



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-71-21-8
March 4, 2022

South Mountain [Village Planning Committee](#) Meeting Date: March 8, 2022
February 8, 2022 (Information Only)

[Planning Commission](#) Hearing Date: April 7, 2022

Request From: [S-1](#) (Ranch or Farm Residence District)
(25.71 acres)

Request To: [R1-10](#) (Single-Family Residence District)
(25.71 acres)

Proposed Use: Detached single-family residential

Location: Northeast corner of 23rd Avenue and Dobbins Road

Owner: Hon Farmers, LLC

Applicant: Paul Gilbert, Beus Gilbert McGroder, PLLC

Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Residential 1 to 2 dwelling units per acre	
		Proposed (GPA-SM-4-21-8): Residential 2 to 3.5 dwelling units per acre	
Street Map Classification	23rd Avenue	Minor Collector Street	0 feet along the east half street
	Dobbins Road	Arterial Street (Scenic Drive)	Varies from 33 feet to 55 feet north half street
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area.</i>			

Each new development should contribute to the character identified for the village.

As stipulated, the development will promote neighborhood identity by incorporating density and building height limitations, landscape enhancements, various perimeter lot widths, and fencing enhancements above what is required by the Zoning Ordinance, among other enhancements. These will also promote the agrarian character of the area and vision of the Rio Montaña Area Plan.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The requested R1-10 zoning district would allow development of a housing product that is consistent with existing zoning in the area and other single-family uses. As stipulated, the development will incorporate a range of perimeter lot widths, wide landscape areas, enhanced landscaping and height restrictions, which will also help to provide a transition from the proposed development to adjacent large-lot residential and rural properties.

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.

The proposal will be required to provide shade along the adjacent public sidewalks and pedestrian pathways located within open space tracts. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

[Rio Montaña Area Plan](#): See Background Item No. 4.

[Tree and Shade Master Plan](#): See Background Item No. 10.

[Complete Streets Guidelines](#): See Background Item No. 11.

[Zero Waste PHX](#): See Background Item No. 12.

[Housing Phoenix](#): See Background Item No. 13.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Agricultural	S-1
North	Radio broadcast towers	S-1
South (across Dobbins Road)	Single-family residential, vacant and Western Canal	R1-10
East	Agricultural and single-family residential	S-1
West (across 23rd Avenue)	Agricultural and single-family residential	S-1

R1-10 – Single-Family Residential District (Planned Residential Development Option)		
<u>Standards</u>	<u>R1-10 Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	25.71 acres
Total Maximum Number of Units	90 units, up to 115 with bonus	77 units (Met)
Maximum Density	3.5 dwelling units per acre, up to 4.5 with bonus	2.99 dwelling units per acre (Met)
Minimum Lot Width	45 feet	60 feet (Met)
Minimum Lot Depth	110 feet adjacent to arterial	110 feet (Met)
Maximum Building Height	2 stories and 30 feet	2 stories and 30 feet
Maximum Lot Coverage	40 percent, up to 50 percent including attached shade structures	Not specified
MINIMUM BUILDING SETBACKS		
Perimeter Streets: (23rd Avenue and Dobbins Road)	15 feet	23rd Avenue: 40 feet (Met) Dobbins Road: 30 feet (Met)

Perimeter Property Lines: (Side and Rear)	Rear: 15 feet (1-story), 20 feet (2-story) Side: 10 feet (1-story), 15 feet (2-story)	North: 60 feet (Met) East: 40 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Adjacent to street (23rd Avenue and Dobbins Road)	15 feet average, 10 feet minimum	23rd Avenue: 40 feet (Met) Dobbins Road: 30 feet (Met)
Minimum Common Area	5% of gross site area	21% (Met)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 25.71 acres located at the northeast corner of 23rd Avenue and Dobbins Road from S-1 (Ranch or Farm Residence District) to R1-10 (Single-Family Residence District) for a detached single-family residential subdivision. The site is presently vacant and used for agricultural purposes. In 1960, the subject site was annexed into the City of Phoenix from unincorporated Maricopa County and zoned S-1. Historic aerial imagery shows that the site was historically utilized for agricultural purposes.

