

#### Staff Report Z-47-19-7 October 26, 2019

Laveen Village Planning Committee November 4, 2019

**Meeting Date:** 

Planning Commission Hearing Date: December 5, 2019

**Request From:** S-1 (Approved CP/GCP and/or C-2)

(128.61 acres)

Request To: <u>CP/ GCP</u> (76.70 acres), <u>C-2 HGT/WVR</u>

(28.64 acres) and R-4 (23.27 acres)

**Proposed Use:** Commerce park development,

commercial development with a height waiver for up to 56 feet, and multifamily

residential

**Location:** Southeast corner of 63rd Avenue and

Baseline Road

Owner: Laveen Baseline, LLC

Applicant / Representative: Wendy Riddell/Berry Riddell, LLC

**Staff Recommendation:** Approval, subject to Stipulations

General Plan Conformity					
General Plan Land Use Map Designation		Mixed Use (Commercial / Commerce Park)			
Street Map Classification	59th Avenue	Arterial	60-foot west half street		
	Baseline Road	Major Arterial, scenic	Varies, 33 to 81 foot south half street		
	63rd Avenue	Collector	0-foot east half street		
	South Mountain Avenue	Local	0-foot south half street		

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CONNECT PEOPLE AND PLANCES; CORES, CENTERS & CORRIDORS; LAND USE: Locate land uses with the greatest height and most intense uses within village cores, centers and corridors based on village character, land use needs, and transportation system capacity.

The proposal promotes the expansion of multifamily residential land uses in an area that will also include commerce park and commercial development within proximity to the Loop 202 South Mountain Freeway. Further, the proposed development is consistent with the scale, design, and density which has been approved in the surrounding area. The Laveen Village Character Plan also specifies more intense uses to be located along the South Mountain Freeway.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setbacks and build-to lines, blank wall space, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

The proposal, as stipulated, will provide pedestrian connectivity throughout the entire site through detached sidewalks, enhanced pedestrian connections and trails along the Laveen Area Conveyance Channel. These enhanced pedestrian connections will also have increased shading to promote overall pedestrian comfort.

BUILD THE SUSTAINABLE DESERT CITY; TREE & SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout phoenix.

The proposal, as stipulated, will provide tree-shaded sidewalks, parking areas and trails which will help to increase pedestrian activity and reduce the urban heat island effect.

#### **Applicable Plans, Overlays, and Initiatives**

#### **Tree and Shade Master Plan**

See Background Item No. 11 below.

#### **Southwest Growth Study**

See Background Item No. 12 below.

#### **Reimagine Phoenix**

See Background Item No. 13 below.

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Complete Streets Guidelines
See Background Item No. 14 below.

Surrounding Land Uses/Zoning				
	Land Use	Zoning		
On Site	Vacant (undeveloped)	S-1 (Approved CP/GCP and/or C-2)		
North	Vacant (undeveloped) and large lot residential (Maricopa County)	County, RU-43		
South	Vacant (undeveloped)	S-1 (Approved C-2 or CP/GCP)		
East	Betty Fairfax High School and vacant (undeveloped) Multifamily	S-1 (Approved R-2), R-3		
West	Dairy Farm and Single-Family homes	R-2 and R-2 PCD		
Southwest lot (not a part)	Single-family residential	S-1 (Approved CP/GCP and/or C-2)		

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#### Background/Issues/Analysis

#### SUBJECT SITE

1. This request is to rezone a 128.61-acre site located at the southeast corner of 63rd Avenue and Baseline Road. The subject site is currently zoned S-1 with approved C-2 or CP/GCP zoning established in 2000 via Z-126-00. There are three proposed zoning districts: C-2 HGT/WVR (Intermediate Commercial, Height Waiver) and R-4 (Multifamily Residential District) on the east side of the Loop 202 freeway and CP/GCP (Commerce Park/ General Commerce Park) on the west side of the freeway. The conceptual site

plan provided is for the Harkins Movie Theatre (Site A). To simplify enforcement of stipulations and varying requirements of each zoning district, the overall site is broken into Sites A through E. Staff is recommending general conformance to the conceptual land use plan to ensure the placement and



sizes of the site Source: City of Phoenix Planning and Development Department areas. This provision can be found in Stipulation No. 1.

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2. The current General Plan Land Use Map designation for the entire site is Mixed Use (Commercial / Commerce Park). The proposed rezoning request is consistent with the General Plan Land Use Map designation.

**North:** 0 to 1 dwelling units per acre.

**East:** 10 to 15 dwelling units per acre and Public/ Quasi-Public

**South:** Mixed Use (Commercial / Commerce Park)

<u>West:</u> Mixed Use Parks/ Open Space/ 3.5 to 5 dwelling units per acre





General Plan Land Use Map. Source: City of Phoenix Planning and Development Department

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#### SURROUNDING USES AND ZONING

4. North of the subject site (across Baseline Road) are large-lot residential uses, zoned RU-43 and are located outside of city limits. North (across the Laveen Conveyance Channel) is vacant land zoned C-2. A shopping center is planned for this site north of the channel.

East of the subject site is Betty Fairfax High School. The school is zoned S-1, Approved R-2 (Ranch or Farm Residence, and approved Multifamily Residential District). There is also a vacant piece of land zoned R-3 (Multifamily Residential District).

South of the subject site is vacant land that is zoned S-1 (Ranch or Farm Residence).

West of the site are single-family residences and a dairy farm. The single-family homes are zoned R-2 PCD (Multifamily Residential District, Planned Community Development) and the dairy farm is zoned R-2 (Multifamily Residential District).

The rezoning site also has the South Mountain Loop 202 bisecting the site. The Loop 202 freeway is slated for opening by the end of 2019.

There is also a single-family out-parcel on the western side of the Loop 202 that is not included as part of this case.



