



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-29-20-6**  
October 28, 2020

[Camelback East Village Planning Committee Meeting Date](#) November 10, 2020  
[Planning Commission Hearing Date](#) December 3, 2020

**Request From:** R1-10 (Single-Family Residence District) (0.48 acres)  
**Request To:** R-O (Residential Office – Restricted Commercial District) (0.48 acres)  
**Proposed Use** Wellness center  
**Location** Southeast corner of 44th Street and Calle Allegre  
**Owner/Representative/Applicant** Michael and Monica Samuels  
**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Map Designation</b>		Residential 2 to 3.5 dwelling units per acre	
<b>Street Map Classification</b>	44th Street	Major Arterial	40-foot east half street
	Calle Allegre	Local	25-foot south half street

***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.***

The proposed development is residential in scale and design, with a partially underground first level to ensure that the maximum building height is compatible with the surrounding area that will minimize potential impacts on existing residential neighborhood.

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

The conversion of the property to an office use encourages the growth of a local business that is appropriately located along a major arterial street.

**BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.**

As stipulated, the development will provide mature shade trees along its 44th Street frontage, as well as along the northeastern property line.

#### Applicable Plan, Overlays, and Initiatives

[44th Street Corridor Specific Plan](#) – See Background Item No. 8.

[44th Street Corridor Residential Office Study](#) – See Background Item No. 9.

[Arcadia Camelback Special Planning District](#) – See Background Item No. 10.

[Tree and Shade Master Plan](#) – See Background Item No. 11.

[Complete Streets Guiding Principles](#) – See Background Item No. 12.

[Reimagine Phoenix](#) – See Background Item No. 13.

#### Surrounding Land Uses/Zoning

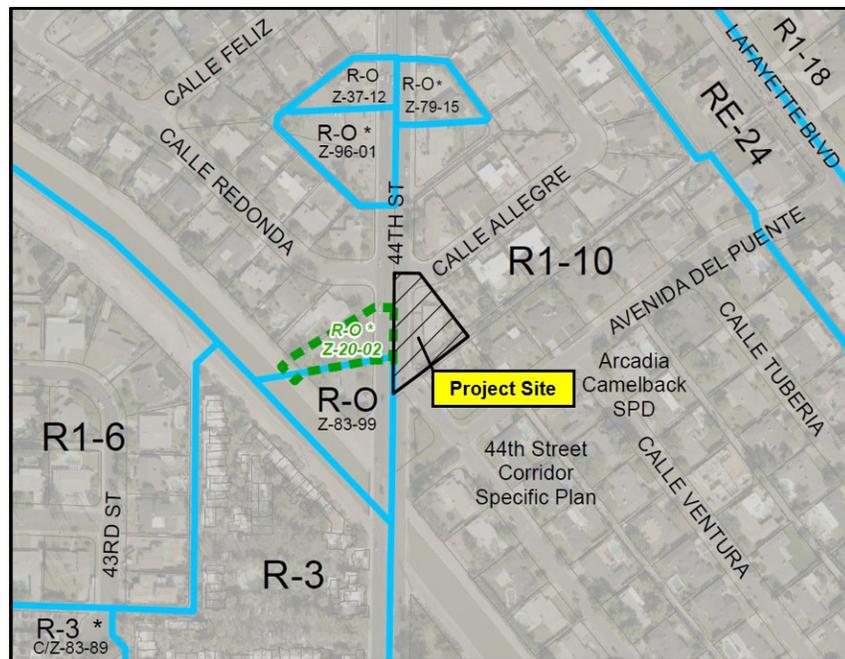
	<b>Land Use</b>	<b>Zoning</b>
<b>On Site</b>	Single-family residence	R1-10
<b>North</b>	Single-family residences	R1-10
<b>South</b>	Single-family residences, vacant	R1-10
<b>East</b>	Single-family residences	R1-10
<b>West</b>	Single-family residences and office	R1-10 and R-O

<b>R-O (Residential Office – Restricted Commercial District)</b>		<i>*if variance required</i>
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Proposed Site Plan</u></b>
<i>Building Setbacks</i>		
Front	20 feet	Met – 20 feet
Side	10 feet	Met – 10 feet
Rear	25 feet	Not Met – 10 feet*
Lot Coverage	Maximum 30 percent	Met – 11.56 percent
Building Height	Maximum 15 feet	Met – 15 feet
Parking	10 spaces	Met – 10 spaces

**Background/Issues/Analysis**

**SUBJECT SITE**

1. This request is to rezone a 0.48-acre site located at the southeast corner of 44th Street and Calle Allegre from R1-10 (Single-Family Residence District) to R-O (Residential Office – Restricted Commercial District) to allow a wellness center.



**Source: City of Phoenix Planning and Development Department**

2. The site has a General Plan Land Use Map designation of Residential 2 to 3.5 dwelling units per acre. The same designation exists on all sides of the site. The proposal is not consistent with this designation. However, as the site is under 10 acres, a General Plan Amendment is not required.

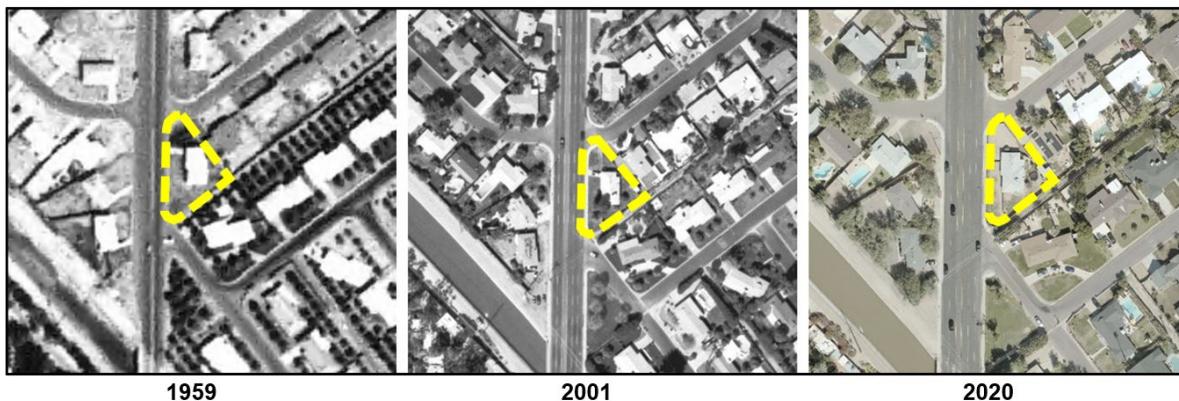


Source: City of Phoenix Planning and Development Department

To the southwest of the site, across the canal, there are General Plan Land Use Map designations of Residential 10 to 15 dwelling units per acre and Residential 3.5 to 5 dwelling units per acre.

