, 2020 12:03 AM
To: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; "council.district.8@phoenix.gov"@mx0a-004a8b01.pphosted.com
Subject:

" <council.district.8@phoenix.gov>
From: Angus & Gale <waterhouseranch@yahoo.com>
Subject:
Date: Sat, 11 Jan 2020 00:03:09 -0700
Importance: normal
X-Priority: 3
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boundary="_9374FB8D-8436-461C-A7D6-4E0F2FD5FBC1_"

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Angus Kittle
3017 West Carver Road
Laveen, AZ 85339
RE: Case Z-165-06 (PHO-1-19) upcoming January 13, 15, 2020

Dear Sir:

I=E2=80=99m writing on behalf of myself, my wife, my adjacent neighbors with permission and my residential neighborhood at large by consensus. I stopped by my neighbors place yesterday evening and they told me about the referenced case. I also found out that today is the submission deadline for comments which I=E2=80=99m able to do, however, although there=E2=80=99s numerous relevant points one could

offer. Due to time constraints, I ask if I may speak candidly and assume that you would, accept my request. Please know my comments are not intended as a complaint or criticism. They are intended to provide additional information from the residences most affected in this case. Those who will be arbitrarily and capriciously imposed upon to bear the burden and negative effects as the result of choices and decisions made by the individuals who serve with other elected and appointed governing officials who hold positions of authority that determine the appropriate restrictions and ordinances in conjunction with the constitution of our nation. That in this case is even a case makes no sense. The matter was decided and approved by The City Council members on October 10, 2007. Twelve-years later, for some reason, somebody identified as the applicant/owner is partitioning to revert back to pre-1-10-2020 zoning. How can that even be considered now? A couple of possibilities and neither of the two look good for the officials who are to some extent in some way accountable for properly completing the ruling of October 10, 2007. I won't speculate other possible reasons why the residents who were subjected to deal the inappropriateness of this zoning change are having to do it again now. It's likely that some, most or all the city officials who made the decision on October 10,

2007 are no longer involved. More likely is that City officials that have no previous experience with the October 10, 2007 decision but do have experience screwing over Laveen residents as in the case of the implementation of Nextgen Air Traffic Control at Sky Harbor in September 18, 2014 see no problem with forcing Laveen residents to deal with it again. Like right now this very moment the roar coming from FAA Aviation Super Highways in the Sky has pounded Laveen again today as commercial jet aircraft arrive and depart using west flow and east flow routes over that Laveen area that sent somewhere around 550,000 jets over the Laveen area since implementation with no end in sight for 1933 consecutive days. Comparing statements made by City Council Members on August 27, 2017 to statements made by the same people on February 7, 2018 regarding the disastrous Joint Petition will reveal the inauthenticity of the City Council's claim of advocating for the effected residents. This is an opportunity for City Council Members to start restoring the integrity their word to advocate for the residents of Laveen as they said they would. The applicant/owner is not considering the Laveen residents that will be negatively impacted. The City Council is advocating for the area residents who have done what they've been asked to do. There is no question about the appropriate thing to do here.

Sincerely,
Angus Kittle

Sent from Mail for Windows 10

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Content-Type: text/html; charset="utf-8"

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top-alt:auto;mso-margin-bottom-alt:auto;text-align:cen=
ter'>Laveen, AZ 85339</p><p class=3DMsoNormal>RE: Case Z-165-06 (PHO-1-19) = upcoming January 13,
15, 2020<o:p></o:p></p><p class=3DMsoNormal><o:p>&nbsp; ;</o:p></p><p class=3DMsoNormal>Dear
Sir:<o:p></o:p></p><p class=3DMsoNorma=
l><o:p>&nbsp;</o:p></p><p class=3DMsoNormal>I=E2=80=99m writing on
l>behalf o=
f myself, my wife, my adjacent neighbors with permission and my residential= neighborhood at large by
consensus. I stopped by my neighbors place yester= day evening and they told me about the referenced case.
I also found out th= at today is the submission deadline for comments which I=E2=80=99m able do,=
however, although there=E2=80=99s numerous relevant points one could offer= . Due to time constraints, I
ask if I may speak candidly and assume that yo= u would, accept my request. Please know my comments are
not intended as a c= omplaint or criticism. They are intended to provide additional information = from the
residences most affected in this case. Those who will be arbitrari= ly and capriciously imposed upon to bear
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subjected to deal the inappropriateness of this zoning change are h= aving to do it again now. It=E2=80=99s
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involv= ed. More likely is that City officials that have no previous experience wit= h the October 10, 2007
decision but do have experience screwing over Laveen= residents as in the case of the implementation of
Nextgen Air Traffic Cont= rol at Sky Harbor in September 18, 2014 see no problem with forcing Laveen =
residents to deal with it again. Like right now this very moment the roar c= oming from FAA Aviation Super
Highways in the Sky has pounded Laveen again = today as commercial jet aircraft arrive and depart using
west flow and east= flow routes over that Laveen area that sent somewhere around 550,000 jets = over the
Laveen area since implementation with no end in sight for1933 cons= ecutive days. Comparing statements
made by City Council Members on August 2= 7, 2017 to statements made by the same people on February 7,
2018 regardin= the disastrous =E2=80=99CJoint Petition,=E2=80=99D will reveal the inauthent= icity of the
City Council=E2=80=99s claim of advocating for the effected re=

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Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 8:27 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 8:13 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #3.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 8:08 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Anne McKinney [<mailto:volnay@gmail.com>]
Sent: Wednesday, January 8, 2020 6:14 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Anne McKinney

10827 S 30th Ave

Laveen AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 2:36 PM
To: Julianna Pierre
Subject: Fwd: WE NEED YOUR HELP

Follow Up Flag: Follow up
Flag Status: Flagged

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)

From: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Sent: Tuesday, January 7, 2020 2:33:22 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: WE NEED YOUR HELP

And another email on Z-165-06.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 2:21 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: WE NEED YOUR HELP

From: Anthony Mihalovich [<mailto:anthony.mihalovich@gmail.com>]
Sent: Tuesday, January 7, 2020 2:20 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: WE NEED YOUR HELP

Laveen Village Planning Committee, Planning Management and Staff,

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Best regards,

Anthony Mihalovich

5514 West Milada Laveen, Az 85339

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 4:11 PM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

FYI



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: bernadettebuehlmann <bernadettebuehlmann@gmail.com>
Sent: Monday, January 6, 2020 3:59 PM
To: Samantha Keating <samantha.keating@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>
Cc: Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY
Importance: High

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you and best regards,

Bernadette Buehlmann

3026 W. Ceton Drive

Laveen, AZ 85339

602-284-3502

Bernadettebuehlmann@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:04 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Brenda B <brenda0526@hotmail.com>
Sent: Thursday, January 9, 2020 6:58 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Brenda Tardiff Beland

Address - 7421 W Fawn Dr, Laveen AZ 85339
Phone 480-452-4195
Email brenda0526@hotmail.com

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 3:17 PM
To: Julianna Pierre
Subject: FW: 35th Ave and Carver Rd

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 3:06 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: 35th Ave and Carver Rd

Another email.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 2:52 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: 35th Ave and Carver Rd

From: rmp5s [<mailto:rmp5s1@gmail.com>]
Sent: Tuesday, January 7, 2020 2:49 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: RE: 35th Ave and Carver Rd

Laveen Village Planning Committee, Planning Management and Staff,

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Best regards,

Brent Bialik

11620 S 44th Ave, Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:19 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:57 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Good morning!

See below for Email #1 we received today regarding Z-165-06. I'll be sending the rest in a few moments.

Thanks,
Cepand

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:27 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Bret Burchard [<mailto:bretburchard3@yahoo.com>]
Sent: Wednesday, January 8, 2020 6:57 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

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Best regards,
Bret Burchard

11244 S. 35th Ave : Laveen 85339

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 7:59 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #4.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:58 AM
To: Cepand Alizadeh <cephand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: B & K Hicks [<mailto:bkhicks2009@gmail.com>]
Sent: Sunday, January 12, 2020 2:35 PM
To: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Fwd: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

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Best regards,

Brian Hicks

4715 W. Carver Rd.

Laveen, AZ 85339

602-757-5304

bkhicks2009@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:14 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Denise Hebert <dhebert2011@gmail.com>
Sent: Saturday, January 4, 2020 7:49 PM
To: Cyd Manning <SweetBeat@q.com>
Cc: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Re: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Sent from my iPad

On Jan 4, 2020, at 10:01 AM, Cyd Manning <SweetBeat@q.com> wrote:

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

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Best regards,
Bruce Hebert

11024 S. 27th Dr.
Laveen, AZ 85339
602-237-4802
Bhebert618@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 11:03 AM
To: Julianna Pierre
Subject: FW: Planning Case Z-165-06 (PHO-1-19)
Attachments: Laveen Quarry Letter.docx



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Bryan Peltzer <bpeltzer@pgg-eng.com>
Sent: Friday, January 10, 2020 10:45 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; sweetbeat@q.com
Subject: Planning Case Z-165-06 (PHO-1-19)

Please find the enclosed letter in opposition to the approval of the subject planning case.

Thank You.

Bryan Peltzer, P.E.
Mobile 602.680.0878

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:37 AM
To: Julianna Pierre
Subject: FW: Zoning Hearing for Dense Housing on Carver Mountain

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 8:03 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Zoning Hearing for Dense Housing on Carver Mountain

Email #9.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:43 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Zoning Hearing for Dense Housing on Carver Mountain

From: CSF Markets [<mailto:markets@crookedskyfarms.com>]
Sent: Friday, January 10, 2020 4:19 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Zoning Hearing for Dense Housing on Carver Mountain

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning*

request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states *"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site."* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Burl Campos

9307 S 51st Ave Laveen

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:01 AM
To: Julianna Pierre
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Julianna,

Sending a few more your way.



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Carol Douglas <azcarol25@yahoo.com>
Sent: Friday, January 10, 2020 6:10 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff: I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Best regards, Carol Douglas
4508 W McNeil St
Laveen, AZ 85339
623-826-7471
azcarol25@yahoo.com

Julianna Pierre

From: Samantha Keating
Sent: Tuesday, January 14, 2020 7:58 AM
To: Julianna Pierre
Subject: FW: 35th & Carver Road - Laveen



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: C Gunderson <carrsgun@gmail.com>
Sent: Monday, January 13, 2020 3:30 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: 35th & Carver Road - Laveen

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site." City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Carolyn Gunderson

3514 W Cheyenne Dr.
Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:35 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:59 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #7.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:26 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: R B [<mailto:kroywen@icloud.com>]
Sent: Wednesday, January 8, 2020 10:13 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Please do the required and right thing which is to deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Cenk Brown

Redhawk at Rogers Ranch
Laveen, AZ 85339
602-499-6713

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 12:23 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 12:14 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #8.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 12:09 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Chris [<mailto:chris@candssweeping.com>]
Sent: Wednesday, January 8, 2020 11:40 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the*

Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Chris Danielson

[2943 \[google.com\]](#) W. Ceton Dr.