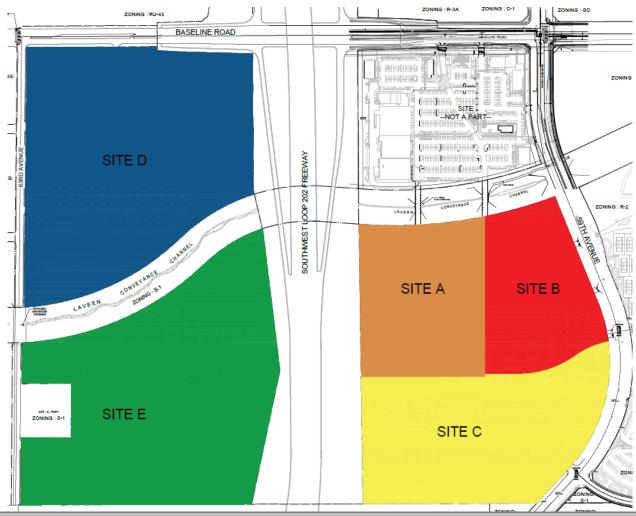
Source: City of Phoenix Planning and Development Department

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#### **PROPOSAL**

5. The overall rezoning area has been broken into five different sites due to the various proposed zoning districts:

F F	
Site	Proposed Zoning District
Α	C-2 HGT/WVR
В	C-2 HGT/WVR
С	R-4
D	CP/GCP
E	CP/GCP

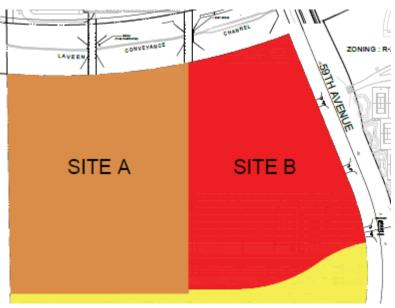


Source: Butler Design Group

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#### 5. Site Area A

Site A is located just south of the Laveen Conveyance Channel and bounded by the Loop 202 freeway on the west and Site B on the east. The requested zoning district for Site A is C-2 HGT/WVR. The conceptual site plan depicts a movie theatre with an adjacent retail space. The height waiver is being requested to accommodate the height associated with the movie theatre. The allowable height in



the C-2 zoning district is 30 feet, Source: Butler Design Group

unless a height waiver is requested and approved by City Council. The Harkins Movie Theatre is proposed at 56-feet in height. Staff is recommending Stipulation Nos. 14 and 15 that would limit the height to 56 feet and require a 150-foot stepback from 59th

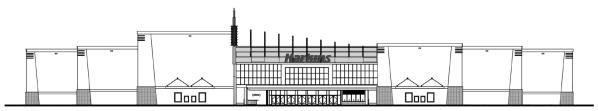
Avenue for buildings over 30-feet. CONVEYANCE ZONING: LAVEEN лишининити 0-----SITE B AY 3N 

Source: Butler Design Group

The proposed site plan depicts the Harkins theatre and a future building located adjacent to the Loop 202 freeway with two enhanced pedestrian connections through

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the parking lot leading to Site B. The applicant has provided elevations for the Harkins Movie Theatre that depict neutral tones and building mass articulation. Staff is recommending general conformance to the site plan and elevations in Stipulation No. 13.



Source: Harkins Theatre

Staff would like to ensure that the enhanced pedestrian areas are provided through Site A and B and will ultimately connect to 59th Avenue and that the pedestrian paths are shaded. This provision is addressed in Stipulation No. 17. Additionally, staff would like to ensure there is a connection from Site A to the trail along the Laveen Conveyance Channel. To this end, staff has recommended Stipulation No. 16 that would require this connection and one pedestrian amenity within close proximity of the trail. Staff would like to ensure there is bicycle parking at the entry of every building. This is addressed in Stipulation No. 18.

The Street Transportation Department has requested the construction of the west half street of 59th Avenue. The Parks and Recreation Department is requesting the construction of a Shared Use Path on 59th Avenue be built and dedicated and a Multi-Use Trail be built along the Laveen Are Conveyance Channel. These provisions can be found in Stipulation Nos. 19, 20 and 21.

#### 6. Site B

Site B is located south of the Laveen Conveyance Channel, west of 59th Avenue and east of Site A. The proposed zoning district for Site B is C-2 HGT/WVR (Intermediate Commercial, Height Waiver). There is not a corresponding site plan or elevations for the site, but it is anticipated to develop as retail and restaurants that would support the movie theatre use. To ensure the height is consistent with the area, staff is recommending Stipulation Nos. 22 and 23 that limit the maximum height to 56-feet and require a 150-foot stepback for any building over 30 feet in height.

To ensure consistency with the surrounding area and with the Southwest Growth Study, staff is recommending that the site plans, landscape plan and elevations be reviewed and approved by the Planning Hearing Officer through the public hearing process. The key elements for Planning Hearing Officer review include: high-quality elevations, building materials, pedestrian connectivity and shade. These provisions can be found in Stipulation No. 24.

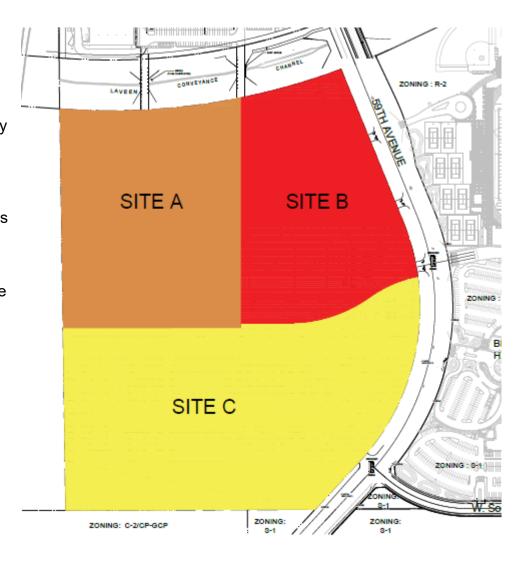
The Street Transportation Department has requested the construction of the west half street of 59th Avenue. The Parks and Recreation Department is requesting the

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construction of a Shared Use Path on 59th Avenue be constructed and dedicated and a Multi-Use Trail be built along the Laveen Are Conveyance Channel. The Shared Use Path along 59th Avenue will serve as the sidewalk. These provisions can be found in Stipulation Nos. 30, 31 and 32.

#### 7. Site C

Site C is located south of Site A and B and is bordered by the Loop 202 Freeway on the west and 59th Avenue on the east. The proposed zoning district for Site C is R-4 (Multifamily Residence District). The proposed increase in density will diversify housing types in the area and is supported by the Loop 202 expansion, the planned commercial shopping center and commerce park development on the west side of the Loop 202.



The applicant has not proposed any elevations or site plan for the development at this time. To ensure the quality of the project and architectural consistency, staff is recommending Stipulation No. 33, which requires the site plan, landscape plans and elevations be reviewed and approved by the Planning Hearing Officer. The primary review criteria relate to building material, building massing, shade and pedestrian connectivity to the commercial site (Sites A and B) to the north.