### EXISTING CONDITIONS & SURROUNDING ZONING

3. The site is currently a single-family residence, which was built in the late 1950's, according to historical aerial photos of the area. The surrounding neighborhood was developed similarly as single-family residential. The character of this neighborhood has remained largely the same over the years, with the exception of gradual transitions from single-family homes to residential offices along 44th Street.



Source: City of Phoenix Planning and Development Department





Source: Chouinard Design Studios

6. To ensure appropriate shade along the sidewalk on 44th Street, staff is recommending that the landscape setback along 44th Street be planted with minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings to provide a minimum of 50 percent shade on adjacent sidewalks. This is addressed in Stipulation No. 2.
7. Although no signage is currently proposed, a stipulation prohibiting internally lit signs is included to help maintain the residential character of the area. This is addressed in Stipulation No. 5. Non-internally illuminated signage is also a recommended design feature of the 44th Street Corridor Residential Office Study, which is further discussed in Item No. 9.

#### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. [44th Street Corridor Specific Plan](#)  
Completed in 1991, the 44th Street Corridor Specific Plan established a framework to provide compatibility of new development along 44th Street from McDonald Drive to Sky Harbor International Airport. The plan acknowledges that existing conditions are not favorable for single-family residential land use along 44th Street due to increasing traffic. Similarly, these properties are candidates for change of use in order to create a physical buffer between the established residential neighborhood and the street.

Design guidelines contained in the plan recommend providing a 10-foot minimum landscape setback along 44th Street between Camelback and Osborn Roads. In addition, implementation strategies encourage providing increased pedestrian connectivity along the corridor in addition to the canal edges. By providing mature trees to shade the existing sidewalk, the project is consistent with the recommendations of the plan.

9. **44th Street Corridor Residential Office Study**

The 44th Street Corridor Residential Office Study was completed in 1997 to determine the applicability of the Residential Office Zoning District for properties within the 44th Street Corridor. The plan details that a combination of high traffic volumes, closeness of houses to the street and difficulty of driveway access are poor livability factors for the continuation of residential uses adjacent to 44th Street.

A property inventory and analysis was completed as part of the study. The 111 residential properties along 44th Street were assigned a score level of 1 through 3. A level 1 score indicated that the site was suitable for standalone office. Level 2 specified that a consolidation of two or more properties would be necessary for R-O development, whereas a score of level 3 indicated that a site was not suitable for conversion to office development. The subject site was assigned a level 3 score due to the lack of room to provide parking. However, the current development proposal includes removal and reconstruction of the existing residential structure in order to provide adequate parking for the proposed office use.

The 44th Street Residential Office Study also outlines recommended design guidelines for R-O properties, which include enhancing the appearance of the property while still conforming to the character, style, and size of adjacent residential properties and limiting the visible commercial aspects of the R-O site. The proposed development will replace the existing structure on the site with a two-story building that will have a maximum height of 15 feet due to the underground first level. The proposed building elevations depict a residential design that will enhance the 44th Street frontage and will minimize impacts to adjacent local streets and the neighboring residential home. As stipulated, the development will not have any internally lit signage, which will minimize the commercial aspect of the site.

10. **Arcadia Camelback Special Planning District**

Conceived from a desire to preserve and enhance the Arcadia Camelback residential character, the Arcadia Camelback Special Planning District Plan, adopted in 1999, provides recommendations for interior neighborhoods, Camelback Road land uses and resort uses within the planning district boundaries. In addition to recommending a maximum building height of 15 feet, the plan recommends that policies established in both the 44th Street Corridor Specific Plan and the 44th Street Corridor Residential Office Study be followed for Residential Office zoning requests. The proposed project is consistent with the Arcadia Camelback Special

Planning District Plan by constructing a partially underground first level to provide a maximum building height of 15 feet.

11. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. Staff is recommending that robust landscaping be planted along 44th Street to provide a minimum of 50 percent shade at maturity, along with vegetative groundcovers to provide a minimum of 75 percent ground coverage. Further, staff is recommending that minimum 2-inch caliper trees be planted along the northeastern property line to provide more vegetation on the site and buffer the adjacent residence. These are addressed in Stipulation Nos. 2 and 3.

12. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. In addition to the enhanced streetscape landscaping standards, staff is recommending that bicycle storage be provided on the site to support these principles related to pedestrian connectivity and safety and promote multimodal forms of transportation. This is addressed in Stipulation No. 4.

13. **Reimagine Phoenix**

As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposal will utilize regular trash and recycling bins.

COMMUNITY INPUT SUMMARY

14. At the time this staff report was written, staff received one letter of concern regarding the proposed two-story elevations.

INTERDEPARTMENTAL COMMENTS

15. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
16. The Floodplain Management Division of the Public Works Department has determined that the parcel is located in a Special Flood Hazard Area (SFHA) called

Zone A, on panel 1765 L of the Flood Insurance Rate Maps (FIRM) revised July 31, 2015. The developer will be required to follow all Floodplain Management guidelines for development on or near a floodplain, which are addressed in Stipulation No. 9.