[Laveen, AZ 85339 \[google.com\]](#)

602-499-1693

chris@candssweeping.com

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: IMPORTANT - PLEASE DENY - City of Phoenix Case Z-165-06-7



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: chris johns <christopher.1.johns@outlook.com>
Sent: Thursday, January 9, 2020 10:35 PM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: IMPORTANT - PLEASE DENY - City of Phoenix Case Z-165-06-7

Hello,

As a local resident adjacent to the subject case location I am in complete opposition to the requests in the subject case and I vehemently request that you **deny Z-165-06 (PHO-1-19) in its entirety as filed.**

The simple fact that Stipulation #19 in the case offered **THE ORIGINAL DEVELOPER** four years to initiate construction activity back in 2007 or else the land would revert back to its original Zoning, S-1 in 2011. **NINE YEARS** have passed since that expiration of this "Conditional" Zoning change approved by the City of Phoenix and now for some Developer to resurrect this expired Zoning Change after this parcel has passed through four different Landowners HOPING to persuade the City of Phoenix to "rezone it again" is beyond absurd and not in keeping with local development in the area.

I further move that the City of Phoenix immediately initiate, approve and codify the required zoning reversion action for the subject location back to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning as it should have transpired in 2011 when the original Developer of the Subject Property failed to obtain Building Permits as stipulated in the "Conditional Zoning" Approval by the City of Phoenix. This should have already been done!

The area between South Mountain and Carver mountain is a rural area with considerable amount of livestock and ALL properties are at a minimum of 1 acre per parcel. This proposed development does NOT fit the area and many of the new residents will not fit the area either as it has happened time and time before. People always move into an area that has livestock and a certain way of life knowing full well the climate when they move in, and then complain and try to limit people's rights and freedoms to live in an area that many generations of people have lived. Case and point, Hickman farms. You wouldn't allow a residential home to be built across the street from a high rise down town, so why

would you put 2 story condos in an area that is almost entirely made up of single story, single family homes in an already existing and developed rural area.

Approving **Z-165-06 (PHO-1-19)** is not only irresponsible as it shows a blatant disregard for the long establish culture of an area, that has existed for generations, but it would be a clear indication of corruption between the builder and the government officials who have the decision making power to allow this to proceed. Just the timing alone of this already indicates as such and we only hope that is not the case and have faith it is not. Granting access to this project would not be fair or inclusive to all the many residents who have literally spent millions to build their homes for this specific environment. Right now, this is an area that is a hot bed for extremely high end customs homes specifically built on a minimum of 1 acre lots. These condos will immediately halt the appeal and devalue the real-estate that people have worked hard to establish as a “Paradise Valley” of the southwest. Approving this would be make zero sense and needs to be dismissed immediately.

I know of one local custom home builder who is getting ready to put in as close to 55 additional homes throughout the area beginning mid-2020, all ranging from 800k to 1.2 million in selling price. This will massively raise the value of the surrounding homes and add to the existing “feel” of the area. This City of Phoenix already has ordinances throughout the valley to prevent such obvious disruptions to a neighborhoods standard and current architecture. I beg you please do not allow that to happen in our community.

PLEASE DO THE RIGHT THING AND DENY Z-165-06 (PHO-1-19) in its entirety as filed.

Thank you,

Chris Johns – Owner
3913 W Carver Rd
Laveen AZ, 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: IMPORTANT - PLEASE DENY - City of Phoenix Case Z-165-06-7



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: chris johns <l337one@msn.com>
Sent: Thursday, January 9, 2020 10:37 PM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Re: IMPORTANT - PLEASE DENY - City of Phoenix Case Z-165-06-7

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PLEASE DO THE RIGHT THING AND DENY Z-165-06 (PHO-1-19) in its entirety as filed.

Thank you,

Chris

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:14 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Cyd Manning <SweetBeat@q.com>
Sent: Saturday, January 4, 2020 10:01 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY
Importance: High

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Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”*. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Cyd Manning

3220 W. Ceton Drive
Laveen, AZ 85339
480-747-0769
sweetbeat@q.com

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW:

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 7:57 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW:

Email #2.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:47 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW:

From: peekayphx@aol.com [<mailto:peekayphx@aol.com>]
Sent: Monday, January 13, 2020 7:33 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject:

Laveen Village Planning Committee, Planning Management and Staff,

I am a 20 year resident of Laveen I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your consideration
Cynthia Pepin
4601 W. Crivello Ave
Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 8:28 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 8:15 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #4.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 8:09 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: cynthiarojas@cox.net [<mailto:cynthiarojas@cox.net>]
Sent: Tuesday, January 7, 2020 8:37 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Cynthia Rojas

1819 W Desert View Drive, Phoenix, 85041

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 2:36 PM
To: Julianna Pierre
Subject: Fwd: Z-165-06 (PHO-1-19) 35TH AVE & CARVER

Follow Up Flag: Follow up
Flag Status: Flagged

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)

From: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Sent: Tuesday, January 7, 2020 2:01:43 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Z-165-06 (PHO-1-19) 35TH AVE & CARVER

And another one! This constituent is President/Chairman of the Laveen Community Council.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 2:00 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Z-165-06 (PHO-1-19) 35TH AVE & CARVER

From: Dan Penton [<mailto:dan.penton@laveen.org>]
Sent: Tuesday, January 7, 2020 1:53 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Z-165-06 (PHO-1-19) 35TH AVE & CARVER

Laveen Village Planning Committee, Planning Management and Staff, Council members and Madam Mayor,

My name is Daniel Penton and I reside at 8216 S 42nd Ave, Laveen Village, AZ 85339.

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

 Daniel Penton

President & Chairman (Current)
Laveen Community Council

Board Member & Archivist
Laveen Citizens for Responsible Development / Laveen Planning Committee

Board Member & Communications Director
Laveen Association of HOA's

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 10:14 AM
To: Julianna Pierre
Subject: FW: 35th Ave and Carver Quarry Development



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: David Baker <david@beinphoenix.com>
Sent: Monday, January 13, 2020 6:28 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: 35th Ave and Carver Quarry Development

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

David Baker
11908 S 41st Ave
Laveen Az 85339

David Baker
Keller Williams Realty Phoenix
Cell:602.373.6345
E-mail: david@beinPhoenix.com
Visit my websites at

<http://www.PhoenixLaveenHomes.com> [phoenixlaveenhomes.com]

<http://www.LaveenRealEstate.co> [laveenrealestate.co]

<http://www.LaveenAz85339.com> [laveenaz85339.com]

<http://www.CasasLaveen.com> [casaslaveen.com]

<http://www.Laveenhomesforsale.net> [laveenhomesforsale.net]

Subscribe today to my YOUTUBE Channel

<https://www.youtube.com/user/dabaker2121> [youtube.com]

"Like" me on Facebook at [*Phoenix Residential Real Estate*](#) [facebook.com]

Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 8, 2020 4:41 PM
To: Julianna Pierre
Subject: FW: Laveen Rezoning



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: dori <dorimin1@q.com>
Sent: Tuesday, January 7, 2020 4:36 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Laveen Rezoning

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Delores Minton

4148 W Carver Rd. Laveen, Az

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:14 AM
To: Julianna Pierre
Subject: FW: Subject: Case Z-165-06 (PHO--1-19)

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Donna Schober <donna.schober@gmail.com>
Sent: Sunday, January 5, 2020 4:28 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Subject: Case Z-165-06 (PHO--1-19)

Laveen Village Planning Committee, Planning Management and Staff,

We respectfully request that you:

- 1) deny Case Z-165-06 (PHO-1-19) as filed;
- 2) act to revert the zoning as required under the previous agreement (revert zoning to S-1 for the entire property); and
- 3) execute a General Plan Amendment from 3.5-5du/a to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

It would be wrong to approve this case as filed, especially wrong to remove the stipulations, especially stipulation 19 which was agreed to as a compromise; it would be wrong because you would be breaking trust with Laveen residents. And the development likely to result if you approve this case as filed would be totally inappropriate for the property and the entire area.

The city must honor its agreements/commitments. Nothing has changed in the intervening years to encourage us to support the case as filed.

Please do the right thing, what is required by your own previous agreements.

We are residents at 10840 S 30th Ave, Laveen, AZ for 20+ years. Our view to the west is this property. Laveen, especially the area south of Dobbins Road, is a very special place. We need the city to recognize that and protect that special nature just as the residents are trying to do. Thank you.

Sincerely,

Donna J. Schober
Marvin A. Sondag
10840 S. 30th Ave
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Donna Snow <carart617@hotmail.com>
Sent: Thursday, January 9, 2020 9:44 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Donna Snow

6806 W Desert Lane
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 3:23 PM
To: Julianna Pierre
Subject: FW: Resident feedback: Carver Mountain North Z-165-06-7
Attachments: Illegible Notice 1.jpg; Illegible Notice 2.jpg



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Edward Moore <emoore@vizzda.com>
Sent: Friday, January 10, 2020 3:17 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Resident feedback: Carver Mountain North Z-165-06-7

Laveen Village Planning Committee, Planning Management and Staff,

I am writing with regard to planning case Z-165-06-7 which will be before you on the docket at next week's meetings. Here are my concerns about this development.

- (1) Poor notice to residents & the neighborhood
- (2) A dense residential development that is 2x to 5x the density of the surrounding area.
- (3) Traffic concerns and dangers.

First, on the topic of poor notice to the community. I live 1500' from the project and didn't get any notice in my mailbox and neither did any of the 5 or 6 households I've spoken to. There was a sign to announce this upcoming meeting... but until a few days ago it had been placed in a location where it was effectively invisible because it is a tiny placard (rather than a nice large sign) and it was placed 10' back from the street among the bushes on the inside of a dangerous curve along a 2-way road with no sidewalks. I drive this road twice per day and never saw this sign. Once a neighbor told me it existed I took my partner with me to take a picture of it while passing by at 10 miles per hour (the picture is illegible) and I walked to the nearest point I could get on the far side of the street (this picture is also unreadable). So this sign is useless and should not be considered adequate notice to the community. I still don't know what it says and I have made a real effort. (Images linked below) So I feel that this is a very very poor job in providing notice to the community and that concerns me.

Second, this is a project being developed on 60 acres with an overall average density of 2 DU/AC for the entire project.

This is about double the density of the surrounding neighborhood. My home is on an acre and the vast majority of homes in the area are also on an acre or more of land. The condominium/townhouse portion of this project will have 100 residential units on 20 acres... or a density of 5 DU/AC which is at least 5x times the density of other residences in this area (or more... many of my neighbors are on more than 1 acres of land). Then there will be 40 acres set aside for 20 or so units... so 2-acre homes... and this may be seen to reduce the overall density of the project to 2 DU/AC... but even this density level is twice the surrounding area... and the fact that the residences are concentrated in a bunch of townhomes that are much more dense makes this a project that just does not fit the surrounding area... my neighborhood. So my main concern is this very dense development of townhomes.

Thirdly, from a satellite image or an aerial you are not going to understand Carver Road as a dangerous throughway. What you won't be able to tell from an aerial is that the bushes and brush turn corners into blind corners... the southeast corner of this project is a dangerous blind curve. We have had at least 3 accidents along that road in the past 2 years. Maybe more. I'm only counting the accidents in which a power pole was knocked down killing power for the neighborhood. The straightaway to the north should be no problem right? Wrong. There is a very steep hill which is another effectively blind curve just to the north of this project. I don't see anything in the plans for this project which address this. At a minimum the road needs to be widened at the entrance to this community and a turn lane provided for north-bound vehicles... and a way to ease traffic into the community for south-bound vehicles.