In addition to the Planning Hearing Officer review and approval, staff is recommending a minimum 10 percent common area open space be provided on-site for residents to

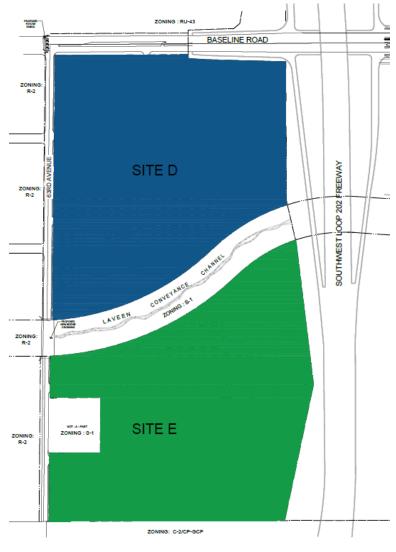
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ensure the Zoning Ordinance requirement is a minimum of 5 percent common area open space is met. This is addressed in Stipulation No. 34.

The Street Transportation Department has requested the construction of the west half street of 59th Avenue and a junction box be placed at 59th Avenue and South Mountain Avenue for a future signal. The Parks and Recreation Department is requesting the construction of a Shared Use Path on 59th Avenue be constructed and dedicated. The Shared Use Path along 59th Avenue will serve as the sidewalk These provisions can be found in Stipulation Nos. 36, 37 and 38.

#### 8. Site D and Site E

Site D and E are bounded by the Loop 202 Freeway on the east. 63rd Avenue to the west and Baseline Road to the north. The proposed zoning district for Site D and Site E is CP/GCP (Commerce Park / General Commerce Park). The applicant has not provided any plans for this site; therefore; staff is recommending a stipulation for Planning Hearing Officer review and approval of the site plan, landscape plan and elevations. There are specific provisions for the Planning Hearing Officer review that include: promoting pedestrian connectivity, an amenity area provided adjacent to the Laveen Area Conveyance Channel, and architectural features to promote shade. This is addressed in Stipulation No. 39 and 52. Staff is also recommending stipulations for bicycle parking, maximum reflectivity of window glazing, employee balconies if the



building is over four-stories, and shading requirements to ensure a high-level of quality. These provisions can be found in Stipulation Nos. 40 through 44 and Nos. 53 through 57.

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The Street Transportation Department has several requests regarding dedication and construction of adjacent streets. The Park and Recreation Department would like a 10-foot shared use path constructed within a 30-foot easement that runs north/south through the property but the location of either adjacent to 63rd Avenue or on the west side of the Loop 202 will be determined at site plan review. The Parks and Recreation Department has also requested that the existing shared use path along the Laveen Area Conveyance Channel be protected in place. In addition, a multi-use trail is requested along Baseline Road to comply with the Baseline Road Scenic Corridor standards. These provisions can be found in Stipulation Nos. 45 through 51 and Nos. 58 through 60.

#### 10. **Phasing**

The project is proposed to be split into multiple phases with Site A being the first phase under construction.

#### STUDIES AND POLICIES

#### 11. Tree and Shade Master Plan

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

Staff has stipulated that pedestrian thoroughfares and trails be planted with shade trees for maximum thermal comfort. Additionally, staff has stipulated that all sidewalks adjacent to public streets be detached with a minimum 5-foot wide landscape area located between the sidewalk and back of curb and that all multi-use trails and shared use paths be shaded a minimum of 50% with 2-inch caliper large canopy trees. These provisions can be found in Stipulation Nos. 3 and 8.

#### 12. Southwest Growth Study

The Southwest Growth Study was created as a tool to guide development in Laveen after the area was annexed into the City of Phoenix in 1995. Laveen is known throughout the region for its rural heritage and character. Through the Southwest Growth Study, policies were created that would preserve and build upon the unique character of the area. The document provides several design policies and standards regarding the look and feel of development in the area, with particular regard to building materials and elevations. Notably, the Southwest Growth Study calls for native materials and colors, and discourages the use of vinyl siding, high contrast colors and monolithic building mass. The intent of the document is to guide and govern residential and commercial growth in Laveen in a manner that respects the spirit of the Village. Site Areas B through E are stipulated to Planning Hearing Officer review of the conceptual

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site plans, elevations and landscape plans to ensure compatibility with the intent of the Southwest Growth Study.

#### 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, industrial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

#### 14. Complete Streets Guidelines

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To support these principles, staff has stipulated that all sidewalks be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings. These are addressed in Stipulation Nos. 3 and 8.

#### **COMMUNITY INPUT SUMMARY**

15. As of the writing of this report, staff has received several emails from community members with concerns to the proposed R-4 zoning district (Site C). The concerns included increased density and crime.

#### INTERDEPARTMENTAL COMMENTS

- 16. The Street Transportation Department recommends stipulating several roadway dedications and that a Traffic Impact Study be submitted. The overall site recommendations can be found in Stipulation Nos. 5, 6 and 7, in addition to the specific stipulations detailed above.
- 17. The Water Services Department indicated that the site has existing water and sewer mains that can potentially serve the development.
- 17. The Fire Department indicated there may be Fire Department access issues and that the site will need to comply with all fire codes.
- 18. The Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2190 M of the Flood Insurance Rate Map (FIRM) dated February 10, 2017.

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- 19. The Parks and Recreation Department has reviewed the proposed development and has requested several trails be constructed within dedicated easements. The Parks and Recreation Department's requests are listed in each site area summary listed above.
- 20. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulations Nos. 10, 11 and 12.
- 21. The Public Transit Department has reviewed the proposed development and has requested the dedication of right-of-way and the construction of bus stop pads along both 63rd and 59th Avenues.

#### OTHER

22. 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 request is consistent with the proposed General Plan Land Use Map designation of Mixed Use Commercial / Commerce Park.
- 2. The proposed development is appropriate at this location in close proximity to the Loop 202 Freeway corridor.
- 3. As stipulated, the proposal is compatible with the character of existing development in the surrounding area.

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#### **Stipulations**

#### **Overall Site**

- 1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019, with specific regard to the site locations, as approved by the Planning and Development Department.
- 2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screenwalls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
- 3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.
- 4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
- 5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
- 6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5- foot wide sidewalk,

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> curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

- 7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
- 8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
- 9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
  - a) Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
  - b) Three bus stop pads shall be located along Southbound 59th Avenue.
- 10. 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
- 11. 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.
- 12. 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.