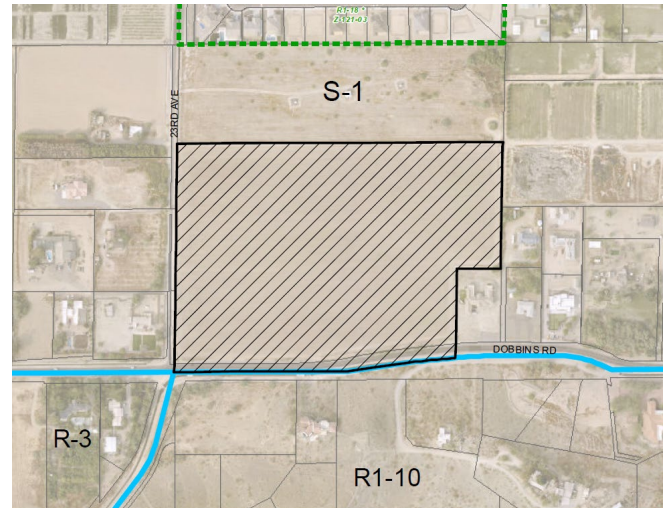
SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of residential zoning districts including S-1 (Ranch or Farm Residence District), R1-10 (Single-Family Residence District) and R-3 (Multifamily Residence District). The property to the north of the site is zoned S-1 and presently has radio transmission towers. Properties to the south, across Dobbins Road, are zoned R1-10 and R-3, and are presently vacant or developed with single-family residential homes.

Properties west of the site are zoned S-1 and have active agricultural uses or single-family homes.

Properties east of the site, across Dobbins Road, are zoned S-1 and have agricultural or single-family homes.

Residential subdivisions with R1-10 zoning are presently developed or under development 0.25-miles south and northeast of the site, and also 0.5-miles east and west of the site along Dobbins Road.

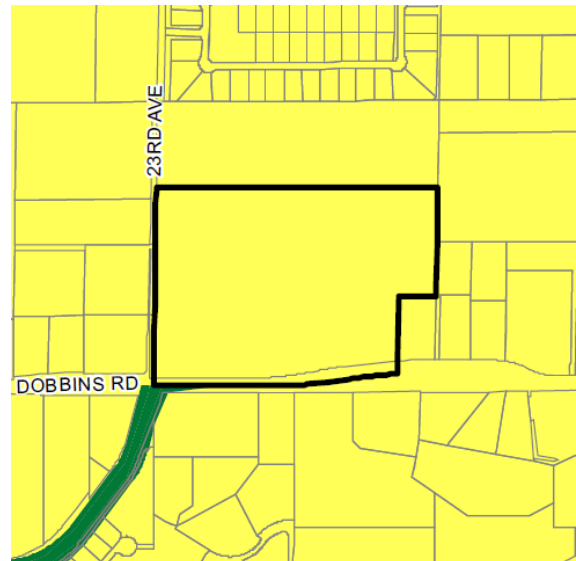


Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is Residential 1 to 2 dwelling units per acre, which is not consistent with the proposed R1-10 zoning district. Thus, a minor General Plan Amendment case GPA-SM-4-21-8 proposes to change the land use map designation to Residential 2 to 3.5 dwelling units per acre. The General Plan Land Use Map designation surrounding the site is Residential 1 to 2 dwelling units per acre.

Approximately 0.25-miles northeast of the site and 0.5-miles west of the site are other properties designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map.

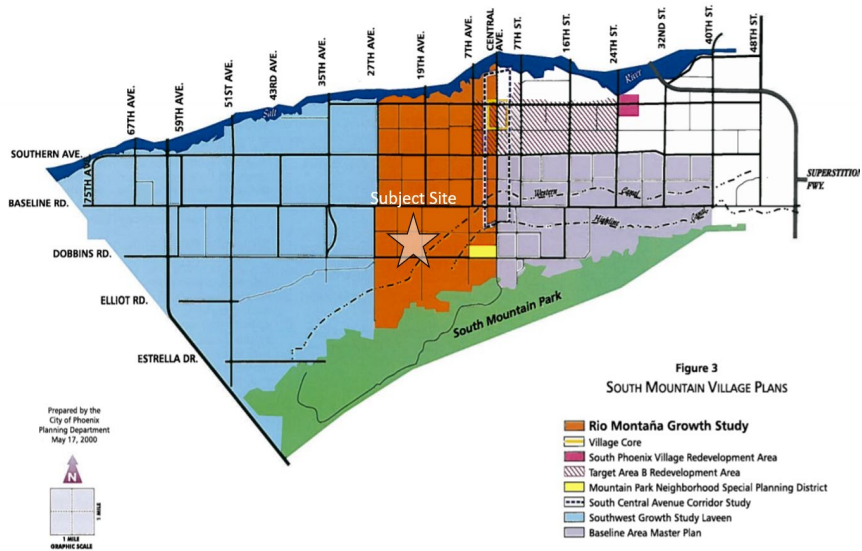


General Plan Land Use Map, Source: Planning and Development Department

Approximately 0.1-miles north of the site are other properties designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map.