Working as I do in commercial real estate my understanding is that planning and zoning projects have a lifespan or timeline... my understanding is that these plans are from 2007 or whenever and the owner of the land at that time had cash flow problems and requested and was given extra density to help him make out okay. I suppose those owners lose the property because I know that the current owners bought this land in 2017 for only \$1,1m. These people are going to profit if they can make 10-15 homes... they don't need to make 120 homes and destroy my neighborhood to pay off their bank loans. Let's build a project here that expands this community in a nice way, builds the tax base, but doesn't radically distort the neighborhood that exists here now.

Sincerely,

Ed Moore

I live with my fiance at the home she owns at:
11217 S 37th Ave Laveen 85339

--

Edward Moore

Real Estate Researcher

[Vizzda \[vizzdanews.blogspot.com\]](http://vizzdanews.blogspot.com)





CITY OF PHOENIX HEARING

PLANNING HEARING OFFICER

CASE # Z-165-06-7
Northwest corner of
35th Avenue and Carver Road

Existing Zoning: R14, R15, R16
Request: RM

HEARING DATE / TIME:
January 15, 2020
10:00 AM

LOCATION:
Calvin Goode Building
10th Floor
Coronado Training Room
251 West Washington Street
Phoenix, AZ 85003

CONTACT: 602-262-7131
phoenix.gov/pdd/pz

Phoenix City Hall 2nd Floor - Zoning Services Center 200 West Washington Street, Phoenix, AZ

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 11:18 AM
To: Julianna Pierre
Subject: FW: subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY Laveen Village Planning Committee, Planning Management and Staff, I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: E douglas <lizesd@gmail.com>
Sent: Friday, January 10, 2020 11:16 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY Laveen Village Planning Committee, Planning Management and Staff, I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15....

Laveen Village Planning Committee, Planning Management and Staff, I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

I live a few miles from this site and am, once again, horrified at how the city and county have allowed the ruination of Laveen. No place south of Dobbins should be more than two houses per acre. The "Rural" aspect of Laveen is nearly dead, rendering it just another Phoenix neighborhood. While development in Arizona is, apparently, inevitable (where's the water, guys?) it does not have to be high density clear up into the mountains! Yeah, Laveen is south of the river, but it is a beautiful area with a wide variety of people, and it would be nice if it could remain so. Space is important. When was the last time any of you drove around this area? What was unique is becoming ordinary. Very sad. Best regards,
Elizabeth Douglas
4726 W. Olney Ave.
Laveen, AZ 85339
602-237-9300

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:14 AM
To: Julianna Pierre
Subject: FW: Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Ernst Bauer <ERNST.BAUER@asu.edu>
Sent: Saturday, January 4, 2020 10:28 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Cc: Cyd Manning <SweetBeat@q.com>
Subject: Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”*. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In

addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Ernst Bauer
11581 S 28th Ave
Laveen
AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 8:27 AM
To: Julianna Pierre
Subject: FW: WE NEED YOUR HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 8:15 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: WE NEED YOUR HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

Email #2.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 8:08 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: WE NEED YOUR HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

From: Fergus Fausto [<mailto:jujitsuboy76@gmail.com>]
Sent: Tuesday, January 7, 2020 2:16 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: WE NEED YOUR HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Fergus Fausto

5514 West Milada Laveen, Az 85339

Julianna Pierre

From: Samantha Keating
Sent: Thursday, January 9, 2020 1:23 PM
To: Julianna Pierre
Subject: FW: 35th Ave &Carver



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Donis Canisales <cyrannn@hotmail.com>
Sent: Thursday, January 9, 2020 11:21 AM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: 35th Ave &Carver

We request you deny Case Z-165-06 (PHO-1-19) when it comes before you [on January 13](#) and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Frank and Donis Canisales
11020 S 35th Ave
Laveen, AZ 85339

Sent from my iPhone

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 10:22 AM
To: Julianna Pierre
Subject: FW: 35th Ave & Carver Laveen

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----

From: Donis Canisales <cyrannn@hotmail.com>
Sent: Friday, January 10, 2020 10:16 AM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: 35th Ave & Carver Laveen

We request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Frank and Esperanza Canisales
11631 S 51st Ave
Laveen, Az 85339

Sent from my iPhone

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 1:53 PM
To: Julianna Pierre
Subject: FW: Critical rezoning crisis in Laveen

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 1:49 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Critical rezoning crisis in Laveen

Here's another email regarding the matter at 35th Avenue and Carver.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 1:48 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Critical rezoning crisis in Laveen

From: Frank Lauffer [<mailto:franklauffer@yahoo.com>]
Sent: Tuesday, January 7, 2020 1:44 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Critical rezoning crisis in Laveen

Laveen Village Planning Committee, Planning Management and Staff, and elected officials:

Please be aware of ill effects of zoning in South Phoenix/Laveen/South Mountain area. The rezoning craze has to be stopped. This is not going to be another Camelback mountain. Everyone has \$\$\$ in their eyes now the 202 is (finally) a reality but this not require us to lose our local personality, culture and pride.

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Frank Lauffer
10221 S 45th Dr Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 10:59 AM
To: Julianna Pierre
Subject: FW: PLEASE DENY Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Gale Kittle <galekittle@gmail.com>
Sent: Friday, January 10, 2020 10:49 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; waterhouseranch@gmail.com
Subject: PLEASE DENY Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Gale Kittle
3017 W. Carver Rd.
Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:32 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06

Follow Up Flag: Follow up
Flag Status: Completed

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:58 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06

Email #4.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:34 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06

From: Gary Jordon [<mailto:garyinlaveen@yahoo.com>]
Sent: Thursday, January 9, 2020 8:33 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06

Dear Madam-Sir,
please Vote NO on Case Z-165-06 (PHO 1-19), at the meetings on Jan. 13 and 15, 2020. The housing/people density is too high for our area.
Kind Regards,
Gary Jordan
3603 W. Shawnee Dr.
Laveen, Az 85339

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 8:27 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

-----Original Message-----

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 8:13 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06

Good morning D,

Going to be sending you several emails we received overnight regarding Z-165-06. This is Email #1.

Thanks,
Cepand

-----Original Message-----

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 3:52 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06

-----Original Message-----

From: Alice Williams [mailto:aewlaveen@icloud.com]
Sent: Tuesday, January 7, 2020 3:41 PM
To: alan.stephensen@phoenix.gov
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Case Z-165-06

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be

treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”, which includes Stipulation 19.

Stipulation 19 states “That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Gerald L Willams

12601 South 47 Avenue
Laveen, Az 85339

Sent from my iPhone

Julianna Pierre

From: David Urbinato
Sent: Friday, January 10, 2020 9:31 AM
To: Julianna Pierre
Subject: FW: Laveen zoning

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Friday, January 10, 2020 8:43 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Laveen zoning

Good morning David,

Going to be sending you a batch of opposition emails to Case Z-165-06 in the next few minutes. The email below is Email #1.

Thanks sir,
Cepand

From: Mayor Gallego
Sent: Friday, January 10, 2020 8:28 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Laveen zoning

From: Leah Landrum Taylor [<mailto:lantay2@icloud.com>]
Sent: Thursday, January 9, 2020 4:07 PM
To: Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Laveen zoning

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you [on January 13](#) and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Greg and Leah Taylor
[3309 West Carver Road](#)
[Laveen, AZ 85339](#)

Sent from my iPad

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Ines Hughes <ines.hughes@googlemail.com>
Sent: Thursday, January 9, 2020 10:19 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; council.district.8@phoenix.gov; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,
Ines Hughes
4206 W Carver Rd
Laveen. AZ 85339

--
Anything is good if it is made of chocolate.

Knowledge is knowing that a tomato is a fruit;
Wisdom is not putting it in a fruit salad.

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:37 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 8:02 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #8.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:43 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Irma Cazarez [<mailto:irmacazarez@gmail.com>]
Sent: Friday, January 10, 2020 4:22 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Re: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”*. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Irma Cazarez
3517 W Shawnee Drive
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Ivan Vializ <ivan_acm1@outlook.com>
Sent: Thursday, January 9, 2020 9:13 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Ivan Vializ
8921 S 53rd Dr.
Laveen, AZ 85339
602-741-5722
ivan_acm@cox.net

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 7:57 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Good morning!

I'll be forwarding the emails we received over the last three days regarding the matter at 35th Avenue and Carver Road. Thanks, David.

Best,
Cepand

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:55 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: James Corbett [<mailto:jcorbett15@cox.net>]
Sent: Friday, January 10, 2020 12:11 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

James Corbett

4811 W. Gwen St.
Laveen AZ. 85339

602.402.9284

Jcorbett15@cox.net

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: Case Number: Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: James Hughes <perldude69@gmail.com>
Sent: Thursday, January 9, 2020 9:57 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Case Number: Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15.

My concerns are:

1. The owner has requested a rezoning to high density. This property was slated to revert to S-1 after a period of 4 years of no construction. This area has been awaiting this rezoning since 2011 and has in its neglect become a blight on the landscape. (Trash dumping, parties, general waste)
2. The request to to revise their approvals also call for a single point of ingress and egress near a blind corner 85% (I estimate) turn and a steep hill. With between 90 and 200 new residents, this would be an extremely dangerous intersection . If an emergency occurred and the exit was blocked we would have an unpredictable situation.

A further concern that I have is that this planned construction is in the path of flood waters. I assume the construction engineers will mitigate any danger to the planned buildings themselves. Since the approval was initially given in 2007, plans to mitigate the flood hazard have been adopted. There is no indication that the **Carver Hills Basin and Storm Drain** plans have been considered in this request. It is also worth noting that the plans and their descriptions describe the Hidden Valley as " ... *the area includes sub-basins in the desert mountain areas of South Mountain and Carver Mountain, large agricultural areas, rural residential areas (including small ranches and family farms), and almost no higher density developments.*"

Approving this change to the plan would drastically modify this assessment.

<http://apps.fcd.maricopa.gov/Projects/PPM/downloads/LaveenADMP/Downloads/CurrentFinal.pdf> [apps.fcd.maricopa.gov]

Best regards,
James Hughes
4206 W Carver Rd
85339 Laveen

--

Cooking is just the art of finding new and interesting ways to ingest more olive oil.....

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 3:36 PM
To: Julianna Pierre
Subject: FW: Request Denial of Case Z-165-06 (PHO-1-19)

Follow Up Flag: Follow up
Flag Status: Completed

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 3:26 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Request Denial of Case Z-165-06 (PHO-1-19)

Email #11.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 3:12 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Request Denial of Case Z-165-06 (PHO-1-19)

From: jamirae@gmail.com [<mailto:jamirae@gmail.com>]
Sent: Wednesday, January 8, 2020 2:50 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Request Denial of Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management, and Staff,

As you know, Case Z-165-06 (PHO-1-19) is scheduled for review next week. **As residents of the City of Phoenix, Laveen Village, we respectfully request that you deny Z-165-06 (PHO-1-19) as filed.**

The case involves the 60-acre parcel at the NW corner of 35th Avenue and Carver. In 2007, the city Council approved a zoning change on a 40-acre portion of this parcel for 22 lots or 0.56 homes per acre with the other 20-acres zoned for 99 villas at 4.95 homes per acre. A critical part of this approval was Stipulation 19, which states that "... approval shall be

conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”

The current applicant/owner is not only requesting a site plan revision on the 20-acre portion of this parcel, but they are also requesting multiple stipulation modifications and deletions, including the deletion of Stipulation 19. **Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance** which is of great concern to us and a large majority of our neighbors who value the open space and natural areas in and around Laveen Village.