17. The Public Transit Department has requested that the developer provide clearly defined, accessible pathways constructed of materials that visually contrast with parking and drive aisle surfaces, which connect all building entrances and exits, community amenities, and public sidewalks. This department has further requested that all pedestrian paths and sidewalks be shaded at 75 percent at maturity. Given that the sidewalk along 44th Street is attached, staff is recommending that large caliper trees be planted along the sidewalk to provide 50 percent shade at maturity, per Stipulation No. 2.
18. The Street Transportation Department has required that the developer provide a 10-foot sidewalk easement along the east side of 44th Street, that the developer construct a driveway along 44th Street that is located centrally along the frontage and constructed at a 90-degree angle with a skew no greater than 15 degrees, and that all streets be constructed with all required improvements and comply with current ADA standards. These are addressed in Stipulation Nos. 6, 7, and 8.

#### OTHER

19. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 10.
20. The site is located within the noise contour area of Sky Harbor International Airport (PHX). Staff is recommending that the property owner grant and record an avigation notice to the City of Phoenix, and record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport (PHX) to future owners or tenants of the property. Further, the developer is required to receive a no hazard determination from the FAA prior to final site plan approval. These requirements are addressed in Stipulation Nos. 11 and 12.
21. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The proposed rezoning will allow for conversion of a residential property impacted by a major arterial to a viable office use.
2. The proposal will provide an opportunity for a new small business to locate in the Camelback East area and serve the surrounding neighborhood.
3. The proposal is consistent with recommendations of the Arcadia Camelback Special Planning District, the 44th Street Corridor Specific Plan, and the 44th Street Corridor Residential Office Study.

### **Stipulations**

1. The development shall be in general conformance with the elevations date stamped June 11, 2020, with specific regard to use of brick veneer and horizontal siding, the locations and size of windows, and roof design, as approved by the Planning and Development Department.
2. The required landscape setback along 44th Street shall be planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings to provide a minimum of 50 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers to provide a minimum of 75 percent live coverage at maturity.
3. A minimum 10-foot landscape setback shall be provided along the northeastern property line, where the property abuts a single-family home. This landscape setback shall be planted with minimum 2-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. A minimum of two inverted U-bicycle racks, artistic style racks (in adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan) or "Outdoor/Covered Facilities" for guests and employees shall be provided. These facilities shall be located near building entrances, installed per the requirements of Section 1307.H of the Zoning Ordinance, and approved by the Planning and Development Department.
5. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.

6. The developer shall provide a 10-foot sidewalk easement along the east side of 44th Street, as approved by the Planning and Development Department.
7. The developer shall construct a driveway along 44th Street that is located centrally along the frontage and constructed at a 90-degree angle with a skew no greater than 15 degrees, as approved by the Street Transportation Department.
8. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
9. This parcel is located in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1765 L of the Flood Insurance Rate Maps (FIRM) revised July 31, 2015.
  - a. No encroachment is allowed in the floodway without hydrologic and hydraulic analysis showing no rise in water surface elevation and increase in the special flood hazard area boundaries.
  - b. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - c. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.
  - d. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
10. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
11. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be

according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. The developer shall submit 7460 Forms to FAA and receive FAA no hazard determination or mitigations approved by FAA for both temporary and permanent development prior to final site plan approval.