4. **Rio Montaña Area Plan**

The Rio Montaña Area Plan encourages preservation of the rural character of the area and incorporates transition zones to protect desert and open space areas. The plan also encourages pedestrian and equestrian activities through a network of trails and aspires to develop a sense of community while encouraging investment in the community.



Rio Montaña Area Plan, Source: Planning and Development Department

The Rio Montaña Area Plan intends to accomplish this vision through seven goals that include:

1. Promoting balanced, high quality development;
2. Protecting and improving neighborhoods through maintenance, rehabilitation and infill projects;
3. Keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture;
4. Protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project;
5. Promoting future business development and economic growth;
6. Developing the tourism industry through a wide range of opportunities;
7. Providing a variety of transportation options.

The site is relatively centrally located and designated by the land use map as Residential 1 to 2 dwelling units per acre within the Plan. As previously mentioned, a General Plan Land Use Map amendment case GPA-SM-4-21-8 proposes to change this designation to Residential 2 to 3.5 dwelling units per acre. Although not consistent with the Rio Montaña Proposed Land Use Plan, a gradual increase in intensity at this location is appropriate given the included design considerations intended to further the goals of the Plan.

Per the proposed stipulations, the development will incorporate a range of perimeter lot widths ranging from 60 feet to 75 feet, provide wider landscape areas along the perimeters than required by the Zoning Ordinance, require pitched roofs to be incorporated on all buildings, incorporate one-story limitations and enhanced landscaping along perimeters. These elements will help provide an appropriate land use transition consistent with development patterns in the general area, while furthering the intent of the Rio Montaña Area Plan.

PROPOSAL

5. The proposal is to develop a 77-lot, single-family detached residential subdivision with street access points along 23rd Avenue and Dobbins Road. A density of 2.99 dwelling units per acre is depicted in the proposed site plan, which also depicts a variety of lot widths ranging from 60 feet to 75 feet in width.



Conceptual Site Plan, Source: EPG Group

Conformance to the conceptual site plan provided by the applicant is recommended by staff to provide certainty in how the project will develop and also to preserve the perimeter transitions along the south, east and west property lines via 60 to 75-foot-

wide perimeter lots and wider landscape areas. Open space areas are also provided throughout the site for easy access by future residents. Furthermore, enhanced building setbacks along 23rd Avenue and Dobbins Road will ensure that future homes will be placed more internally within the site. Stipulation No. 1 addresses conformance to the site plan to ensure that the development is built as proposed.

Staff also recommends Stipulation No. 2 which addresses landscaping enhancements along perimeter landscape setbacks to help maintain the character of the neighborhood and provide a transition in concert with the goals of the Rio Montaña Area Plan.

Lastly, Stipulation No. 3 as recommended by staff, will limit the building height for lots along the perimeters which shall be a maximum of one story and 23 feet in height. These stipulations will help provide an appropriate transition from existing residential and agricultural uses in the area, and further many of the goals from the Rio Montaña Area Plan by protecting the views from existing neighborhoods and maintaining a distinctive character plus scale.

6. Front building elevations were submitted by the applicant, depicting a variety of architectural styles, with various colors and textures proposed. These front building elevations show one-story housing products.

Staff does not recommend conformance to these building renderings, as only the front building elevations were provided. However, staff recommends that all lots, be subject to the Single-Family Design Review standards outlined in Section 507 Tab.A.II. of the Zoning Ordinance. This is addressed in Stipulation No. 4.

Furthermore, staff recommends Stipulation No. 5 to require that all building elevations incorporate several enhancements including: multiple colors, exterior accent materials, and textural differences that exhibit quality and durability. Pitched roofs are also required per Stipulation No. 5.

Stipulation No. 5 also requires that a minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard. This design feature will reinforce community orientation, consistent with the Rio Montaña Area Plan.