#### Site A

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

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- 14. The maximum building height shall be limited to 56 feet.
- 15. There shall be a 150-foot stepback provided from 59th Avenue for buildings over 30 feet in height.
- 16. A minimum of one clearly defined pedestrian connection shall be provided from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
- 17. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
- 18. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 19. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 20. The developer shall construct a 10 foot wide Shared Use Path (SUP) along the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 21. The developer shall construct a 10 foot wide Multi-Use Trail (MUTE) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

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#### Site B (Retail/ Restaurant)

- 22. The maximum building height shall be limited to 56 feet.
- 23. There shall be a 150-foot step back provided from 59th Avenue for building over 30 feet in height.
- 24. The site plan, landscape plan showing pedestrian circulation and elevations, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50% shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.
    - (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.

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- d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- 25. Drive-through restaurant pick-up windows shall be architecturally integrated in proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- 26. Drive-through restaurant facilities shall provide a minimum of 250 square feet of outdoor seating areas, as approved by the Planning and Development Department.
- 27. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 28. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 29. A minimum of 30 percent of the linear frontage of the buildings, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 30. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 31. The developer shall construct a 10' Shared Use Path (SUP) on 59<sup>th</sup> Avenue in lieu of the required sidewalk, consistent with the improvements on 59<sup>th</sup> Avenue north of the Laveen Area Conveyance Channel.

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32. The developer shall construct a 10 foot wide Multi-Use Trail (MUTE) along the southside of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

#### Site C (Multifamily)

- 33. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
  - b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
  - c. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
  - e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 34. There shall be a minimum of 10 percent common area open space provided onsite, as approved by the Planning and Development Department.
- 35. A minimum of 25 percent of the surface parking areas shall be shaded by a minimum 2 inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 36. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median for the full

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extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 37. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 38. The developer shall provide conduit plan and junction boxes at 59th Avenue and South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

#### Site D (Commerce Park/ General Commerce Park North of the LACC)

- 39. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
  - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.

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- 40. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 41. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
- 42. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 43. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 44. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 45. The developer shall protect in place the shared-use path and 20 foot wide public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 46. The developer shall dedicate a 30 foot wide public trail/sidewalk easement along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10 foot wide shared-use path (SUP)within the easement as indicated in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 47. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- 48. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the south half of Baseline Road, as approved by the Planning and

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Development Department.

- 49. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.
- 50. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 51. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

#### Site E (Commerce Park/ General Commerce Park South of the LACC)

- 52. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
  - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
    - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
    - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
  - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
  - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.

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- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 53. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 54. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.
- 55. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 56. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 57. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 58. The developer shall dedicate a 30 foot wide public trail/sidewalk easement along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 59. The developer shall construct a 10 foot wide Multi-Use Trail (MUTE) along the southside of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 60. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street

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Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