We therefore request that you do the right thing and **deny Z-165-06 (PHO-1-19) as filed. Then, immediately move to initiate, approve, and codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.**

Thank you,

Jami and Michael Dennis
3011 W Cheyenne Dr
Laveen, AZ 85339
623-203-0174
jamirae@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:04 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Jane Craig <eddibtyboop@hotmail.com>
Sent: Thursday, January 9, 2020 8:17 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 states *"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site."*. City Council approval was on October 10, 2007 and with

the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best Regards,

Jane Craig

2905 W. Ceton Drive

Laveen, AZ 85339-1744

623.229.6091

eddibtyboop@hotmail.com

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 3:17 PM
To: Julianna Pierre
Subject: FW: HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 3:06 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

Another email.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 2:59 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

From: Jason Rottman [<mailto:jason1875@gmail.com>]
Sent: Tuesday, January 7, 2020 2:57 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Cc: Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: HELP TO PROTECT THE RURAL CHARACTER & SCENIC CORRIDORS IN LAVEEN.

Dear Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: “The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied

for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”, which includes Stipulation 19.

Stipulation 19 states “That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Name

Address

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 10:52 AM
To: Julianna Pierre
Subject: FW: Request for denial of City of Phoenix Case Z-165-06-7

Importance: High



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Jeannie Litts <jeannelitts@earthlink.net>
Sent: Friday, January 10, 2020 11:49 AM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Request for denial of City of Phoenix Case Z-165-06-7
Importance: High

I am requesting that you deny the subject case in it's entirely for the following reasons:

1. Incorrect current Zoning assumptions
 - a. The case assumes that the Zoning Action passed by the City of Phoenix in 2007 for the case is still valid and Rose Law Group is proposing amendments to the original case. This is in error, per stipulation #19 passed in 2007 by the City of Phoenix the land in question reverted back to S-1 Zoning in 2011 due to the failure of the Landowner(s) to execute building permits within four years as stipulated.
2. Infrastructure
 - a. No development should be proposed which will increase traffic, consume resources (water, power, sewage disposal, etc.) with specific plans and commitments. This proposed development does nothing to address increased traffic, noise, or infrastructure.
3. Safety
 - a. W. Carver Rd adjacent to this Proposed Development as well as S. 35th Ave have severe safety hazards due to limited site approaching from the West on Carver Rd and coming over the hill on S. 35th Ave in this area from either direction. Over the last several years there have been countless vehicular accidents taking out Power Poles as well as running off the road due to these afore mentioned concerns and the Proposed Development would exit vehicles right into the middle of this hazardous area. Nothing was proposed to address this.
4. Flooding
 - a. The additional impervious area created by offering high density housing as opposed to S-1 single family will tremendously add water to an area already prone to flooding on S. 35th Ave. which blocks traffic

right at the entrance to the proposed development. No plans address this issue since not all water can be self-contained in the development.

5. Rural Flavor of the area
 - a. Hiking trail access to South Mountain Park is very limited and adding higher Density housing than was planned only exacerbates this problem, especially this close to South Mountain Park.

Thanks for your time,

Jeannie Litts

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: Strongly Oppose Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Jen Leitch <4jenleitch@gmail.com>
Sent: Thursday, January 9, 2020 8:53 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Strongly Oppose Z-165-06 (PHO-1-19)

I am writing to strongly oppose zoning case Z-165-06 (PHO-1-19) .

Are you kidding? Really this whole proposal is preposterous. This is not a builder coming to the community with a plan for us to take a look at. This is someone who wants to bend the rules to make more money with no investment at all in our community. When I built my house (in 2001) , I had to follow ALL zoning rules. This applicant is not a builder or "developer", just someone trying to make money. They are trying to change a plan made in 2007. The situation in Laveen, the City of Phoenix, and the world is nothing like it was 12 years ago. The zoning on this property needs to revert AS STIPULATED TO to S-1. When a "developer" is ready to build, the community should be allowed to review any needed changes to zoning and make decisions at that time. The development needs to make sense for the place and time. This proposal MOST CERTAINLY does not make sense for this place and time and is slap in the face to all the neighbors who have followed the zoning rules in developing their property.

It is very clear that this meant to be nothing but a money grab for whoever Rose Law Group is representing. This is completely clear in the text of their application as quoted below:

As mentioned before the property owner is not a homebuilder and therefore does not have control of when building permits will be pulled. It is also likely that the developer of the R1-8 portion will be different than the builder of the R1-18 area, which is unreasonable to tie both areas to the same timeline.

I realize that an agreement was struck back in 2007, but it included a stipulation to return to S-1 if the developer did not follow through. This was an important part of that agreement and should be followed. Laveen has grown and the original zoning presents new and desirable opportunities that should be allowed to develop to fruition.

Thank you for your time,

Jen Leitch

10109 S. 29th Dr. Laveen AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:04 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Randy Jen SILBER <silbercom@msn.com>
Sent: Thursday, January 9, 2020 7:48 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and

erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Jennifer Silber
3821 W. Calle Poco
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Thursday, January 9, 2020 1:20 PM
To: Julianna Pierre
Subject: FW: PLEASE DENY Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Calenda, Jeremy <Jeremy.Calenda@LibertyMutual.com>
Sent: Thursday, January 9, 2020 11:43 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: PLEASE DENY Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”*. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Jeremy Calenda
4643 W Maldonado Rd.
Laveen, Arizona 85339

Jeremy Calenda

#YourInsuranceGuy

OFFICE : 623-707-1162

SERVICE: 800-526-1547

CELL : 602-361-5607 – OK TO TEXT

[Term life insurance available up to \\$250,000 with no exam.](#)



Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 8, 2020 4:38 PM
To: Julianna Pierre
Subject: FW: Help us keep Laveen beautiful!



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: wilson6136 <wilson6136@sbcglobal.net>
Sent: Tuesday, January 7, 2020 5:28 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Help us keep Laveen beautiful!

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

I have a lot of hope for the Laveen community, I see this as one of the best kept secrets of the Phoenix Metro area. We are not interested in high-density housing. I want to see only 2000 + square foot houses with generous lots and ample parking.

Best regards,

Joe Wilson

6830 S 45th Ln, Laveen, AZ, 85339

Sent from my T-Mobile 4G LTE Device

Julianna Pierre

From: David Urbinato
Sent: Friday, January 10, 2020 9:31 AM
To: Julianna Pierre
Subject: FW: Request for denial of City of Phoenix Case Z-165-06-7

Importance: High

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Friday, January 10, 2020 8:43 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Request for denial of City of Phoenix Case Z-165-06-7
Importance: High

Email #3.

From: Mayor Gallego
Sent: Friday, January 10, 2020 8:28 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Request for denial of City of Phoenix Case Z-165-06-7
Importance: High

From: John M. Bzdel [<mailto:bzdel@earthlink.net>]
Sent: Thursday, January 9, 2020 5:30 PM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Request for denial of City of Phoenix Case Z-165-06-7
Importance: High

As a local resident adjacent to the subject case location I am in complete opposition to the requests in the subject case and I vehemently request that you **deny Z-165-06 (PHO-1-19) in its entirety as filed.**

The simple fact that Stipulation #19 in the case offered **THE ORIGINAL DEVELOPER** four years to initiate construction activity back in 2007 or else the land would revert back to its original Zoning, S-1 in 2011. **NINE YEARS** have passed since that expiration of this "Conditional" Zoning change approved by the City of Phoenix and now for some Developer to resurrect this expired Zoning Change after this parcel has passed through four different Landowners HOPING to

persuade the City of Phoenix to “rezone it again” is beyond absurd and not in keeping with local development in the area.

I further move that the City of Phoenix immediately initiate, approve and codify the required zoning reversion action for the subject location back to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning as it should have transpired in 2011 when the original Developer of the Subject Property failed to obtain Building Permits as stipulated in the “Conditional Zoning” Approval by the City of Phoenix. This should have already been done!

Sincerely,

John Bzdel - Owner
Bzdel Design, Consulting & Construction LLC
ROC 309307 / TPT 21121883
253-549-6826

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 11:18 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 10:41 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Here's another email in opposition to Z-165-06. Thank you.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 10:31 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Juanita Welsh [<mailto:juanita.welsh5@gmail.com>]
Sent: Tuesday, January 7, 2020 10:12 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this*

zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”, which includes Stipulation 19.

Stipulation 19 states “That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,
Juanita Welsh
5427 W. La Mirada Drive,
Laveen, AZ 85339

REALTOR®,GRI
AZ Advance Realty
602-237-9778 Office
602-909-3915 Cell

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:35 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:58 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #6.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:50 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Judy Brown [mailto:DT_Jbrown@q.com]
Sent: Wednesday, January 8, 2020 4:35 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Greetings All:

I am writing today to express my concern over Case Z-165-06 (PHO-1-19). After a yearlong struggle in 2007 with this case between the owner, legal counsel, Zoning/Planning, City Council, and my neighborhood, here we are again. This case should not be before you as it is like trying to drive on an expired license. One keeps driving until they get caught. It is time to pull over and revert the case back. Stipulation 19 must be enforced and not removed and the applicant's requested amendments be denied.

I respectfully request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 as of 2011. To date no action has been taken which violates City Zoning Ordinance.

Kind regards,

Judy Brown
3220 W. Ceton Dr.
Laveen, AZ 85339
602.363.1312

DT_Jbrown@q.com

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 7:59 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #5.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:46 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Brian & Karie [<mailto:carvercottage2018@gmail.com>]
Sent: Sunday, January 12, 2020 2:33 PM
To: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Karie Hicks

4715 W. Carver Rd.

Laveen, AZ 85339

602-390-0461

carvercottage2018@gmail.com

Julianna Pierre

From: David Urbinato
Sent: Friday, January 10, 2020 9:31 AM
To: Julianna Pierre
Subject: FW: Action on Quarry Case at 35th Ave & Carver

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Friday, January 10, 2020 8:43 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Action on Quarry Case at 35th Ave & Carver

Email #2.

From: Mayor Gallego
Sent: Friday, January 10, 2020 8:28 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Action on Quarry Case at 35th Ave & Carver

From: Katie McMillan [<mailto:katiecollette@yahoo.com>]
Sent: Thursday, January 9, 2020 5:19 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Action on Quarry Case at 35th Ave & Carver

Laveen Village Planning Committee, Planning Management and Staff,
Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 states *"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site."* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To

date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Katherine McMillan

4121 W Saint Charles Ave, Phoenix, AZ 85041

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:13 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: KIM Domovich <rwvblkwatch@gmail.com>
Sent: Sunday, January 5, 2020 5:12 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Kim Domovich

5218 W Sunland Ave

Laveen AZ 85339

602-237-3150

[\[nextdoor.com\]](http://nextdoor.com)

January 11, 2020

To Whom it May Concern:

As a resident of Laveen we have major concerns with the Case # Z-165-06-7 the traffic alone is an issue as of right now there are about 3 accidents a month on the curve of 35th Ave and Carver not counting the cars that fly over the hill and land in the ravine. Maricopa County area is already zoned for 1 house per acre by allowing Phoenix to rezone the area to 6 homes per acre will destroy the area and cause more congestion and problems in this area. We are concerned about the flooding with changing the natural flood zone paths, the traffic increase, the noise level and the crime level. This area is known to be an equestrian area and there are a lot of people on horse back that enjoy riding around without worry of cars and trucks flying by, most of us have lived here for over 30 years for a reason and do understand progress must happen but in the on the other hand increasing the amount of housing per acre will definitely change the peace and serenity that we all live here for.