Conceptual Front Building Elevations, Source: KHovnanian Homes

7. Fencing and wall enhancements are addressed in Stipulation No. 6 and include full view fencing requirements where open space areas are adjacent to a public street. Furthermore, Stipulation No. 6 allows for solid walls topped with open view fencing to

be utilized where required by the Zoning Ordinance, primarily where lots are adjacent to an open space area, unless conflicts arise with the Zoning Ordinance or City Code. These elements will increase visibility within these areas and promote an open feel both within the community and along adjacent streets or perimeter areas.

Perimeter wall enhancements along adjacent public streets are also addressed in Stipulation No. 6 and will help to improve the streetscape by providing visual interest via wall-offsets and material and textural differences.

The development proposes vehicular access to the community along 23rd Avenue and Dobbins Road. Since Dobbins Road is designated a scenic roadway and to promote a sense of place for future residents, Stipulation No. 7 recommends that vehicular entryways along Dobbins Road incorporate decorative materials. Furthermore, staff is recommending Stipulation No. 8 to require enhanced landscaping on both sides of the Dobbins Road entryway into the development containing a variety of plant materials for visual interest.

8. The area surrounding the site offers a variety of recreational and multimodal transportation opportunities. In addition, the proposed development will provide various amenity areas throughout the development. Staff recommends various pedestrian connections and enhancements throughout the community to promote recreation, walking and alternative transportation methods. Stipulation No. 9 addresses the following connections to/between:

- Amenity areas;
- Sidewalks;
- Shaded pedestrian path that connects to either 23rd Avenue or Dobbins Road near the street intersection; and
- Pedestrian pathways along vehicular entryways into the development.

9. The conceptual site plan also depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 10 to limit the use of high-water use plants within common landscaped areas to help conserve water and to allow the applicant to strategically place plants, such as turf, in areas of high activity and retention basins, among other areas. Staff recommends Stipulation No. 11 to require several amenities distributed throughout the development including:

- Tot lot with shade equipment;
- One picnic area with a barbeque grill, shade ramada and a picnic table;
- Three benches or seating features;

These amenities will promote the health of future residents by providing recreational opportunities through various activities, allowing the enjoyment of sunlight, and having a communal space that enables social interactions.

STUDIES AND POLICIES

10. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street 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 is recommending several stipulations designed to provide trees and enhance shade within the development.



Conceptual Site Plan with Planning and Development Department annotations, Source: EPG Group

Staff is recommending stipulations for enhanced landscaping and shaded sidewalks as follows:

- Fifty-percent two-inch caliper and 50-percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 2);
- Shaded pathway connecting the community to or near the intersection of 23rd Avenue and Dobbins Road (Stipulation No. 9);
- Tot lot amenity with shade equipment (Stipulation No. 11);
- Two, two-inch caliper trees for each residential lot or evidence of incentive landscape package, with trees oriented along internal sidewalks (Stipulation No. 12); and
- The sidewalks along 23rd Avenue and Dobbins Road shall be detached and shaded a minimum of 50 percent with two-inch caliper trees or an alternative design should there be conflicts with existing overhead utility lines (Stipulation No. 13 and 14).

11. [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. This development will help encourage connectivity within the development and adjacent streets by providing a network of pedestrian pathways. Furthermore, the project will pedestrianize the immediate street frontages by providing shaded detached sidewalks along 23rd Avenue and Dobbins Road. These are addressed in Stipulation Nos. 9, 13 and 14.

12. [Zero Waste PHX](#)

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The City of Phoenix offers recycling services for residential properties.

13. [Housing Phoenix](#)

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population

growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Stipulation No. 1 would allow the developer to construct up to 77 single-family homes. If this development is approved, it would allow further diversity in housing products within the area and a new housing choice for existing and new residents to the area.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff received one letter of support and 14 letters in opposition to this request. The letter of support cited increased housing choices and the quality of the homes as reasons for supporting this case. The letters of opposition cited issues with the proposed density, land use compatibility due to the rural nature of the area, impacts to existing neighbors, inadequate infrastructure, increased traffic, impacts to property values, and lack of conformance to the Rio Montaña Area Plan.