**Writer**

Sofia Mastikhina

October 28, 2020

**Team Leader**

Samantha Keating

**Exhibits**

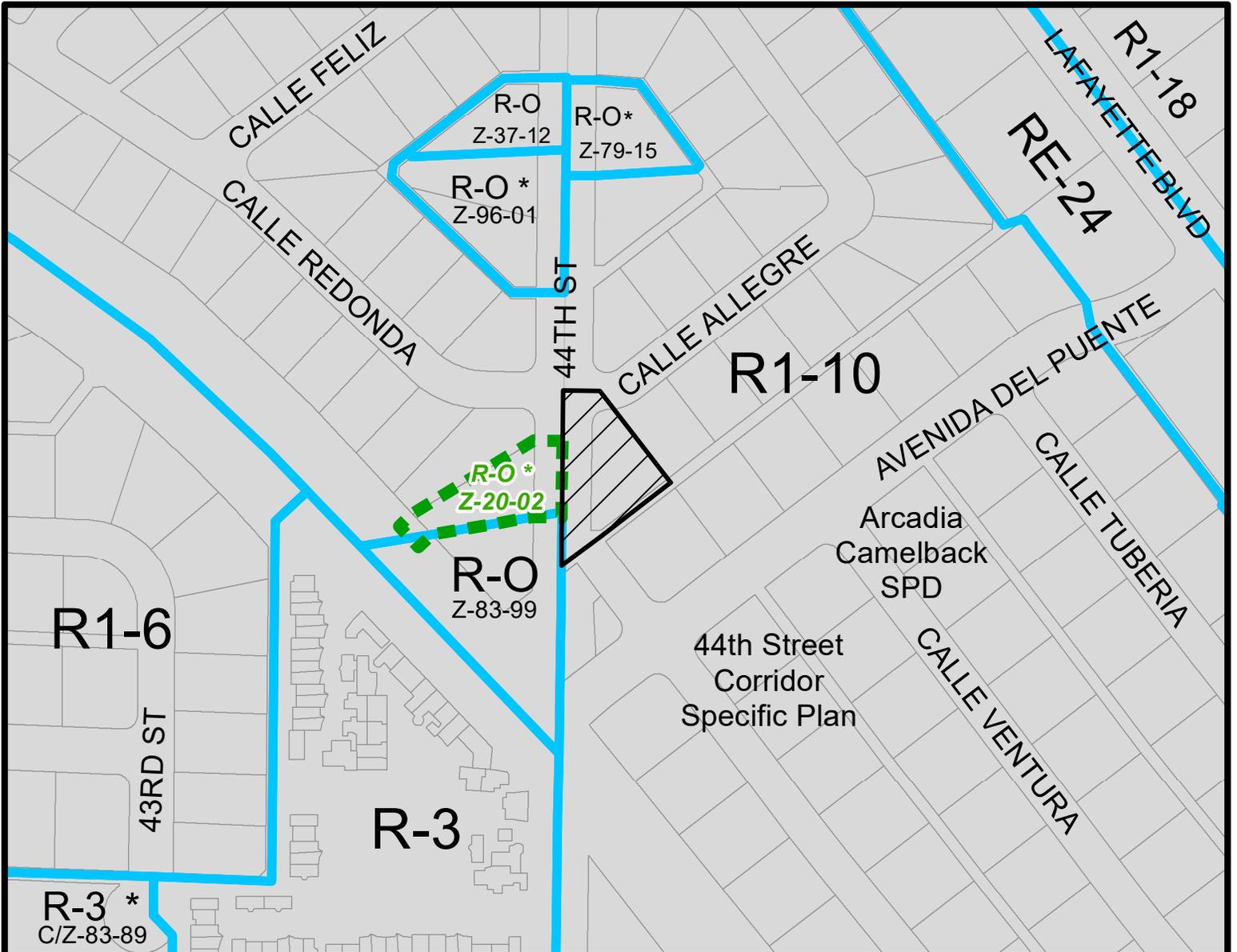
Sketch Map

Aerial

Site Plan date stamped June 11, 2020 (1 page)

Elevations date stamped June 11, 2020 (2 pages)

Community correspondence (1 page)



Miles



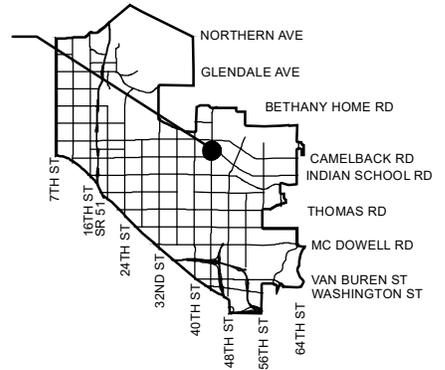
**CAMELBACK EAST VILLAGE**

CITY COUNCIL DISTRICT: 6



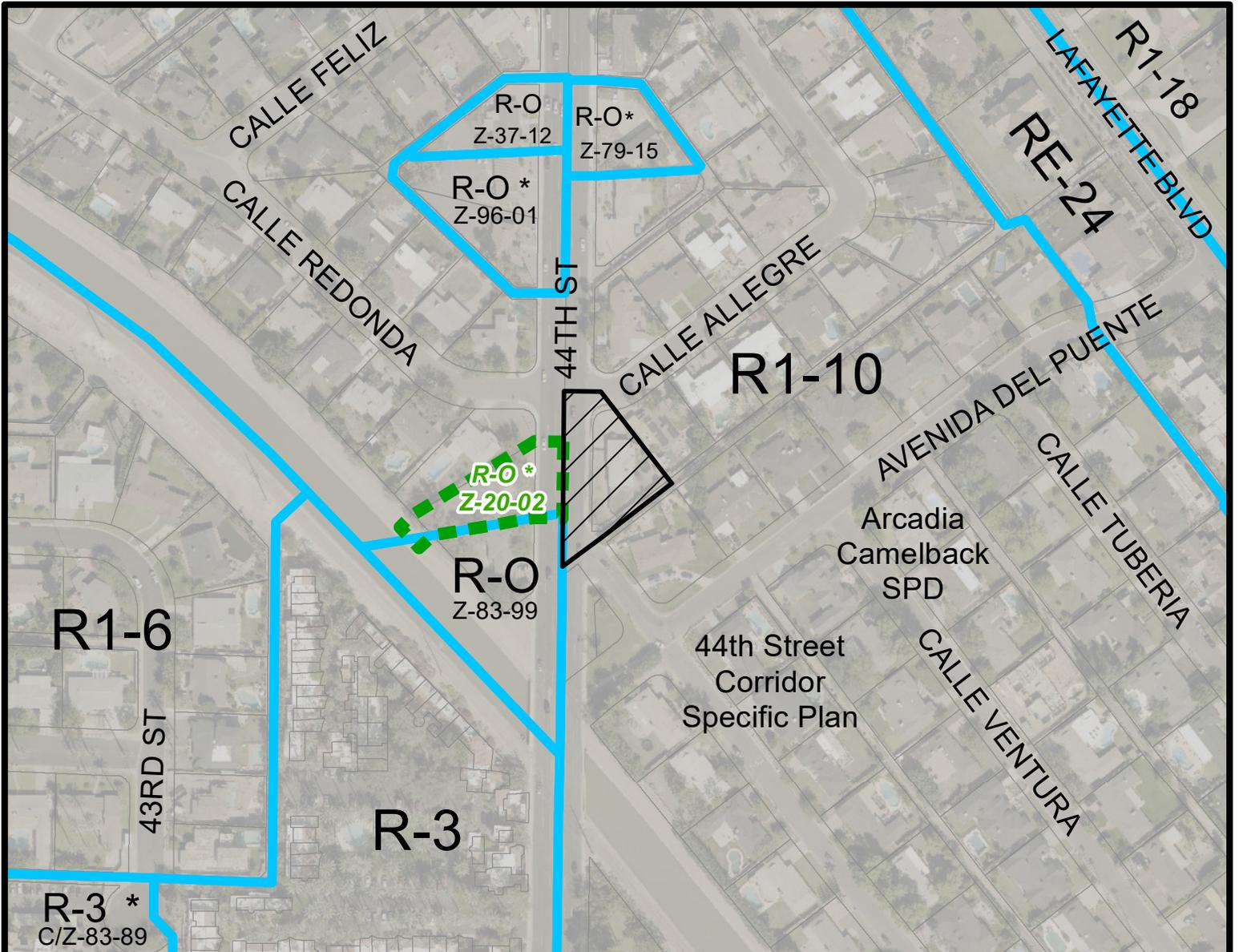
**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

Z-29-20



<b>APPLICANT'S NAME:</b> Michael and Monica Samuels		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-29-20		<b>FROM:</b> R-1-10 ( 0.48 a.c.)	
<b>DATE:</b> 6/23/2020 <small>REVISION DATES:</small>		<b>TO:</b> R-O ( 0.48 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>0.48 Acres</b>			
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 18-38</b>		<small>ZONING MAP</small> <b>H-11</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R-1-10		2	
R-O		N/A	
<b>CONVENTIONAL OPTION</b>			
1			
1/development			