Sincerely,

Kitty Adlington

The Sanctuary at South Mountain

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 12:10 PM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: K Ashili <36kashili@gmail.com>
Sent: Friday, January 10, 2020 12:06 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Dear Laveen Village Planning Committee, Planning Management and Staff, I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Best regards, Mr. Krishna Ashili 6638 S. 57th avenue, Laveen, AZ, 85338 480 239 9648

36kashili@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 10:12 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: JK Bronson-Groen <bronson-groen@hotmail.com>
Sent: Monday, January 13, 2020 9:56 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Good Morning Laveen Village Planning Committee, Planning Management and Staff,

I am a resident on Carver Rd, our property backs the beautiful Carver Mountain. I was very concerned when I saw the rezoning notice posted on the large gravel pit at 35th ave and Carver. This area is beautiful farm country land with minimum 1 acre lots.

I am requesting you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your time and attention to this very important matter,

Kyle Bronson
4034 W Carver Rd.
Laveen, AZ. 85339
C – 503-890-7885

Sent from [Mail \[go.microsoft.com\]](mailto:mailto:go.microsoft.com) for Windows 10

Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 15, 2020 7:43 AM
To: Julianna Pierre
Subject: FW: PHO



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Linda Abegg <linda.abegg@gmail.com>
Sent: Tuesday, January 14, 2020 3:30 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Cc: Robert Branscomb <robert@rebagency.com>
Subject: PHO

Samantha,
Can you forward this to the PHO for tomorrow? Do you know who is assigned?

Thank you,
Linda

Good Afternoon,

Last night the LVPC denied case Z-165-06. I am a member of the LVPC and ask you to consider the following concerns/suggestions about this case:

1. Stipulation 19 about reversion was a promise made to the community in the original compromise and needs to be settled with the community.
2. The requested change to stipulation 1 removes general conformance to the original elevations and no elevations are provided in their place. In Laveen, we always require that elevations come through the PHO process. This is especially important in this case because the area is a unique and secluded neighborhood of custom homes on at least 1 acre lots. The elevations should be decided on with care and with public input. Please require general conformance to the 2007 elevations and/or that new elevations come through the PHO process (review and comment is not enough because they can choose to ignore the comments).
3. Stipulation 39's condition to have one story buildings on the arterial of 35th Ave is standard in Laveen. The applicant states the stipulation is unclear, so here is some suggested language: any buildings within 200 ft of the Eastern property line will be limited to one story with a maximum height of 20ft. This would include the 1st row of homes, units 83, 82, 61, 58, 57, 54, and 53.

Thank you,

Linda Abegg
LVPC Member

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 8:39 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 8:38 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY
Importance: High

Good morning!

Here's another email on the zoning matter regarding the property at 35th Avenue and Carver.

Thank you,
CA

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 8:34 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY
Importance: High

From: Vializ, Lisa [<mailto:Lisa.Vializ@Honeywell.com>]
Sent: Monday, January 6, 2020 8:10 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Importance: High

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Lisa Vializ
8921 S 53rd Dr.
Laveen, AZ 85339
602-741-5722
Lisa.vializ@honeywell.com

1-13-2020

Laveen Village Planning Committee, Planning Management and Staff,
Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review.

I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on 10/10/07 and with the 48-month timing, the zoning was set to revert to S-1 in 2011. To date there has been no development on the property and no action taken by the City.

Before considering any revision to this case the City of Phoenix has an obligation to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. Also, the City should execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant is not only requesting a site plan revision on the 20 acre portion, they're requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this is a violation of the City of Phoenix Zoning Ordinance, a very serious matter. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high-density development that doesn't fit the area.

Take the required action. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

I am very concerned for my grandchildren and family that live across the street from this area. Not only because of the cramped housing but the increased traffic in an unsafe area. I am at their home frequently and the traffic is a major concern!

Respectfully, Lynette Wiltgen 2214 W. Ian Dr., Phoenix, AZ 85041

Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 8, 2020 4:20 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Manuel Hidalgo <hidalgom51@gmail.com>
Sent: Wednesday, January 8, 2020 11:56 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Manuel Hidalgo
3611 W Cheyenne Dr, Laveen AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 12:27 PM
To: Julianna Pierre
Subject: FW: LVPC



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Maribeth McGowan <azgirl11@cox.net>
Sent: Monday, January 6, 2020 5:01 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Maribeth McGowan <azgirl11@cox.net>
Subject: LVPC

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Dear Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011.

To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high-density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Most sincerely,
Maribeth McGowan
Resident of Rogers Ranch 3
6811 S. 45th Avenue
Laveen, AZ 85339
Azgirl11@cox.net
614-214-7647

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:04 AM
To: Julianna Pierre
Subject: FW: Request for denial of City of Phoenix Case Z-165-06-7



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: matron0061@aol.com <matron0061@aol.com>
Sent: Thursday, January 9, 2020 6:38 PM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: Request for denial of City of Phoenix Case Z-165-06-7

Dear City Officials,

As a local resident adjacent to the subject case location I am in complete opposition to the requests in the subject case and I vehemently request that you **deny Z-165-06 (PHO-1-19) in its entirety as filed.**

The simple fact that Stipulation #19 in the case offered **THE ORIGINAL DEVELOPER** four years to initiate construction activity back in 2007 or else the land would revert back to its original Zoning, S-1 in 2011. **NINE YEARS** have passed since that expiration of this “Conditional” Zoning change approved by the City of Phoenix and now for some Developer to resurrect this expired Zoning Change after this parcel has passed through four different Landowners HOPING to persuade the City of Phoenix to “rezone it again” is beyond absurd and not in keeping with local development in the area.

I further move that the City of Phoenix immediately initiate, approve and codify the required zoning reversion action for the subject location back to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning as it should have transpired in 2011 when the original Developer of the Subject Property failed to obtain Building Permits as stipulated in the “Conditional Zoning” Approval by the City of Phoenix. This should have already been done!

Sincerely,

Matt White

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 3:40 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 3:05 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #13.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 3:05 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Millie Strauss [<mailto:milliestrauss@gmail.com>]
Sent: Thursday, January 9, 2020 2:59 PM
To: alan.stephenson@phoenix.gov; Joshua Bednarek <joshua.bednarek@phoenix.gov>;
samantha.keeting@phoenix.gov; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego
<mayor.gallego@phoenix.gov>; council.district7@phoenix.gov; council.district8@phoenix.gov
Subject: Case Z-165-06 (PHO-1-19)

Laveen village Planning Committee, Planning Management and Staff

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Mildred Strauss
3007 W. Ceton Dr.
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Mindy M <mindyleo480@gmail.com>
Sent: Thursday, January 9, 2020 1:12 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff, I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Best regards, Mindy Avina 3522 W Bohl St Laveen, AZ 85339 480-886-9838

mindyleo480@gmail.com

Julianna Pierre

From: PDD Zoning Adjustment
Sent: Tuesday, January 14, 2020 5:42 PM
To: Adam Stranieri
Cc: Julianna Pierre
Subject: FW: Application No# Z-96-06 (PHO-2-19) and Application NO# Z-68-19 - OPPOSING THE REQUEST TO MOVE FORWARD
Attachments: 501-NonProfit Private Foundation-MirraIMAGESB.ppsx

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Adam.

I believe the below email and attached is for a PHO case.

Sincerely,

Jazmine Braswell, Planner II
City of Phoenix - Planning and Development Department
Planning and Zoning Division
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003-1611
Direct line: 602-495-0382
Zoning Planner line: 602-262-7131, Option #6.
[Link to Zoning Ordinance: http://www.codepublishing.com/az/phoenix/](http://www.codepublishing.com/az/phoenix/)

From: Neighborhood Association - Mir`Ra IMAGE™ <mirra.imagem@aol.com>
Sent: Tuesday, January 14, 2020 4:39 PM
To: president@asu.edu; Mayor Gallego <mayor.gallego@phoenix.gov>; Michael Petersen-Incorvaia <michael.petersen-incorvaia@phoenix.gov>; brigham@vasinrocco.com; ArizonaEducatorsUnited@gmail.com; communications@AZ.Gov; PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>
Subject: Application No# Z-96-06 (PHO-2-19) and Application NO# Z-68-19 - OPPOSING THE REQUEST TO MOVE FORWARD

Greeting!

We are concerned Parents and Citizens, Feel Your Leadership Team Has Failed The Youth, Young Adults and The State of Arizona "WE ARE OFFERING OUR HELP!"

My Name is Jadestorm Shamsid-Deen, I am making a public complaint, Opposing the listed City of Phoenix zoning applications, Opposing to cease all proposals to BUILD homes and Apartments in Low income communities in the future, filed with the City of Phoenix Planning and Zoning department, until this Arizona State rectifies the educational system, finally, I am requesting for you leaders of Arizona to show transparency by attending our next monthly meeting.

I have 5 Free Tickets for you and your leadership team. To come, relax, listen to some Jazz, with our leadership team. You can even bring your spouses if you like. If you wish more tickets they need to be purchased for the Community Youth Development Center to be built here in Arizona.

Feb.8, 2020 The Wells Fargo Conference Plaza, 100 West Washington t. Phoenix, Arizona - Community Connections Ballroom A and B, 6 pm - 9 pm .

I am looking for an explanation for WHY Arizona has held the WORST Educational System in the Nation for the past 8 years, and WHAT qualifies Michael Crow along with Kate Gallego as a World Great Leader at the expense of young adults grades 3 to 12?

<https://ktar.com/story/2757035/arizona-ranked-worst-state-country-teachers/> [ktar.com]

<https://www.phoenix.gov/news/mayor/2319>

I, as a single Mother of (4) Scholars, I raised in this embarrassing State, who were affected behind this deteriorating system and social climate divisions by unwitting World leaders.

I have question, as a tax payer I should get answers.

Don't bother to confirm. We're offering an optional location to think, re-strategize and come up with a better game plan in a romantic setting to a limited amount of people less than 100. Who choose to show up or give us our public service announcements' we requested over a week ago.

Your free tickets to attend will be placed aside.

But I truly hope to have the support of at least (2) of you, who are very well familiar with "Mi, La-familia", my HERO'S, my Father and his brother, who helped, Governor Bruce Babbitt, Mayor Phil Gordon, Ed Pastor, Ben Miranda and the list goes on in "State Office" to fight to change and proper education for our orphaned youth and this community!

You don't owe me anything my children are good! But, after last night's Laveen Village City hearing with the LARGEST EVER attendance in a city of over 79,000 people?

Unknowledgeable of what or where the City of Phoenix planning and zoning department is or hearing officers are approving. Case No. PHO-2-19-Z-96-06 and Z-165-06 (PHO-1-19)

I am deeply concerned! Not one of them choose to sit next to me and as a matter of fact, the last 5 seats available the residents who attended choose to over crowd the entry door and stand for 3 hours. So yes, I took it very personal.