#### Writer

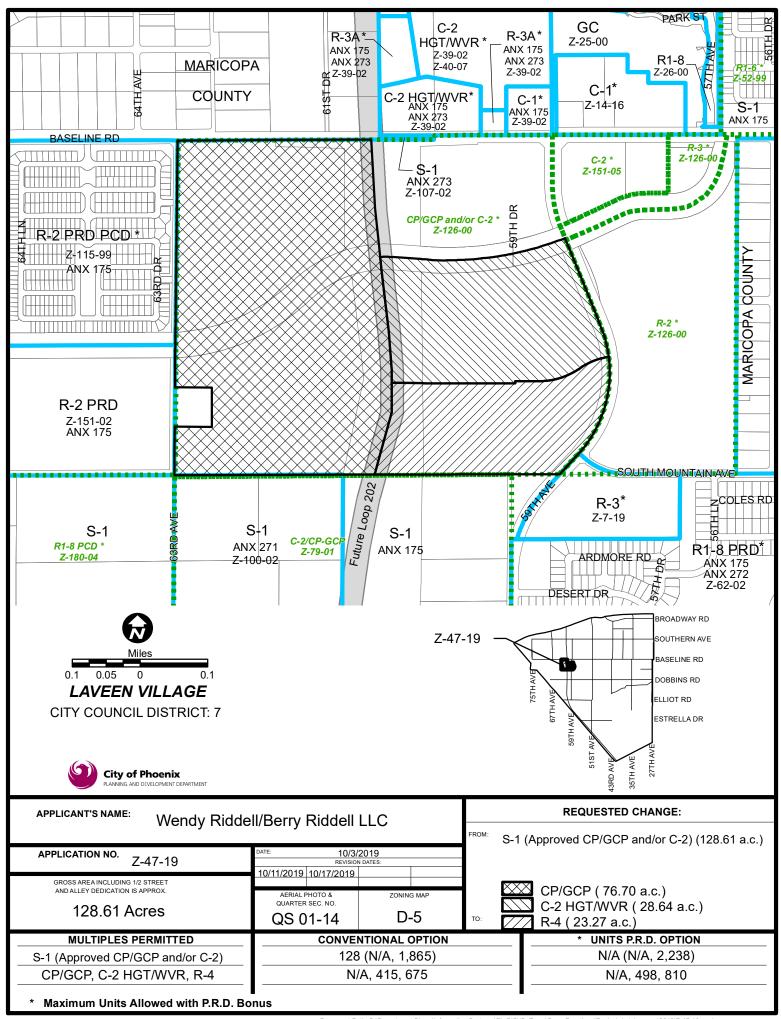
Kaelee Wilson October 26, 2019

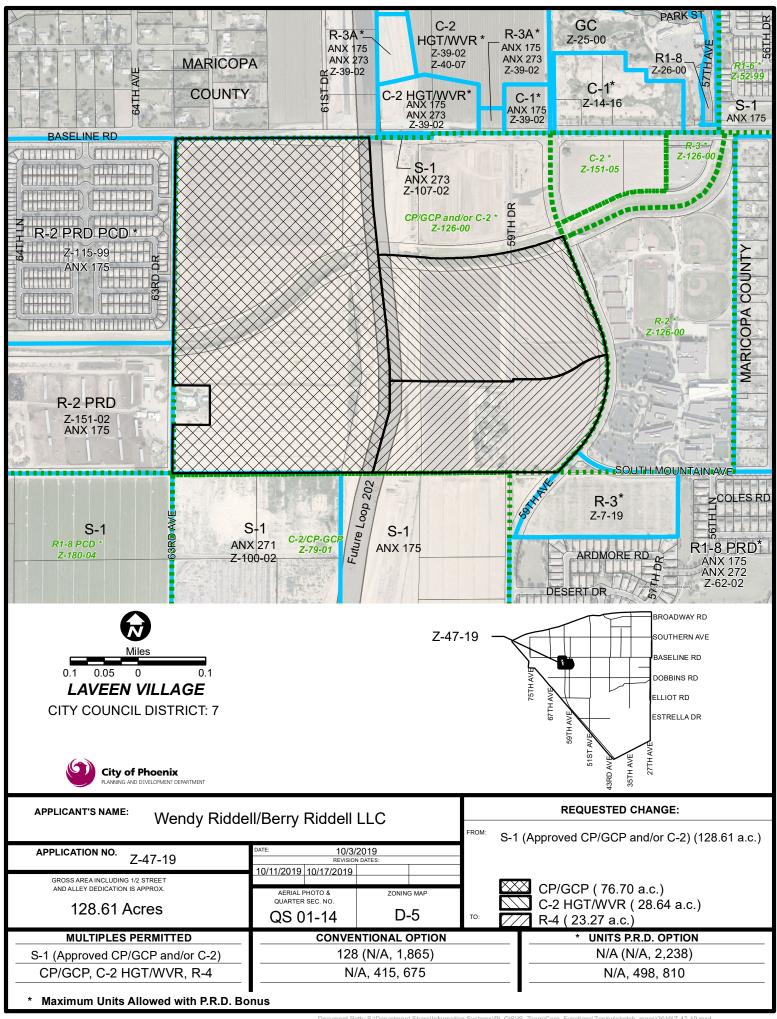
#### **Team Leader**

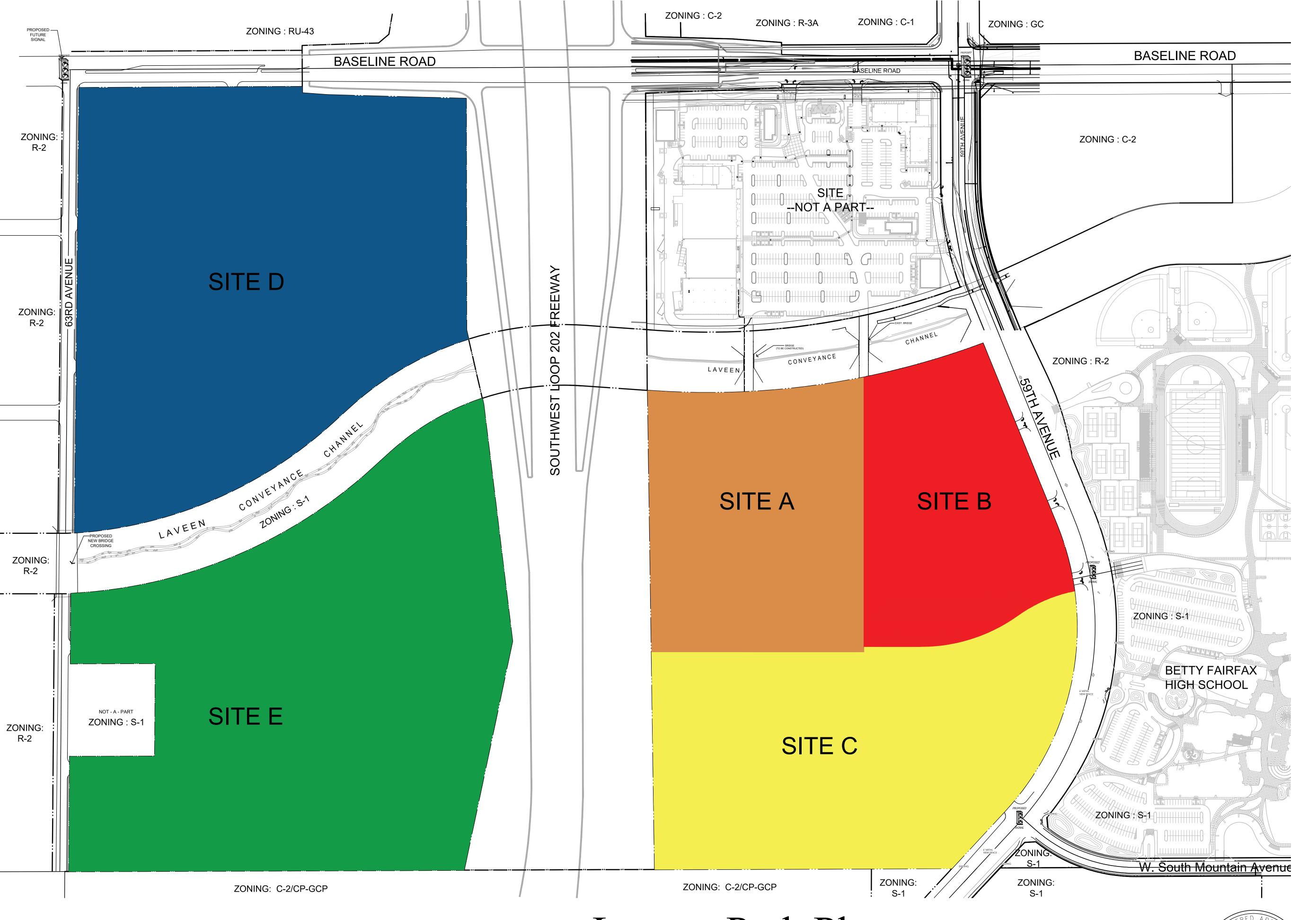
Samantha Keating

#### **Exhibits**

Zoning sketch
Aerial sketch
Conceptual Site Plan date stamped October 23, 2019 (1 page)
Conceptual Elevations date stamped October 23, 2019 (1 page)
Conceptual Site Area Plan date October 23, 2019 stamped (1 page)
Community Correspondence (5 pages)