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



Miles

0.035 0.0175 0 0.035

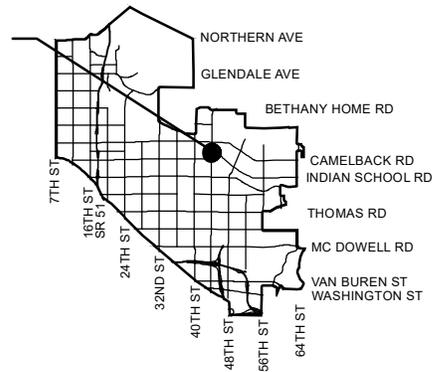
**CAMELBACK EAST VILLAGE**

CITY COUNCIL DISTRICT: 6



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

Z-29-20



APPLICANT'S NAME: Michael and Monica Samuels

**REQUESTED CHANGE:**

FROM: R-1-10 ( 0.48 a.c.)

APPLICATION NO. Z-29-20

DATE: 6/23/2020  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

0.48 Acres

AERIAL PHOTO & QUARTER SEC. NO. QS 18-38

ZONING MAP H-11

TO: R-O ( 0.48 a.c.)

**MULTIPLES PERMITTED**

R1-10

R-O

**CONVENTIONAL OPTION**

1

1/development

**\* UNITS P.R.D. OPTION**

2

N/A

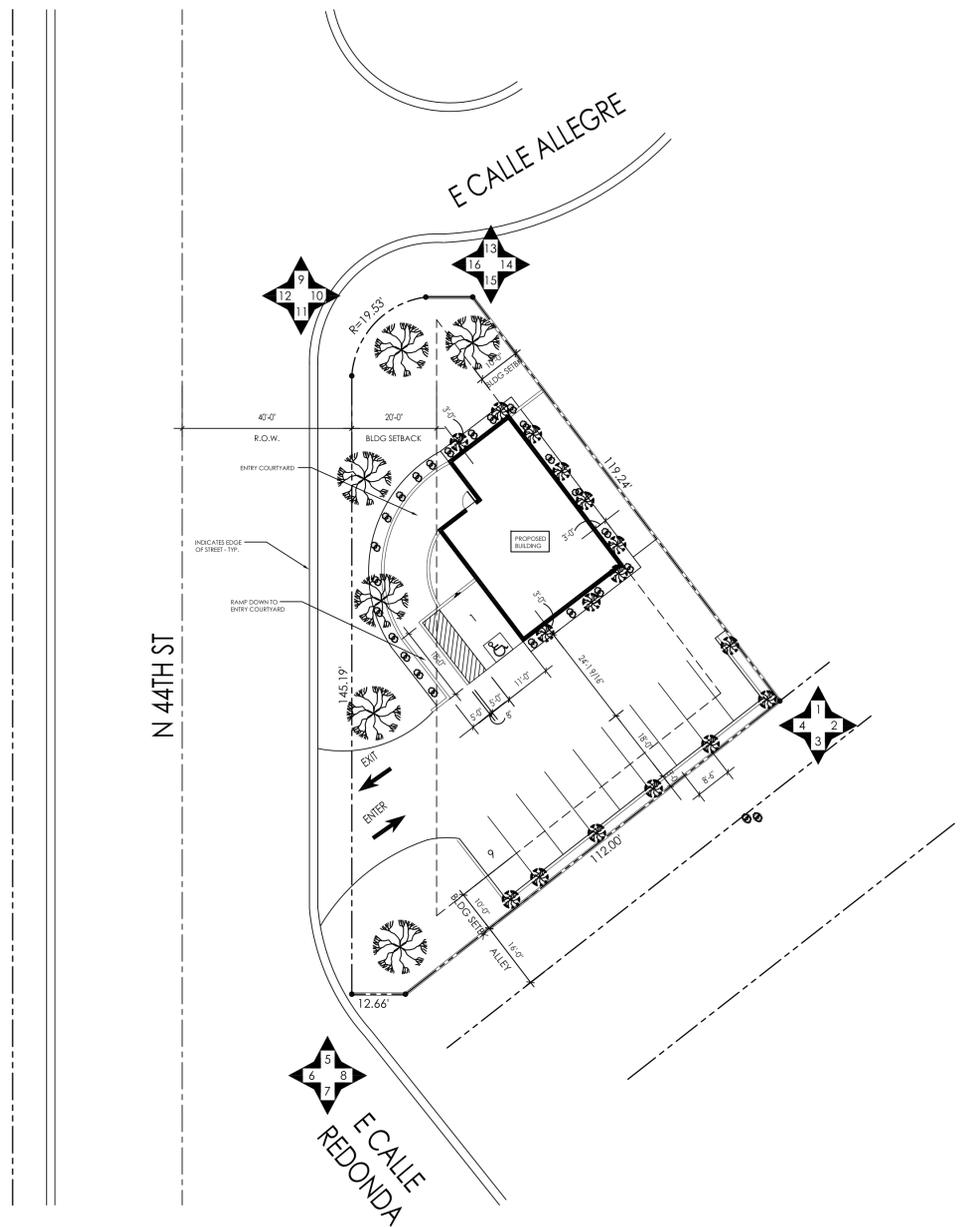
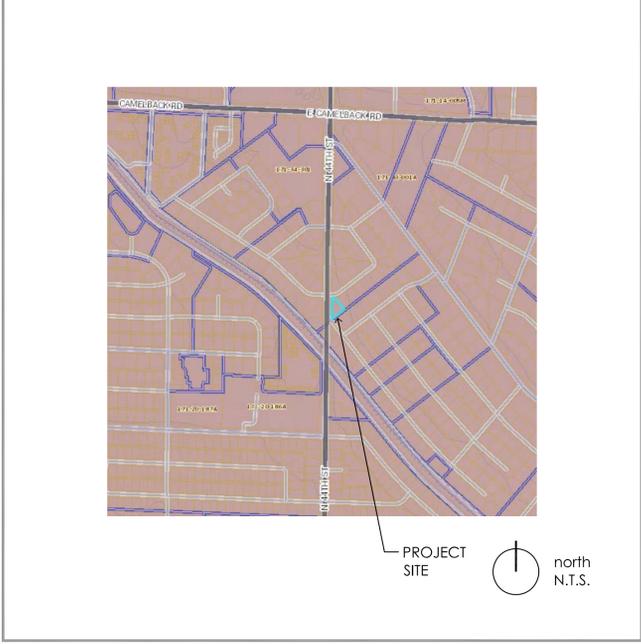
\* Maximum Units Allowed with P.R.D. Bonus