NOT (1) resident was there representing the youth in this community to oppose rental apartments, ugly hideous apartments around the new freeway. More homes in a community that has failed our children, showed bullying, outrages, disrespecting the entire Laveen Village Committee in tones of threats for what Ed Pastor approved in 2007.

At least 3 residents disrespected me, and never met me.

Character assassinated my newly awarded Foundation, letting me know they will not support, The Mir`Ra IMAGE Community Youth Development Foundation, I quote, a representative for Vita Communities, in the social media chat "NEXTDOOR" Sunday, January 12, 2020 in the presence of 32 neighborhood who knew nothing about What' happening with the Golf Course or the Apartments.

Andy McDonel -Avalon Village, "Since everybody is so against apartments coming in Laveen, here, here is the location for the meeting tomorrow. You don't have to sign up with some SCAM Newsletter." –

The goal of obtaining emails from residents, which began very successful until he said that, is to hire young adults in high school looking, begging, to ME for work!

You all owe these children of this State a public apology and a rectified unified leadership team that will help save them, to help save our future!

Should you choose, I will leave these (5) free tax-deductible \$25 tickets for any Arizona World Leader, at 200 W. Washington St. Floor 20 - Community & Economic Development Directors Office before February 7, 2020.

This is our inaugural event for the student of this State. Tickets will no longer be sold or be given away on February 8th, doors will shut and 'Meet and Greet' begins at 6pm.

Thanks for reading,

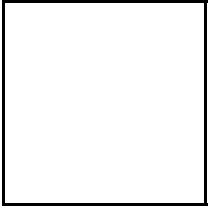
[\[mirraimage.m.wixsite.com\]](http://mirraimage.m.wixsite.com)

We fight for social change and climate changing products.

Mir`Ra IMAGE™ is a 501 C 3 Private Foundation, is a tax-exempt non-profit focusing on providing Fashion, Entertainment, and Entrepreneurial outlets and experiences for young adults. Along with entertainment

outlets, we hope to begin a new initiative targeting the education of young adults to encourage scholastic success.

While Mir`Ra IMAGE™ is your neighborhood association it would be an honor to have you join or sponsor one of our events. If you'd like a support letter or simply wish to create awareness for your brand or business please email me for more information or feel free to click this link to make your requests and hopefully contribution! [mirraimage™.wixsite.com]



Jadestorm Shamsid-Deen, Founder/President

Mir`Ra I.M.A.G.E, INC
c/o SWIYYAH, LLC

[Twitter.com/MirRaimagetm](https://twitter.com/MirRaimagetm)
[\[twitter.com\]](https://twitter.com)

9307 S. 51st Ave #1160
Phoenix, Arizona 85339
tel: 480-253-9011

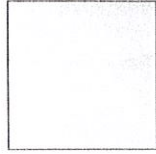
Mir`Ra IMAGE.ORG [mirraimage™.wixsite.com]

[Donate to Mir`Ra IMAGE, INC. \[mirraimage™.wixsite.com\]](http://mirraimage™.wixsite.com)

(Tax-deductible, helps support our mission on behalf of the youth in the City of Phoenix and public education)

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The information contained in this communication, including its attachments, may contain confidential information and is intended only for the individual(s) or entity(ies) to whom it is addressed. The information contained in this communication may also be protected by legal privilege, federal law or other applicable law. If you have received this message in error, please notify Jadestorm Shamsid-Deen at Jade@jadestorm.com immediately by return e-mail and delete the message, without drawing any copy.



Mir Ra I.M.A.G.E.™

“Look intelligent means age, gender and ethnicity.”
Tax # 26-4504599

January 15, 2020

Re: City of Phoenix Planning and Development Department Application for Zoning Adjustments
ZA- 6- 20, ZA- 611-19, ZA-629-19, ZA-655-18-8, ZA- 620-19, R1-6 TO CP/GCP, ZA-639-19,
ZA-597-19, ZA-622-19, ZA-96-06 PHO-1-18, PHO-2-19-, Z-67-19-8 ZA-503-19,
Z-165-06 PHO-1-19, Z-115-A-99-7,

To whom it may concern,

I'm a deeply, hurt and concerned parent and citizen in representation of over 1 million households in the State of Arizona as their Neighborhood Associate Foundation for the young adults'.

I feel the City of Phoenix Planning and Development Department's; leadership team has failed the citizens, youth, young adults and the State of Arizona's educational system.

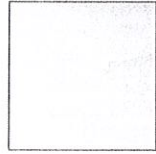
My Name is Jadestorm Shamsid-Deen, I am making a Digital Public Service Announcement and Official Complaint, opposing the applications above and **ALL OTHER** City of Phoenix Applications For Zoning Adjustments, for the following (6) City of Phoenix Districts:

8 – Carlos Garcia
7 – Michael Nowakowski
6 – Sal Diciccio,
5 - Betty Guardado
4 – Laura Pastor
2 – Vice Mayor Jim Waring

As President and Neighborhood Representative for these Districts, I'm opposing the City of Phoenix Planning and Development Departments leadership acceptances of any and all incoming proposals / request use permits / sign and liquor use permits / time extensions / re-developments to build /rebuild and rezone in the above City Districts, specifically Low Income Communities until further notice.

On January 13, 2020, at approximately 6:20 pm, I was involved and placed in an uncomfortable environment, a threatening situation, with a packed room of angry, disrespectful, concerned citizens and residents at the Laveen Village Planning Committee Public Meeting.

All were unaware of what was happening or to come into their neighborhoods.



Mir`Ra I.M.A.G.E.™

“Look intelligent means age, gender and ethnicity.”
Tax # 26-4504599

On January 12, 2020 a post made by the Mir`Ra IMAGE™, Private Foundation’s “Community Youth Development Team”.

It was discovered on a social media chat room called “NextDoor”, which currently services over 10,000 households with complaints about bullying against their children, break-in’s of their personal entities, and constant questions about what is happening or who is building what in the Laveen Community.

Our youth team leader, B.A. Degree in Business holder, and Graduate from Arizona State University, requested email addresses from the 32 neighborhoods in “NEXTDOOR” , asking the community to invest 10 US tax deductible dollars per month to update them weekly, based on their residing City Districts. The Mir`Ra IMAGE™ Foundation’s access and character was immediately assassinated, with accusations of a SCAM Newsletter and our posts were reported in violation and removed.

Furthermore, representing Attorneys were discovered misleading the community with false information, confusing conceptual planning and developments and contact email addresses for themselves and property owners on the City of Phoenix Geographic Information APN application are incorrect.

This has lead me to believe the future of our State should be under an immediate emergency holt of all said above City of Phoenix Districts, until this Arizona State rectifies this issue with improper filings, communication and the repair of Arizona State Educational System.

Finally, I am requesting for you or your businesses of leadership, in the State of Arizona to show transparency by attending our next public monthly meeting,

Wells Fargo Conference Center
100 West Washington St.
Ballroom A and B
On February 8, 2020 6 pm to 9 pm

If you wish please RSVP at <https://mirraimagnetm.wixsite.com/mirra/events>

If you have any questions or concerns please contact me here or at 480-253-9011.

Very truly yours,

Jadestorm Shamsid-Deen, Founding President
Mir`Ra IMAGE™, INC
CEO of SWIYYAH, LLC
Mir`Ra IMAGE™, Private Foundation, c/o Jadestorm Shamsid-Deen

Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 8, 2020 4:34 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----

From: Nicole Glasgow <nicole.glasgow821@gmail.com>
Sent: Wednesday, January 8, 2020 4:27 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

> Laveen Village Planning Committee, Planning Management and Staff,

>

> Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

>

> The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

>

> Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.". City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

>

> Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

>

> The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

>

> Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

>

>

>

> Best regards,

> Nicole Glasgow

>

> 3717 west Carver Rd

> Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:03 AM
To: Julianna Pierre
Subject: FW: IMPORTANT!!!!!! MUST DENY - City of Phoenix Case Z-165-06-7

Importance: High



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Patrick and Carie Johns <patcariejohns@gmail.com>
Sent: Thursday, January 9, 2020 10:15 PM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: IMPORTANT!!!!!! MUST DENY - City of Phoenix Case Z-165-06-7
Importance: High

As a local resident adjacent to the subject case location I am in complete opposition to the requests in the subject case and I vehemently request that you **deny Z-165-06 (PHO-1-19) in its entirety as filed.**

The simple fact that Stipulation #19 in the case offered **THE ORIGINAL DEVELOPER** four years to initiate construction activity back in 2007 or else the land would revert back to its original Zoning, S-1 in 2011. **NINE YEARS** have passed since that expiration of this "Conditional" Zoning change approved by the City of Phoenix and now for some Developer to resurrect this expired Zoning Change after this parcel has passed through four different Landowners HOPING to persuade the City of Phoenix to "rezone it again" is beyond absurd and not in keeping with local development in the area.

I further move that the City of Phoenix immediately initiate, approve and codify the required zoning reversion action for the subject location back to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning as it should have transpired in 2011 when the original Developer of the Subject Property failed to obtain Building Permits as stipulated in the "Conditional Zoning" Approval by the City of Phoenix. This should have already been done!

The area between South Mountain and Carver mountain is a rural area with considerable amount of livestock and ALL properties are at a minimum of 1 acre per parcel. This proposed development does NOT fit the area and many of the new residents will not fit the area either as it has happened time and time before. People always move into an area that has livestock and a certain way of life knowing full well the climate when they move in, and then complain and try to limit people's rights and freedoms to live in an area that many generations of people have lived. Case and point, Hickman farms. You wouldn't allow a residential home to be built across the street from a high rise down town, so why

would you put 2 story condos in an area that is almost entirely made up of single story, single family homes in an already existing and developed rural area.

Approving **Z-165-06 (PHO-1-19)** is not only irresponsible as it shows a blatant disregard for the long establish culture of an area, that has existed for generations, but it would be a clear indication of corruption between the builder and the government officials who have the decision making power to allow this to proceed. Just the timing alone of this already indicates as such and we only hope that is not the case and have faith it is not. Granting access to this project would not be fair or inclusive to all the many residents who have literally spent millions to build their homes for this specific environment. Right now, this is an area that is a hot bed for extremely high end customs homes specifically built on a minimum of 1 acre lots. These condos will immediately halt the appeal and devalue the real-estate that people have worked hard to establish as a “Paradise Valley” of the southwest. Approving this would be make zero sense and needs to be dismissed immediately.

I know of one local custom home builder who is getting ready to put in as close to 55 additional homes throughout the area beginning mid-2020, all ranging from 800k to 1.2 million in selling price. This will massively raise the value of the surrounding homes and add to the existing “feel” of the area. This City of Phoenix already has ordinances throughout the valley to prevent such obvious disruptions to a neighborhoods standard and current architecture. Please do not allow that to happen in our community.

PLEASE DO THE RIGHT THING AND DENY Z-165-06 (PHO-1-19) in its entirety as filed.