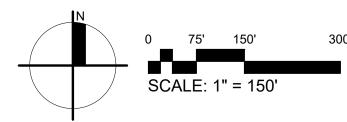


# CITY OF PHOENIX

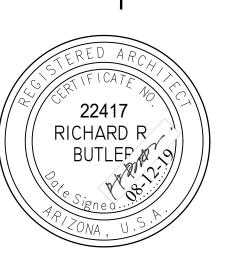
OCT 23 2019

Planning & Development Department



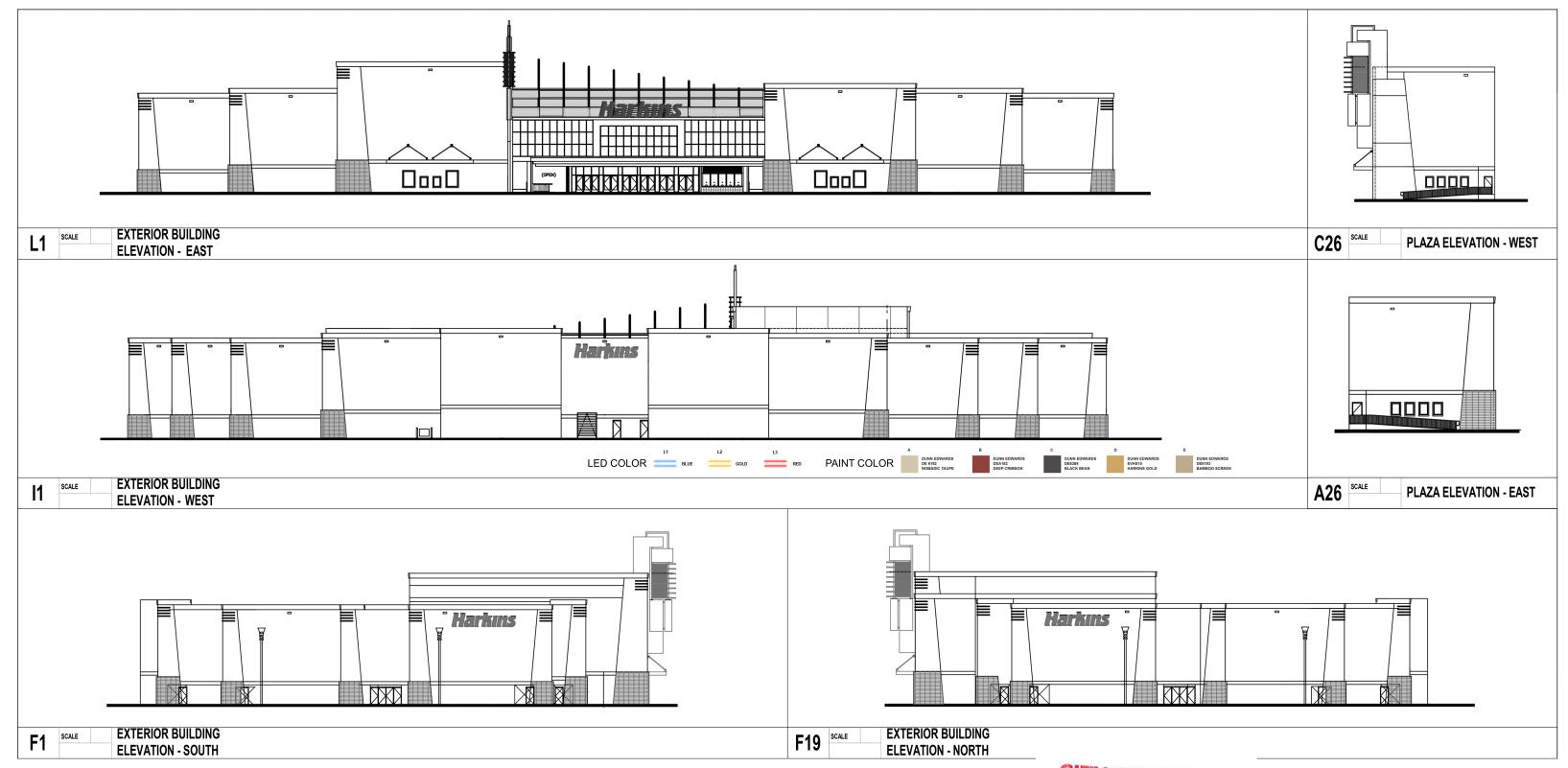


Laveen Park Place
CONCEPTUAL MASTER SITE PLAN
Laveen, Arizona





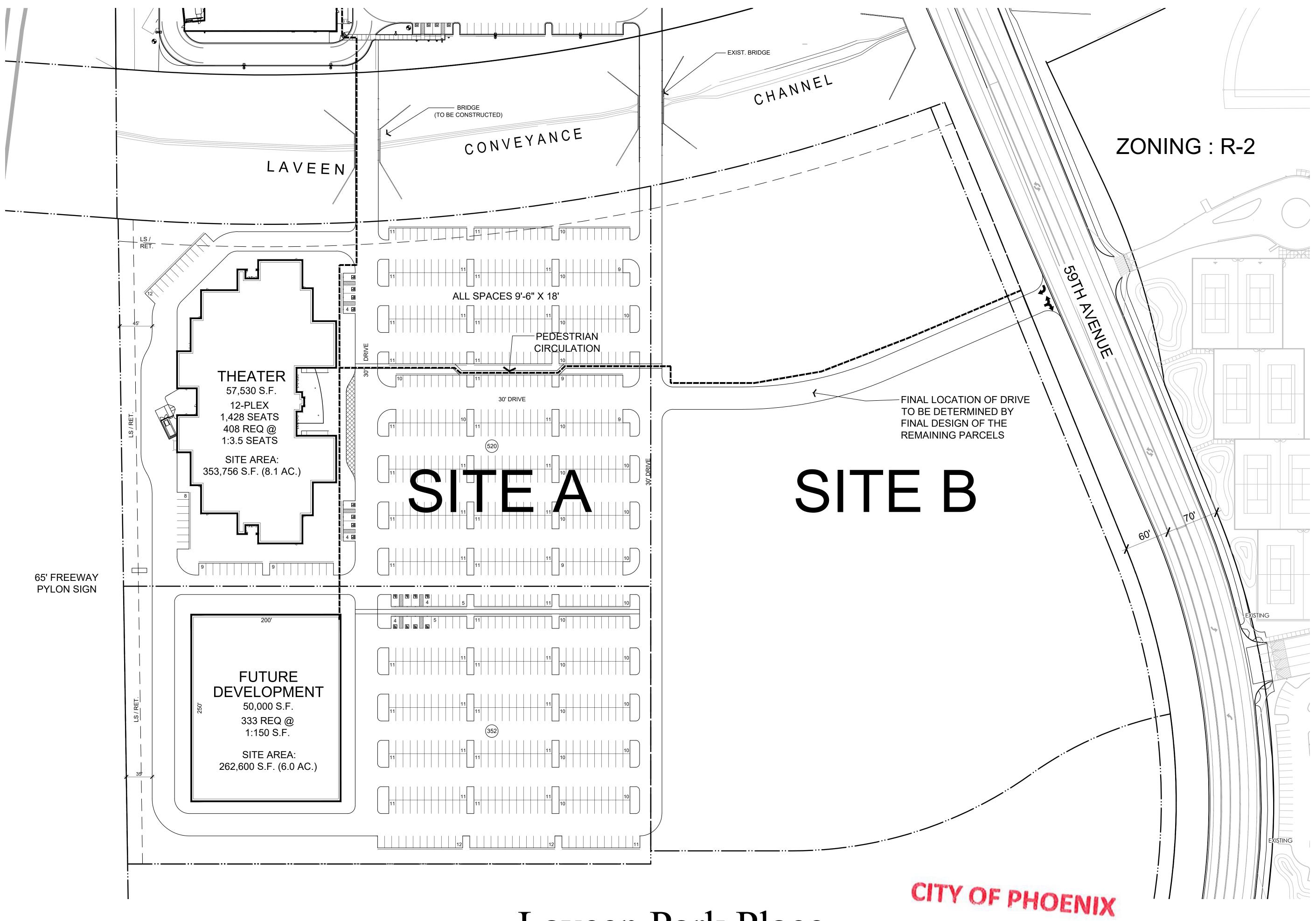
### PROPOSED EXTERIOR ELEVATION LAVEEN 12