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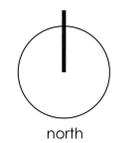
PROJECT DESCRIPTION	
THE SCOPE OF THIS PROJECT IS (2) NEW TWO-STORY ADOLESCENT WELLNESS CENTER WITH YOGA, MEDITATION, A JUICE BAR, LIGHT & SOUND MACHINE ROOMS AND ASSOCIATED OFFICE AND CONFERENCE ROOMS.	
SHEET INDEX	
A1	PRELIMINARY SITE PLAN / PROJECT DATA
A2	CONTEXT PLAN (AERIAL)
A3	SITE PHOTOS
A4	CONTEXT PLAN (PARCEL)
A5	FLOOR PLANS
A6	EXTERIOR ELEVATIONS
A7	EXTERIOR ELEVATIONS
A8	3D IMAGES

PROJECT INFORMATION	
<b>PROJECT ADDRESS:</b>	4633 NORTH 44TH STREET PHOENIX, AZ 85018
<b>PARCEL NUMBER:</b>	171-35-029A
<b>LEGAL DESCRIPTION:</b>	LOT 29 OF REGENTS PARK
<b>CURRENT ZONING:</b>	R1-10
<b>PROPOSED ZONING:</b>	R-O
<b>PROPOSED OCCUPANCY TYPE:</b>	MEDICAL OFFICE
<b>PROPOSED BLDG AREA:</b>	BASEMENT LEVEL - 1,183 SF (GROSS) GROUND LEVEL - 880 SF TOTAL - 2,063 SF (GROSS)
<b>PROPOSED BLDG HEIGHT:</b>	15' A.F.G. (AT GABLE MID-SPAN) (BASEMENT LEVEL & GROUND LEVEL)
<b>LOT AREA:</b>	10,237 SF (NET)
<b>LOT COVERAGE:</b>	1,183 SF / 10,237 SF = 11.56% (30% ALLOWED)
<b>REQUIRED PARKING:</b>	LOWER LEVEL NET AREA - 1,086 SF UPPER LEVEL NET AREA - 880 SF TOTAL NET AREA - 1,966 SF  1,966 SF NET FLOOR AREA / 200 = 9.83 10 SPACES REQUIRED
<b>PARKING PROVIDED:</b>	10 SPACES / (1 OF 10 ACCESSIBLE)

VICINITY MAP



PRELIMINARY SITE PLAN



owner:  
MICHAEL & MONICA SAMUELS

LOT 29 OF REGENTS PARK  
4633 NORTH 44TH STREET  
PHOENIX, AZ 85018

PRELIMINARY,  
NOT FOR  
CONSTRUCTION

project no. :	890-18
date :	01/12/19
drawn by :	JC
checked by :	JC

rev.	date	desc.
rev.	date	desc.
rev.	date	desc.
rev.	date	desc.