Thank you,

Patrick Johns – Owner
602-290-0621
4029 W Gumina
Laveen AZ, 85339

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:21 AM
To: Julianna Pierre
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:57 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #3.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:31 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Patricia Saya [<mailto:saya.patricia@yahoo.com>]
Sent: Thursday, January 9, 2020 8:29 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; laveenpc@phoenix.gov
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Patty Saya

Sent from my iPhone

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 11:03 AM
To: Julianna Pierre
Subject: FW: City of Phoenix Case Z-165-06-7 --- I am opposed to approving this request



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Paul Banta <pwbantaz@gmail.com>
Sent: Friday, January 10, 2020 10:36 AM
To: PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>
Subject: City of Phoenix Case Z-165-06-7 --- I am opposed to approving this request

I am a local resident and am requesting that the City of Phoenix deny the plan to construct a high density housing project on the property on the NW corner of 35th Ave and Carver Rd.

First, the original approval has long since expired. The original agreement had a 4 year time limit that has long passed. From reading the meeting notes circa 2007 it appears that this approval was controversial at that time anyway.

In addition, this area is not geographically suited to high density development. This proposed project is located at the east end of a narrow valley; the only access is at each end. High density development would result in an impossible to solve traffic problem.

This area has always been zoned for low density development. This should not be changed simply to make more money for a few developers.

Paul Banta
480 353 6014

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: Carver Hills Flim Flam



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Jenni And Paul <paulandjenni@hotmail.com>
Sent: Thursday, January 9, 2020 10:02 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Annie DeGraw <annie.degraw@phoenix.gov>
Subject: Carver Hills Flim Flam

Samantha, Joshua, Alan, Annie, Council District 8, Laveen VPC, and Mayor Gallego-

Please strongly oppose the changes that the the new owners of the quarry by my house are trying to make. The exceptions they are seeking (Case Z-165-06 (PHO-1-19)) will be discussed at in the upcoming meetings January 13th (my wife's birthday), and 15th.

The variance they are seeking is so far from what the current zoning calls for, I have to imagine that those seeking such drastic changes counted on them happening in their business plan and on their project balance sheets prior to their land purchase.

I believe that the owner did not discover problems during development that need the remedies they are proposing. Either they bought the land with the intention of making changes or they are such poor planners they have no business operating in Laveen.

If they bought the land with the intention of making density changes, their "Banking" on your approval makes the city's zoning process a rubber stamp enterprise and subverts your authority as community decision makers.

I am an owner builder who developed a lot on Carver Road in the same area. I had to follow the rules that I agreed to when I bought my property. During construction, I had to address the interests of those who I

would be living by and I had to change my plans around a little to accommodate the required setbacks and allow for the required easements.

I do not see why a developer should not be bound by the same rules as I was.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

If you are not going to deny the request for changes, at least please establish a project size threshold for our area that determines when zoning tells a builder "what they must do" and when the builder gets to tell zoning "how it is gonna be". Please let me know how many houses I have to build at once in order to be able to just change things around on you guys when your rules don't suit me.

By establishing such a threshold, you will be more transparent and I will feel more like I am being treated as fairly as many of the Scottsdale based developers operating in my neighborhood.

Setting a threshold will also help developers by letting them know the size of the project they have to plan in order to put themselves above the zoning density laws.

Establishing a clear and transparent threshold will also help to eliminate the need for all of the time consuming meetings that you now must hold. I was going to send my wife's birthday doing home improvements. I still am, but in order to be most effective at improving our home, I have to be at a meeting in order to voice my opposition to changing stipulations that any darn fool should have known before buying his or her property.

If you make a clear rule that establishes the threshold I am suggesting, there will be no confusion as to what people can and can not do while building on the property they **decided** to purchase. It would be like what density zoning laws were intended to do. You know, set a clear rule that people know **before deciding** to purchase a particular parcel of land.

Thank you for reading and for your leadership in general. Apart from watching the committees always bow to the interests of developers, I think the city is being run very well and that you could charge us a little more for the good work you do.

Paul Franckowiak
10109 S. 29th Drive
Laveen AZ, 85339

We had to fight off FCC plans to dump air traffic on us, please understand the time it takes to make sure that Laveen remains a nice community. Don't make us use our free time to oppose such blatant zoning density chicanery in the future. I don't consider what they are putting before you as a serious inquiry and would ask that when you receive future requests like this, you deny hearing the case completely.

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW: Zoning reversion

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 7:58 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Zoning reversion

Email #3.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:47 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Zoning reversion

From: Phil Hertel [<mailto:tophilhertel@hotmail.com>]
Sent: Monday, January 13, 2020 6:49 AM
To: Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Zoning reversion

Laveen Village Planning Committee, Planning Management and Staff,

This letter is regarding Case Z-165-06 (PHO-1-19) that is scheduled to come before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance to revert the zoning, (G-5020), which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 and others of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. The first thing

that must happen is the zoning reversion. After that is done a discussion would be in order of details of how the parcel should develop.

Because it is ordinance to revert the zoning and is required, the only right thing to do is deny Z-165-06 (PHO-1-19) as filed. Then there should be immediate action taken to move forward with the reversion to S-1 and then perhaps to consider amending the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Phil Hertel

2845 W Broadway Rd
Phoenix, AZ 85041
Active Board Member Laveen Citizens for responsible Development

602-276-3200

tophilhertel@hotmail.com

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 9:02 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: RK K <cars7359@gmail.com>
Sent: Thursday, January 9, 2020 9:50 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Raj Kavi
4309 W Buist Ave, Laveen, AZ, 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 3:08 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Rhonda Donithan <az.rsd1@gmail.com>
Sent: Friday, January 10, 2020 2:39 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Fwd: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”*. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a

violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Rhonda S Donithan
4218 W Carver RD
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 10:23 AM
To: Julianna Pierre
Subject: FW: Oppose Development of Quarry at 35th Ave. & Carver Rd.

Importance: High



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Birnbaum, Richard <Richard.Birnbaum@Honeywell.com>
Sent: Friday, January 10, 2020 10:22 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Oppose Development of Quarry at 35th Ave. & Carver Rd.
Importance: High

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Note his actual density would be nearly doubled that request in reality as not all the land set for zoning is buildable.

It is also important to look at the traffic at 35th and Carver Rd. There are multiple accidents there every month. Adding driveways and more traffic is going to get someone killed. Literally.

We bought land in Laveen for a reason. To get away from traffic, lights, congestion, etc. This property would have a 120 new homes. We don't have a 120 homes in a square mile out here. This would literally double the number of houses in the square mile around my house. These are 1 acre rural lots out here. We have cows and javelinas not street lights. People don't move to Laveen for condos.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Richard Birnbaum
11014 S 35th Ave
Laveen, AZ
85339

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 8:28 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 8:16 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #5.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 8:09 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: Robert Chappell [<mailto:robcci01@gmail.com>]
Sent: Tuesday, January 7, 2020 7:26 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: “The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”, which includes Stipulation 19.

Stipulation 19 states “That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”. City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Robert Chappell
4707 W Maldonado Rd
Laveen Village, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Friday, January 10, 2020 2:02 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

-----Original Message-----

From: Cepand Alizadeh
Sent: Friday, January 10, 2020 12:50 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #24.

-----Original Message-----

From: Mayor Gallego
Sent: Friday, January 10, 2020 12:47 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

-----Original Message-----

From: ROB HARGREAVES [mailto:b737rob@msn.com]
Sent: Friday, January 10, 2020 12:41 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Robert Hargreaves
3102 W. Ceton Dr.
Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 3:40 PM
To: Julianna Pierre
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 2:47 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #12.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 2:46 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Roger McCully [<mailto:roger.mccully@hotmail.com>]
Sent: Thursday, January 9, 2020 2:43 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Roger D. McCully
Resident- Bridlewood Estates
9015 S 53rd Drive
Laveen
480-521-0946

Sent from my iPhone

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 12:23 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 12:15 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #9.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 12:09 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: sflahiff@gmail.com [<mailto:sflahiff@gmail.com>]
Sent: Wednesday, January 8, 2020 11:54 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Samantha Flahiff

4036 W Carver Rd
Laveen, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Friday, January 10, 2020 4:38 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06: resident concern



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Sarah VanSchyndel <sarah.vanschyndel@gmail.com>
Sent: Friday, January 10, 2020 4:27 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06: resident concern

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site." City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Sarah Johns

3913 W. Carver Rd, Laveen Village, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Tuesday, January 7, 2020 10:51 AM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged

One more...

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Tuesday, January 7, 2020 10:45 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

And another one.

From: Mayor Gallego
Sent: Tuesday, January 7, 2020 10:31 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Scott Johnson [<mailto:sjohnson@scottjce.com>]
Sent: Tuesday, January 7, 2020 10:25 AM
To: 'Cyd Manning' <SweetBeat@q.com>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: RE: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

All:

Following up on Cyd Manning's letter below, I too would request that the applicant's requested amendments be denied.

The City should never have accepted the current application based on the unfulfilled timing requirements in the earlier stipulation 19. This stipulation should have automatically triggered the reversion in 2011. The fact that the City did not take the necessary action at that time does not release it from doing so now.

I have been in the land development civil engineering business since 1982 and have never before seen a situation where a required timing/expiration stipulation was not enforced by a municipality.

Please enforce your own ordinance and deny this application and initiate the reversions that should have taken place eight years ago.

Thank you for your consideration.

Scott A. Johnson, P.E.

President

Scott Johnson Consulting Engineers LLC

2030 West Baseline Road, Suite 182-223

Phoenix, Arizona 85041

Phone: 602-237-9609 Fax: 602-237-7672

Cell: 602-320-2382 sjohnson@scottjce.com

From: Cyd Manning <SweetBeat@q.com>

Sent: Saturday, January 4, 2020 10:01 AM

To: alan.stephenson@phoenix.gov; joshua.bednarek@phoenix.gov; samantha.keating@phoenix.gov; laveenvpc@phoenix.gov

Cc: mayor.gallego@phoenix.gov; council.district.7@phoenix.gov; council.district.8@phoenix.gov; council.district.3@phoenix.gov; council.district.4@phoenix.gov

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Importance: High

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 states *"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site."* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a

violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Cyd Manning

3220 W. Ceton Drive
Laveen, AZ 85339
480-747-0769
sweetbeat@q.com

Julianna Pierre

From: David Urbinato
Sent: Wednesday, January 8, 2020 11:27 AM
To: Julianna Pierre
Subject: FW: Quarry Case at 35th Ave & Carver

Importance: High

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Wednesday, January 8, 2020 9:55 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Quarry Case at 35th Ave & Carver
Importance: High

Email #7.

From: Mayor Gallego
Sent: Wednesday, January 8, 2020 9:18 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Quarry Case at 35th Ave & Carver
Importance: High

From: Winter, Scott [<mailto:Scott.Winter@LibertyMutual.com>]
Sent: Wednesday, January 8, 2020 9:03 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; e.scott.winter@gmail.com
Subject: Quarry Case at 35th Ave & Carver
Importance: High

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Scott Winter
10021 s 43rd Ave Laveen Az 85339

Julianna Pierre

From: Samantha Keating
Sent: Thursday, January 9, 2020 1:20 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19) scheduled for both LVPC and PHO review next week

Sending some others your way.