## CITY OF PHOENIX

OCT 23 2019

Planning & Development Department





Laveen Park Place

Proposed Retail Development Laveen, Arizona OCT 23 2019

Planning & Development Department



10-22-2019 12004-ST59

### Samantha Keating

From: Sent: To: Subject:	Samantha Keating Friday, September 13, 2019 7:24 AM M H RE: Re:
Michelle,	
Thank you for the cla	arification. We recently received a rezoning request for the approximate area described below:
	oop 202 to 63rd Avenue from Baseline Road to the South Mountain Avenue alignment oop 202 to 59 <sup>th</sup> Avenue from the conveyance channel to the South Mountain Avenue alignment
portion of the propos	west side of the proposed rezoning area is for Commerce Park zoning. The request for the east sed rezoning area is a height waiver for a commercial parcel and for multifamily residential ng request is under case Z-47-19.
	if you have any additional questions. The application request is in its initial stages and no public been set. I will add your email to the case file and it will be provided to the public hearing bodies as s.
Thank you,	
Samantha Keating Principal Planner City of Phoenix Plan 200 West Washingto Phoenix, Arizona 85 Phone: 602-262-682 samantha.keating@	0003 23
Sent: Thursday, Sep	michelle33@gmail.com> tember 12, 2019 7:36 PM ng <samantha.keating@phoenix.gov></samantha.keating@phoenix.gov>
Baseline 59ave	
On Thu, Sep 12, 201	9, 5:21 PM Samantha Keating < samantha.keating@phoenix.gov > wrote:
Michelle,	
	me with some additional information regarding your request? I am happy to add an email with active case in the area, but need to know if you are referencing a specific site.
Thank you,	

Samantha Keating
Principal Planner
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-262-6823
samantha.keating@phoenix.gov

From: M H < herreramichelle33@gmail.com > Sent: Wednesday, September 11, 2019 8:03 PM

**To:** Samantha Keating < <u>samantha.keating@phoenix.gov</u>>

Subject:

How can I sign the petition for no appartment in laveen

#### Samantha Keating

From: Velma Watkins <vjw513781@verizon.net> Sent: Friday, September 13, 2019 9:00 AM

To: Samantha Keating

Subject: RE: Low income apartments

I am referring to the proposed multi family unit zoning changes for 63rd Ave and Baseline that is under review.

#### Sent from Yahoo Mail on Android

On Wed, Sep 11, 2019 at 6:14 PM, Samantha Keating <samantha.keating@phoenix.gov> wrote:

Ms. Watkins,

Thank you for your email and comments. Is there a specific property or project this is in reference to? If so, I'd like to make sure your comments are directed appropriately.

Thank you,

Samantha Keating Principal Planner City of Phoenix Planning and Development Department 200 West Washington Street, 3rd Floor Phoenix, Arizona 85003

Phone: 602-262-6823

samantha.keating@phoenix.gov

From: Velma Watkins <vjw513781@verizon.net> Sent: Wednesday, September 11, 2019 2:59 PM

To: Samantha Keating <samantha.keating@phoenix.gov>

Subject: Low income apartments

I moved to Laveen 5 yrs ago from another state. Since I have lived here I have noticed a big increase in crime. We do not need any more housing and especially low income housing in this area. The over crowding has gotten worse which adds to the increase of crime. Any space available I would highly suggest a police station to assist in this increasingly growing area.

Sincerely,

#### V. Watkins

Sent from Yahoo Mail on Android

#### Samantha Keating

From: Alma Lively <almalively@gmail.com>
Sent: Monday, September 16, 2019 2:43 PM

**To:** Samantha Keating

**Subject:** Re: Large density apartments in Laveen and need for a dedicated police precinct

#### Hi Samantha,

Thank you very much for your reply. I was referencing a post shared online on Nextdoor for a proposed multi-family unit zoning change for 63rd Ave and Baseline which includes building high density 4-5 story apartments. I will try to track down the post that included a link to the maps, but this is the general area. I wanted to use this as an opportunity to discuss some of my other concerns which I believe would be worsened by building apartments in the area. If you are not the person i should be contacting, please let me know what individual I should share those concerns with and I'd be happy to forward them on to someone else. Again, I thank you for your reply to my email and for the opportunity to comment on the proposed zoning change.

Respectfully, Alma

On Wed, Sep 11, 2019 at 6:13 PM Samantha Keating <samantha.keating@phoenix.gov> wrote:

Ms. Lively,

Thank you for your email and detailing some of your concerns. Are you referencing a specific proposal or more general comments regarding the area? I would be happy to discuss further if you would like, but would like to know if there is a specific property or area that is causing concern.