**A1**

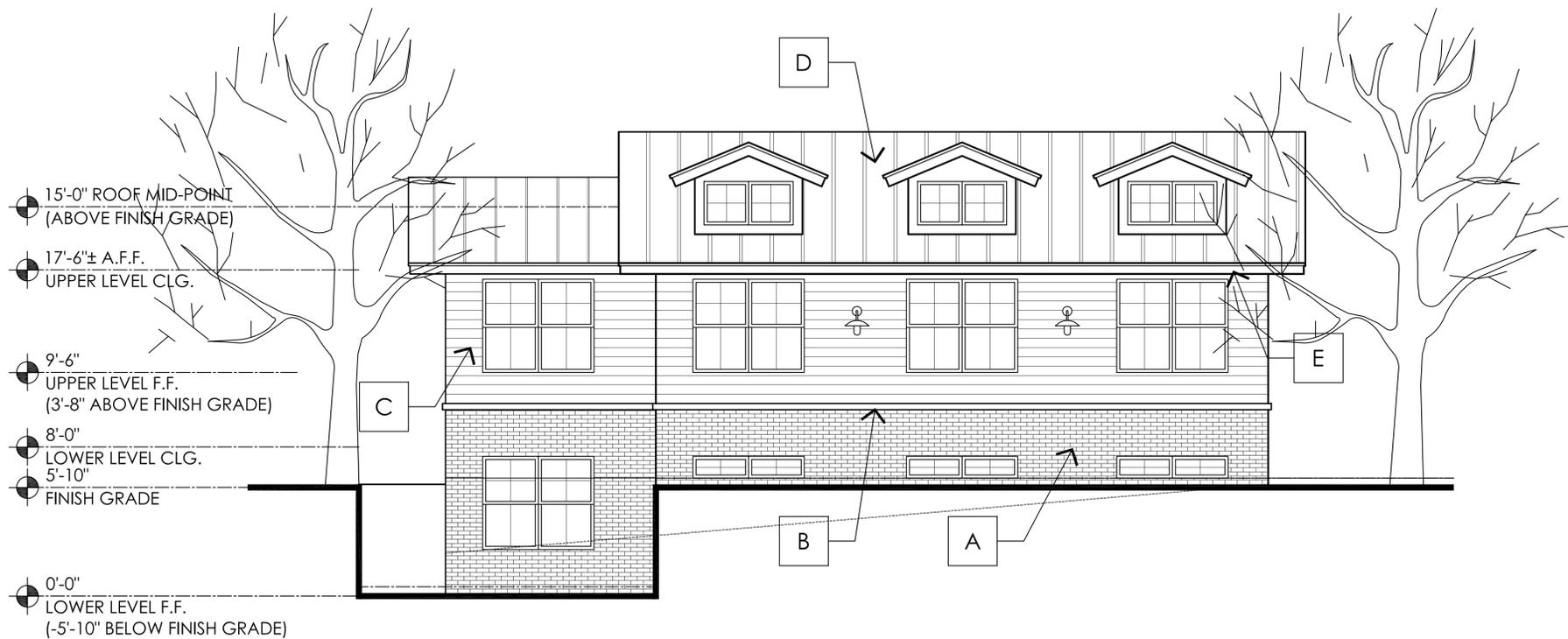
preliminary site plan

CONSTRUCTION  
DOCUMENTS

4633 n 44th st / phoenix / az

44TH ST WELLNESS CENTER

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**southwest elevation**

scale: 1/8"=1'-0"



**northwest elevation**

scale: 1/8"=1'-0"



EXTERIOR MATERIAL PALETTE	
LOCATION	CHARACTERISTICS
A BRICK VENEER (WAINSCOT)	SEALED
B BRICK VENEER (LEDGE)	SEALED
C HORIZONTAL SIDING (BODY)	PAINTED
D STANDING SEAM METAL PANELS (ROOF)	FACTORY PAINTED
E METAL ROOF FASCIA (SHEETMETAL)	FACTORY PAINTED
F ALUMINUM DOOR / WINDOW FRAMES (PAINTED)	FACTORY PAINTED

owner:  
MICHAEL & MONICA SAMUELS

LOT 29 OF REGENTS PARK  
4633 NORTH 44TH STREET  
PHOENIX, AZ 85018

480 | 947 | 4992 p  
480 | 947 | 4993 f  
7234 e shoeman ln | suite 7  
scottsdale | arizona | 85251  
www.chouinarddesign.com

PRELIMINARY,  
NOT FOR  
CONSTRUCTION

project no. :	890-18
date :	01/12/19
drawn by :	JC
checked by :	JC

rev.	date	desc.
rev.	date	desc.
rev.	date	desc.
rev.	date	desc.