INTERDEPARTMENTAL COMMENTS

15. The Parks and Recreation Department requires the dedication of a multi-use trail easement and construct a multi-use trail along 23rd Avenue and Dobbins Road within this development. These comments are addressed in Stipulation Nos. 15 and 16.
16. The Street Transportation Department provided comments pertaining to detached sidewalks along adjacent streets. Other comments provided pertained to adjacent right-of-way dedication and street construction, overhead utility undergrounding, traffic impact study requirement, sight visibility analysis and other general street improvement requirements. These comments are addressed in Stipulation Nos. 13 and 14, and 17 through 22.
17. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. There are requirements for gates across fire apparatus access roads and signage requirements for roadways less than 36 feet. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Fire Code.

18. The Water Services Departments commented that a water main extension will be required from the developer from 27th Avenue along Dobbins Road. A sewer main extension will also be required from this development, with a recommended extension from 27th Avenue. However, capacity is a dynamic condition that can change over time due to a variety of factors. Furthermore, the City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. 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.
19. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an aviation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking noise sensitive land use. Lastly, that a No Hazard Determination for the proposed development be provided from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process. These are addressed in Stipulation Nos. 23, 24 and 25.
20. The site is not identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 26.
21. The Floodplain Management division of the Public Works Department and the Public Transit Department did not have any comments on this case.

OTHER

22. The subject site is within close proximity to properties used for agricultural uses, and approximately 1 mile northwest of the Phoenix Regional Police Academy, thus potentially leading to dust, odors, noise or other impacts to future residential uses on the site. Stipulation Nos. 27 and 28 would require disclosure of the existence and operational characteristics of agricultural activities and the Phoenix Regional Police Academy gun range to purchasers of property within the development.
23. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 29.

24. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure regarding lot space and density.
25. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The requested R1-10 zoning district is consistent with existing zoning and development patterns in the general area.
2. As stipulated, the proposed development is generally consistent with design policies and the intent of the Rio Montaña Area Plan.
3. This proposed development is appropriately located at the intersection of an arterial and minor collector street.

Stipulations

1. The development shall be in general conformance with the site plan date stamped March 2, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - a. The development shall be limited to a maximum of 77 lots.
 - b. Lots 1 through 8, 34, 36 through 40 shall be a minimum of 75 feet in width.
 - c. Lots 21, 22, 29, 30 and 35 shall be a minimum of 70 feet in width.
 - d. All other lots shall be a minimum of 60 feet in width.
 - e. Lots 34 and 35 shall be a minimum of 40 feet from the eastern perimeter property line.
 - f. Lots 36 through 40 shall be a minimum of 60 feet from the eastern perimeter

property line.

- g. Lots 5 through 8 shall be a minimum of 110 feet in depth.
 - h. A minimum 10-foot wide landscape setback shall be provided along the eastern perimeters of the site.
 - i. The location of the open space areas.
 - j. A minimum of 17 percent of the gross site area, exclusive of required landscape setbacks, shall be provided as open space.
 - k. A minimum 30-foot wide landscape setback shall be provided along 23rd Avenue and Dobbins Road.
2. All landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
3. The maximum building height shall be limited to one story and 23 feet.
4. All lots in the development shall be subject to Single-Family Design Review.
5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
- a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
 - b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.
 - c. Pitched roofs shall be provided on all primary building elevations.
6. Fences and walls shall be in general conformance with the wall plan and wall details

(wall elevations) date stamped March 2, 2022, as modified by the following stipulations, and approved by the Planning and Development Department:

- a. Full open view fencing, which may include solid columns up to 24 inches in width, shall be utilized where walls are proposed around open space areas adjacent to a perimeter public street.
 - b. Perimeter walls bounding the rear or side yard property lines of residential lots along 23rd Avenue and Dobbins Road shall include minimum three-foot offsets and material and textural differences, such as stucco, and/or split face or slump block or a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
 - c. The wall layout depicted in the wall details (wall elevations) plan shall be modified where necessary to accommodate site layout changes that avoid conflicts with the Zoning Ordinance or City Code requirements.
7. Project entry/exit drives along Dobbins Road shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
8. Project entry/exit drives along Dobbins Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.
9. A system of pedestrian connections shall be provided, to connect the following as described below and as approved by the Planning and Development Department:
- a. Amenity areas.
 - b. Sidewalks.
 - c. Pedestrian access shall be provided along vehicular access points to the development. The pedestrian access shall be connected to the internal pedestrian pathways by accessible sidewalks.
10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private

yards on individual lots.