Thank you,

Samantha Keating
Principal Planner
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-262-6823
samantha.keating@phoenix.gov

From: Alma Lively <a href="mailto:sleen">almalively@gmail.com</a>>
Sent: Wednesday, September 11, 2019 3:28 PM

**To:** Samantha Keating < samantha.keating@phoenix.gov >

Subject: Large density apartments in Laveen and need for a dedicated police precinct

Hi Samantha,

I'm writing you to voice my opposition for large density apartments being built in Laveen. We moved to Laveen for it's small rural feel and building large density apartments would change that completely. An even bigger concern is that we already have a huge crime problem with all the immense growth in our community. I believe that apartments would only attract more crime to the area and exacerbate this problem. Our police are already spread too thin. We desperately need our own police precinct in Laveen.

I am truly astounded by the amount of crime in a community as small as Laveen. Everything from burglaries, theft, armed robberies, etc. The shortage of policing in our community has only emboldened these criminals to the point that they are literally terrorizing our communities with little to no consequences. They are breaking into homes fully armed, ready and willing to rob or kill someone if they have to. I'm outraged about what has happened in our community and feel completely betrayed that nobody seems to be listening to our concerns.

These criminals have basically been allowed to run loose becoming increasingly more brazen in their crimes and attitudes. I feel as though they have more rights than the good law-abiding citizens at this point. They are attracted to our community because we are an easy target and they know it. They know that there are not enough police and response times are slow or non-existent.

I worked very hard to buy a nice home and live in a safe community. Our community does not feel very safe. We deserve better than being victimized at the hands of thugs. When making planning decisions, please make decisions that will enhance Laveen and make us a better and safer community, not bring in more crime. I have long heard that South Phoenix and Laveen have been viewed as dumping grounds for criminals, drug addicts, low income housing programs, individuals with criminal backgrounds being released back into the community after disasters or incarceration, rehabilitation programs, etc. It's no wonder we don't feel safe. I ask you, how fair is it that the citizens of Laveen should now have to deal with all the crime and problems that have resulted from these decisions?

We are tired of having to pay the price for those poor decisions. We deserve to at least feel safe in our communities. We deserve to not be dumped on and forgotten by those who are supposed to look out for us and protect us. I am an active member of my community, attend meetings, report crimes, look out for my neighbors, etc. I am not just complaining, I am actively doing my part and voting on decisions that I think will make Laveen better, not worse. I love Laveen and truly believe it has the potential to be better than Ahwatukee with it's close proximity to Downtown, Central Phoenix, Westgate and Tempe. I URGE you to stand up for Laveen and oppose any decisions that will increase crime in our community. I URGE you to fight for Laveen to get more police and protect the many good citizens who call Laveen home.

Thank you in advance for taking the time to read this and to consider my concerns. Please don't hesitate to contact me if you'd like to talk further.

Respectfullly,

Alma Parton

almalively@gmail.com

602-758-6045

#### Samantha Keating

**From:** emfonthebeach@aol.com

Sent: Wednesday, September 18, 2019 2:37 PM

**To:** Samantha Keating

**Subject:** Re: Apartment building in Laveen

The area that I am referring to is 63rd Avenue & Baseline. I am responding to information posted on NEXTDOOR. I do not know if the facts are correct on Nextdoor.

Thank You for getting back with me.

E. Fryer

----Original Message-----

From: Samantha Keating <samantha.keating@phoenix.gov>

To: Eunice Fryer <emfonthebeach@aol.com>

Sent: Mon, Sep 16, 2019 7:44 am

Subject: RE: Apartment building in Laveen

Ms. Fryer,

Thank you for your email and comments. Are you referencing a specific property or project? If so, I'd like to add your email to the case file for any active case we have.

Thank you,

Samantha Keating
Principal Planner
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Phone: 602-262-6823
samantha.keating@phoenix.gov

----Original Message-----

From: Eunice Fryer <emfonthebeach@aol.com> Sent: Sunday, September 15, 2019 9:00 AM

To: Samantha Keating <samantha.keating@phoenix.gov>

Subject: Apartment building in Laveen

I'm responding to a posting on Nextdoor. The crime rate in Laveen has increasingly gotten worse over the years. I believe an apartment building in the area will only add to the existing high crime rate.

Many years ago, I owned a very nice townhome. My townhouse was broken into three times in six months. There was a low income apartment building directly behind my townhouse. From the apartment complex, the residents watched me leave for work. The residents of that apartment complex not only broke into my place but other townhome owners on a regular basis. My car was also broken into. I was forced to move because I felt unsafe in my own home. It was a horrible experience that I DoNot want to be forced to relive.

The Laveen area could benefit from a Police Station not an apartment building.

Please consider the needs and request of the Laveen homeowners before forcing an unwanted apartment complex on us.

**Eunice Fryer** 

Bougainvillea/Cottonfield Community

Sent from my iPad

From: Samantha Keating
To: Kaelee Wilson

**Subject:** FW: Planned apartment complex in Laveen **Date:** Wednesday, September 11, 2019 10:03:02 AM

For the case file. Thank you!

Samantha Keating Principal Planner

City of Phoenix Planning and Development Department

200 West Washington Street, 3rd Floor

Phoenix, Arizona 85003 Phone: 602-262-6823

samantha.keating@phoenix.gov

**From:** Robert Schoenstein < rob@robertschoenstein.com>

Sent: Wednesday, September 11, 2019 9:38 AM

**To:** Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Re: Planned apartment complex in Laveen

The proposed site for the multi-family unit is 63rd Ave and Baseline.

We do not want <u>any</u> multi-family units in Laveen.

Robert Schoenstein

On Sep 11, 2019, at 7:57 AM, Samantha Keating <samantha.keating@phoenix.gov> wrote:

Good morning Mr. Schoenstein,

I would be happy to provide you with additional information or talk through any concerns you have regarding the project. Could you please let me know where the property is located so I can research?

Thank you,

Samantha Keating
Principal Planner
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003

Phone: 602-262-6823

samantha.keating@phoenix.gov

----Original Message-----

From: Robert Schoenstein < rob@robertschoenstein.com >

Sent: Tuesday, September 10, 2019 10:44 PM To: PDD Laveen VPC < <u>laveenvpc@phoenix.gov</u>> Subject: Planned apartment complex in Laveen

#### http://chng.it/PsWJYMZ9

We have created a petition against adding an apartment complex to Laveen due to the already high crime rate and lack of police response in the area. Adding this low-rent apartment complex will only make things worse in the area.

This is a rural area, an apartment complex will only attract criminals and drug addicts.

We would really like to see a police station built in the area.

Robert Schoenstein