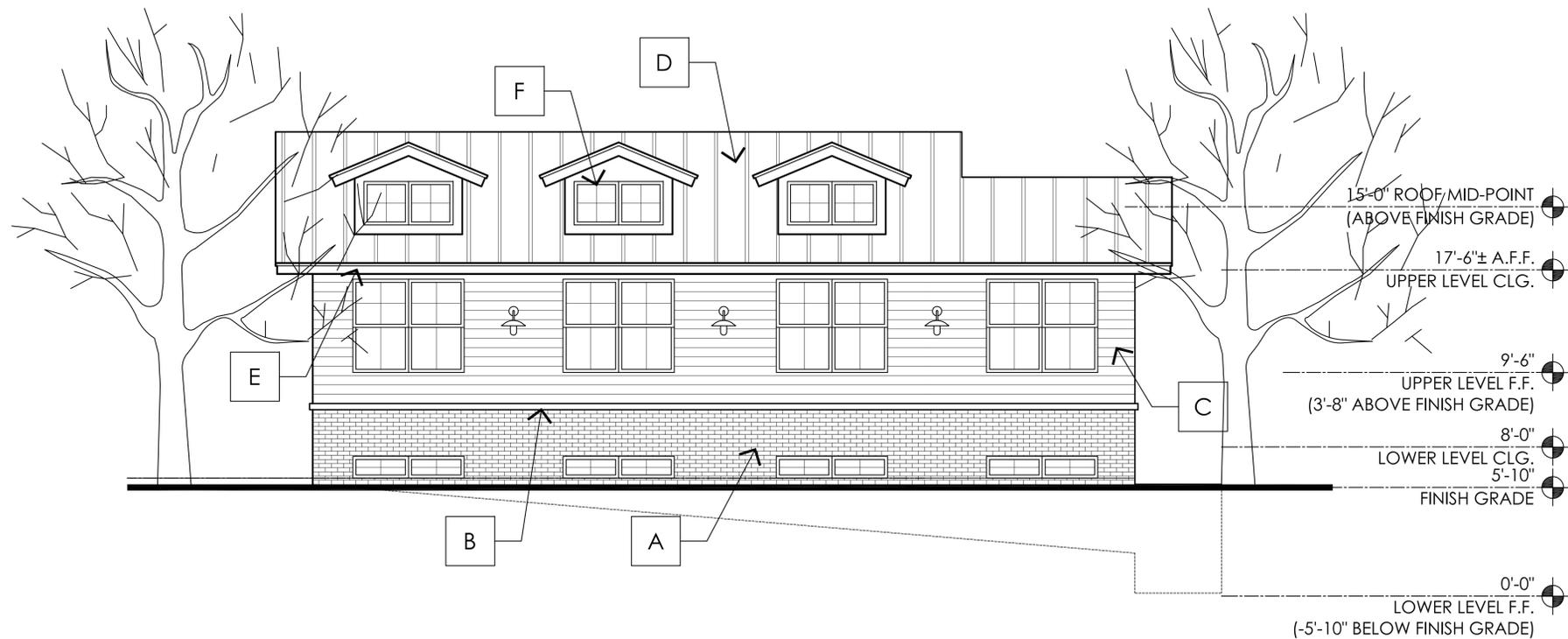
**A6**

building elevations  
CONSTRUCTION DOCUMENTS

4633 n 44th st / phoenix / az

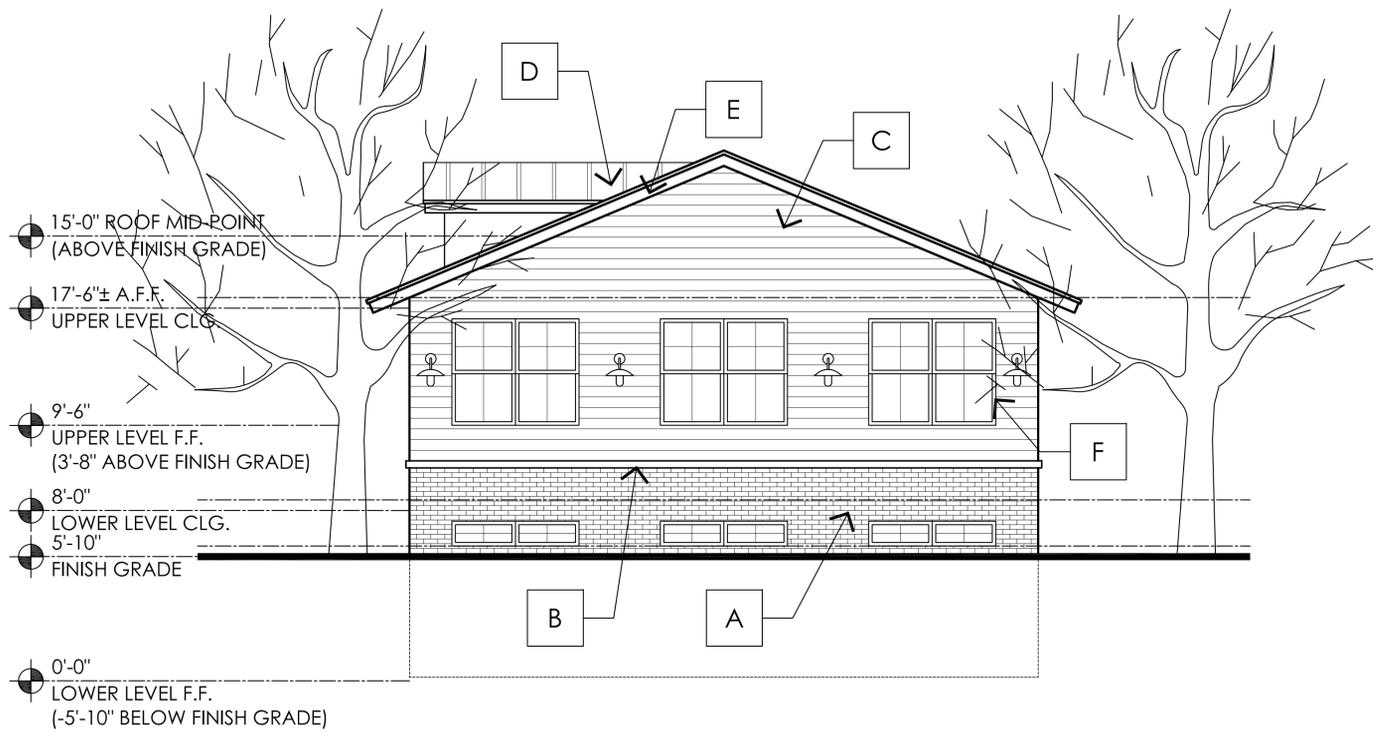
44TH ST WELLNESS CENTER

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**northeast elevation**

scale: 1/8"=1'-0"



**southeast elevation**

scale: 1/8"=1'-0"

graphic scale



EXTERIOR MATERIAL PALETTE	
LOCATION	CHARACTERISTICS
A BRICK VENEER (WAINSCOT)	SEALED
B BRICK VENEER (LEDGE)	SEALED
C HORIZONTAL SIDING (BODY)	PAINTED
D STANDING SEAM METAL PANELS (ROOF)	FACTORY PAINTED
E METAL ROOF FASCIA (SHEETMETAL)	FACTORY PAINTED
F ALUMINUM DOOR / WINDOW FRAMES (PAINTED)	FACTORY PAINTED

owner:

MICHAEL & MONICA SAMUELS

LOT 29 OF REGENTS PARK

4633 NORTH 44TH STREET  
PHOENIX, AZ 85018

**chouinard design studio**

480 | 947 | 4992 p  
480 | 947 | 4993 f

7234 e shoeman ln | suite 7  
scottsdale | arizona | 85251

www.chouinarddesign.com

PRELIMINARY,  
NOT FOR  
CONSTRUCTION

project no. : 890-18

date : 01/12/19

drawn by : JC

checked by : JC

rev.	date	desc.

**A7**

building elevations

CONSTRUCTION  
DOCUMENTS

4633 n 44th st / phoenix / az

44TH ST WELLNESS CENTER

## Sofia Mastikhina

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**From:** Michael Samuels <mike@samuelslawgroup.com>  
**Sent:** Tuesday, September 15, 2020 12:31 PM  
**To:** Dean Duncan; Sofia Mastikhina  
**Subject:** RE: Proposed zoning case # Z-29-20...

Hi Dean,

Thank you for your feedback. Just to clarify, the proposed building will be built with two levels, with much of the lower level below grade, and not 2 stories above ground. It will meet all height restrictions. Additionally, with an alley southeast of the lot, 44<sup>th</sup> street in front to the west, and Calle Alegre (and Camelback Mountain) to the northeast, the building will not obstruct anyone's view of Camelback. Have a great day!  
Mike

*Michael S. Samuels*

*Attorney at Law*

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**From:** Dean Duncan <dean.duncan64@outlook.com>

**Sent:** Monday, September 14, 2020 7:47 PM

**To:** sofia.mastikhina@phoenix.gov

**Cc:** Michael Samuels <mike@samuelslawgroup.com>

**Subject:** Proposed zoning case # Z-29-20...

Hi Sofia, I write regarding the proposed rezoning. I live at 4314 E Calle Redona, Phx. While I favor reuse and redevelopment generally, I am concerned about redevelopment elevations. I currently have a view to Camelback mountain that enhances my property value. While I do not believe this particular proposal blocks my view, it does set a precedent for 2 story redevelopment on 44<sup>th</sup> St if I read the site plan properly. If that is the case, I ask that the plan be modified to 1 story. My concern being that once 1 property is structured as 2 story, other developments will follow that may well block my view.

Thank you in advance. Dean Duncan.

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