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: SolandMona Vaita <rvaita@gmail.com>
Sent: Thursday, January 9, 2020 12:21 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19) scheduled for both LVPC and PHO review next week

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Solomon and Ramona Vaita

4455 W Ceton Dr

Laveen, Az 85339

Julianna Pierre

From: Samantha Keating
Sent: Wednesday, January 8, 2020 4:17 PM
To: Julianna Pierre
Subject: FW: request to modify and delete stipulations

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----

From: Kristofic, Stephanie L. <Stephanie.Kristofic@va.gov>
Sent: Wednesday, January 8, 2020 3:50 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; laveenpc@phoenix.gov
Cc: mayorgallego@phoenix.gov; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; souncil.district.3@phoenix.gov; council.disctict.4@phoenix.gov
Subject: request to modify and delete stipulations

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Warm regards,

Stephanie Kristofic
10826 S 30th Ave Laveen, Az 85339

Julianna Pierre

From: David Urbinato
Sent: Friday, January 10, 2020 2:04 PM
To: Julianna Pierre
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Friday, January 10, 2020 12:50 PM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Email #25.

From: Mayor Gallego
Sent: Friday, January 10, 2020 12:47 PM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

From: Barbara Spurlock [<mailto:spurs@cox.net>]
Sent: Friday, January 10, 2020 12:41 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Steve and Barbara Spurlock
4406 W Pearce Road, Laveen
602 795 0695
spurs@cox.net

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:13 AM
To: Julianna Pierre
Subject: FW: Laveen

Follow Up Flag: Follow up
Flag Status: Flagged



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Sue Cornejo Lopez <suecapaz@live.com>
Sent: Sunday, January 5, 2020 5:43 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: Laveen

Cc: mayor.gallego@phoenix.gov; council.district.7@phoenix.gov; council.district.8@phoenix.gov; council.district.3@phoenix.gov; council.district.4@phoenix.gov

Bcc: lvaliz@cox.net; sweetbeat@q.com

Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards.

Suzanne CornejoLopez

12306 S 47th Ave

Laveen AZ 85339

4807400255

Suecapaz@live.com

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 10:12 AM
To: Julianna Pierre
Subject: FW: Carver Development

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 10:04 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Carver Development

Email #12.

From: Mayor Gallego
Sent: Monday, January 13, 2020 9:38 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Carver Development

From: Sylvia Cox [<mailto:pugmobile.sly@gmail.com>]
Sent: Monday, January 13, 2020 9:30 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Carver Development

Hello all,

As a 21-year resident of Laveen, I strongly urge you to adhere to the one house per acre zoning for 35th Ave. and Carver. Please act to preserve some of Laveen's rural charm, as well as consider the impact on water and traffic. The developer can still make money due to the highly desirable location, and the fact that people will pay to have some space between themselves and their neighbors.

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,
Sylvia Cox

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:38 AM
To: Julianna Pierre
Subject: FW: Building Proposed for Carver Mountain and 35th Avenue

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 8:02 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Building Proposed for Carver Mountain and 35th Avenue

Email #6.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:44 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Building Proposed for Carver Mountain and 35th Avenue

From: Sun Baby [<mailto:sun.baby.art@gmail.com>]
Sent: Saturday, January 11, 2020 1:02 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Building Proposed for Carver Mountain and 35th Avenue

Dear Laveen Village Planning Committee, Planning Management and Staff,

As a long-time resident of Laveen, and a native to Phoenix, I am respectfully requesting that Z-165-06(PHO-1-19) is denied. I share the same voice as the vast majority of the neighbors both North and South of Carver road between 35th Avenue and 51st Avenue. We feel this country "pocket" is a blessing and a beauty in which to live, clad with pristine desert country scenes, natural foliage, regular wildlife, and horseback riding. The homes currently there are single family residential (4bedroom/2 bath average homes) on one acre, most all of which are a single story. Most all of our roads are still rural, dirt roads that coincide with the ambience of the natural hidden west in this alcove between mountain sites. Given our immense appreciation of living in this treasured area, we are equally just as passionate to protect what we love so much about it.

The current matter on the table resides with the City of Phoenix enforcing her own Ordinance G-5020, including Stipulation 19 which were approved by the City Council, clearly stating that if building did not begin within the first 48 months, the site would revert back to the initial S-1 zoning for the entire property. Given this stipulation would have come due in 2011, and with still to-date no development whatsoever in that ample time, the City was required to revert zoning back to one home per acre as it was approved. It would be a sad day for Laveen's residents having to be forced to pursue class action law to enforce their own city's zoning ordinance already in effect. This is not an outcome we want to see in this beloved village.

Aside from this, simply speaking, the proposed Tri Plex Multi Unit/ Story Condos do not, in any form, fit into any of the surrounding landscape, views, country homes, or ambience of the area. In comparison, I feel building these units as proposed by the owner, would resemble erecting a Pruitt-Igoe complex in the midst of cabins in the woods. I think we all can learn from classics... but It's (truly) A Wonderful Life in this Laveen Village... and we would do everything to keep it as Bailey Park, not allow it to be developed into Pottersville.

It's also come to my understanding that the acreage in question is in need of an Environmental Impact study given there still remains a possibility of unexplored charges left behind from the quarry of the gravel site on 35th Avenue and Carver. We do not agree such high density and multi story buildings would quash with this enormous concern for general safety of any future occupants. Aesthetics aside, I cannot imagine how architecturally, it would be of sound judgment to build buildings higher, with more stories, and closer together in hopes this would minimize such a potential danger as the earth-shattering effect of an old, unstable charge under someone's living room foundation.

Further, there is no evident plan of how Carver Road would accommodate the immense increase in traffic, how equestrian riding neighbors should transverse this traffic safely, or how all residents between 35th Avenue and 51st Avenue should expect to make it to work during rush hour onto a roadway which was not built to accommodate this dense population, let alone the neighborhoods being built at the ends of Carver. Also, given Carver Road is half in Maricopa County jurisdiction and the other half is within the City of Phoenix jurisdiction, there exists no guarantee of uniform Carver roadway accommodations planned especially since the City and the County do not coordinate road improvements together.

Please also note that despite this site plan being approval in August of 2018, not only were very few (only one neighbor was notified in my house count of 60 in my area alone) and his letter, was dated the day before Christmas Eve of 2019, a time during common holiday travel... and received nearly a full week late due to regular backlogged holiday postal service. Notice was further inadequately posted as the small, 1.5'x1' sign was hidden around an unlit, blind corner, between the grounding wire of a utility pole and an overgrown bush where there was no safe place within several hundred feet to pull off to be able to read it (the sign also being too small to be legible from across the street.) I also noticed that during the cover of night, just 4 days prior to the first hearing date coming up on January 13th, the sign was then moved to a prevalent, highly visible location just outside the proposed entrance of this condo development. This is not the regularly conspicuous hearing notice 5-foot boards that I am used to seeing in Tempe, Scottsdale, or Chandler. Phoenix should not be held to any less standard to enforce transparency of public hearings and meetings with their tax paying residents. Every resident in the immediate area have a right to be properly notified of these public meetings.

We remain united in this effort to maintain the esthetics and culture of our neighborhood as well as enforcing the zoning ordinances we are protected by as tax-paying Phoenix residents. Despite the inadequate notice given for these hearings, the neighborhood is aware the outcome of this case will not only directly impact our neighborhood, but it will also determine zoning enforcement for all further residential land development in Laveen, thereafter. I greatly hope you will consider these points and choose to enforce the long overdue zoning ordinance for the area.

Thank you for your time and attention to this matter.

Sincerely,

T. I. Kaiia

11217 S. 37th Avenue

Julianna Pierre

From: Samantha Keating
Sent: Thursday, January 9, 2020 1:20 PM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: glasgowsc@aol.com <glasgowsc@aol.com>
Sent: Thursday, January 9, 2020 11:33 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site." City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals

and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

T.R. GLASGOW
3723 W CARVER RD
LAVEEN, AZ 85339

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 6, 2020 9:10 AM
To: Julianna Pierre
Cc: Adam Stranieri
Subject: FW: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Follow Up Flag: Follow up
Flag Status: Flagged

FYI – will be sending the others in a few moments.



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Tanya Lamb <tmlamb1991@gmail.com>
Sent: Sunday, January 5, 2020 11:35 PM
To: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: January 13 LVPC and January 15 PHO Review of Case Z-165-06 (PHO-1-19) - Request to DENY

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Tanya Lamb

7708 S 74th Ln, Laveen
480-318-8739
Tmlamb1991@gmail.com

Julianna Pierre

From: Samantha Keating
Sent: Monday, January 13, 2020 12:12 PM
To: Julianna Pierre
Subject: FW: mayor.gallego@phoenix.gov ; council.district.7@phoenix.gov ; council.district.8@phoenix.gov ; council.district.3@phoenix.gov ; council.district.4@phoenix.gov



Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003



From: Tayler Bell <taylerbell691@yahoo.com>
Sent: Tuesday, January 7, 2020 10:05 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Subject: mayor.gallego@phoenix.gov ; council.district.7@phoenix.gov ; council.district.8@phoenix.gov ; council.district.3@phoenix.gov ; council.district.4@phoenix.gov

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance,"* which includes Stipulation 19.

Stipulation 19 states *"That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site."* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Tayler Burchard

11244 S. 35th Ave : Laveen 85339
(602) 370-5261

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 9:34 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06 (PHO-1-19)

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 8:58 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

Email #5.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 8:50 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06 (PHO-1-19)

From: glasgowsc@aol.com [<mailto:glasgowsc@aol.com>]
Sent: Thursday, January 9, 2020 8:47 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 states "That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site." City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,

Thomas Glasgow

3717 West Carver Rd
Laveen, AZ 85339

Julianna Pierre

From: David Urbinato
Sent: Monday, January 13, 2020 8:37 AM
To: Julianna Pierre
Subject: FW: Zoning Hearing on Carver Mountain

Follow Up Flag: Follow up
Flag Status: Flagged

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Monday, January 13, 2020 8:03 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Zoning Hearing on Carver Mountain

Email #10.

From: Mayor Gallego
Sent: Monday, January 13, 2020 7:43 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Zoning Hearing on Carver Mountain

From: Eternal Sunshine [<mailto:sunshine.eternal1111@gmail.com>]
Sent: Friday, January 10, 2020 4:14 PM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>
Subject: Zoning Hearing on Carver Mountain

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre)

as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Best regards,
Tia Kalla
11217 S 37th Ave

Julianna Pierre

From: David Urbinato
Sent: Thursday, January 9, 2020 10:26 AM
To: Julianna Pierre
Subject: FW: Case Z-165-06

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Cepand Alizadeh
Sent: Thursday, January 9, 2020 10:23 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Cc: Tony J Motola <tony.motola@phoenix.gov>
Subject: FW: Case Z-165-06

Email #8.

From: Mayor Gallego
Sent: Thursday, January 9, 2020 10:22 AM
To: Cepand Alizadeh <cepand.alizadeh@phoenix.gov>
Subject: FW: Case Z-165-06

From: Veronica Wene [<mailto:veronicawene@gmail.com>]
Sent: Thursday, January 9, 2020 10:14 AM
To: Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>
Subject: Case Z-165-06

Dear Laveen Village Planning Committee, Planning Management and Staff,

Below you will find a letter in opposition to Z-165-06 (PHO-1-19). While the words are not mine they succinctly and eloquently convey my feelings on the rezoning request. I am strongly opposed to a high-density development being approved.

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 states *“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”* City Council approval was on October 10, 2007 and with the 48-month timing, the zoning was set to revert to S-1 as of 2011. To date there has been no development on the property and no action taken by the City to revert the zoning as required.

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Sincerely,

Veronica Wene

602-677-1980

veronicawene@gmail.com