11. The following shall be provided in the primary amenity area and/or dispersed throughout the development, as approved by the Planning and Development Department:
 - a. Tot lot with shade equipment;
 - b. One picnic area with a barbeque grill, shade ramada and a picnic table; and
 - c. Three benches or seating features.
12. The development shall provide 3 different front yard palettes consisting of two large canopy accent trees, five shrubs and turf or ground cover, or offer evidence of a landscaping incentive package, as approved by the Planning and Development Department. Required front yard trees shall be a minimum of 2-inch caliper size and located to provide the maximum shade possible to sidewalks within the development, as approved by the Planning and Development Department.
13. All sidewalks along 23rd Avenue shall be a minimum of five feet in width and detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 50 percent at maturity.
 - b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

14. All sidewalks along Dobbins Road shall be detached with a minimum 8-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 50 percent at maturity.

- b. Drought tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

15. The developer shall dedicate a multi-use trail easement (MUTE) along the east side of 23rd Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
16. The developer shall dedicate a multi-use trail easement (MUTE) along the north side of Dobbins Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
17. The developer shall dedicate minimum 45-feet of right-of-way and construct the north side of Dobbins Road. Right-of-way dedication to be measured from the existing south property line for a total right-of-way width of 78 feet from the monument line, as approved by the Planning and Development Department.
18. The developer shall dedicate 30 feet of right-of-way and construct the east side of 23rd Avenue, as approved by the Planning and Development Department.
19. The developer shall underground all existing electrical utilities within the public right-of-way that are impacted or must be relocated as part of the project.
20. The developer shall submit a Traffic Impact Analysis (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The TIS shall include signal warrant analysis for the intersection of 23rd Avenue and Dobbins Road. The developer shall be responsible for constructing and funding all off-site improvements as recommended by the approved TIS.
21. The developer shall submit an engineer sealed Sight Visibility Analysis in accordance with AASHTO guidelines for departure sight distance at proposed access points along Dobbins Road to the City. No preliminary approval of plans shall be granted until the study has been reviewed and proposed access is approved by the Street

Transportation Department.

22. 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.
23. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
24. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
25. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
26. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
27. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
28. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of the Phoenix Regional Police Academy gun range. The form and content of such documents shall be reviewed by the City prior to recordation.

29. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Enrique Bojórquez Gaxiola

March 4, 2022

Team Leader

Joshua Bednarek

Exhibits

Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped March 2, 2022

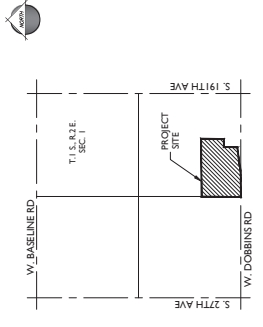
Conceptual Wall and Trail Plan date stamped March 2, 2022

Conceptual Wall Details (Wall Elevations) date stamped March 2, 2022

Conceptual Front Building Elevations date stamped November 5, 2021

Community Correspondence (22 pages)

VICINITY MAP



PROJECT TEAM

OWNER/DEVELOPER:
KHOVNANIAN
1100 N. W. PAPER BLVD, SUITE 230
PHOENIX, AZ 85002
TEL: (480) 874-1725
www.khovnanian.com
contact@khovnanian.com

CONSULTANT:
EPS GROUP INC.
1100 N. W. PAPER BLVD, SUITE 120
PHOENIX, AZ 85002
TEL: (480) 503-2300
www.epsinc.com
info@epsinc.com

PROJECT DATA

APN: 300-17-007B
AGRICULTURAL PARCEL
CURRENT LAND USE: R-1-10
PROPOSED ZONING: R-1-10 PUD
DEVELOPMENT OPTION: 60' DRAINAGE
BUILDING SETBACKS:
FRONT: 15'
SIDE: 5'
REAR: 20'

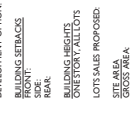
BUILDING HEIGHTS: CARETAKER/TAILWAYS
LOTS SALES PROPOSED: 77

SITE AREA: ±24.74 AC
TOTAL AREA: ±23.84 AC
NET AREA: ±23.84 AC

OPEN SPACE: 21% OF NET

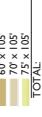
LOT SIZES:
56
7
14
TOTAL: 77

DENSITY: 3.00 DU/AC
GRADE DENSITY: 3.00 DU/AC



KEYNOTES

- 1 TURF
- 2 RAIL FENCE
- 3 5' STABILIZED DG PATH
- 4 TOT LOT
- 5 20'x20' RAMADA

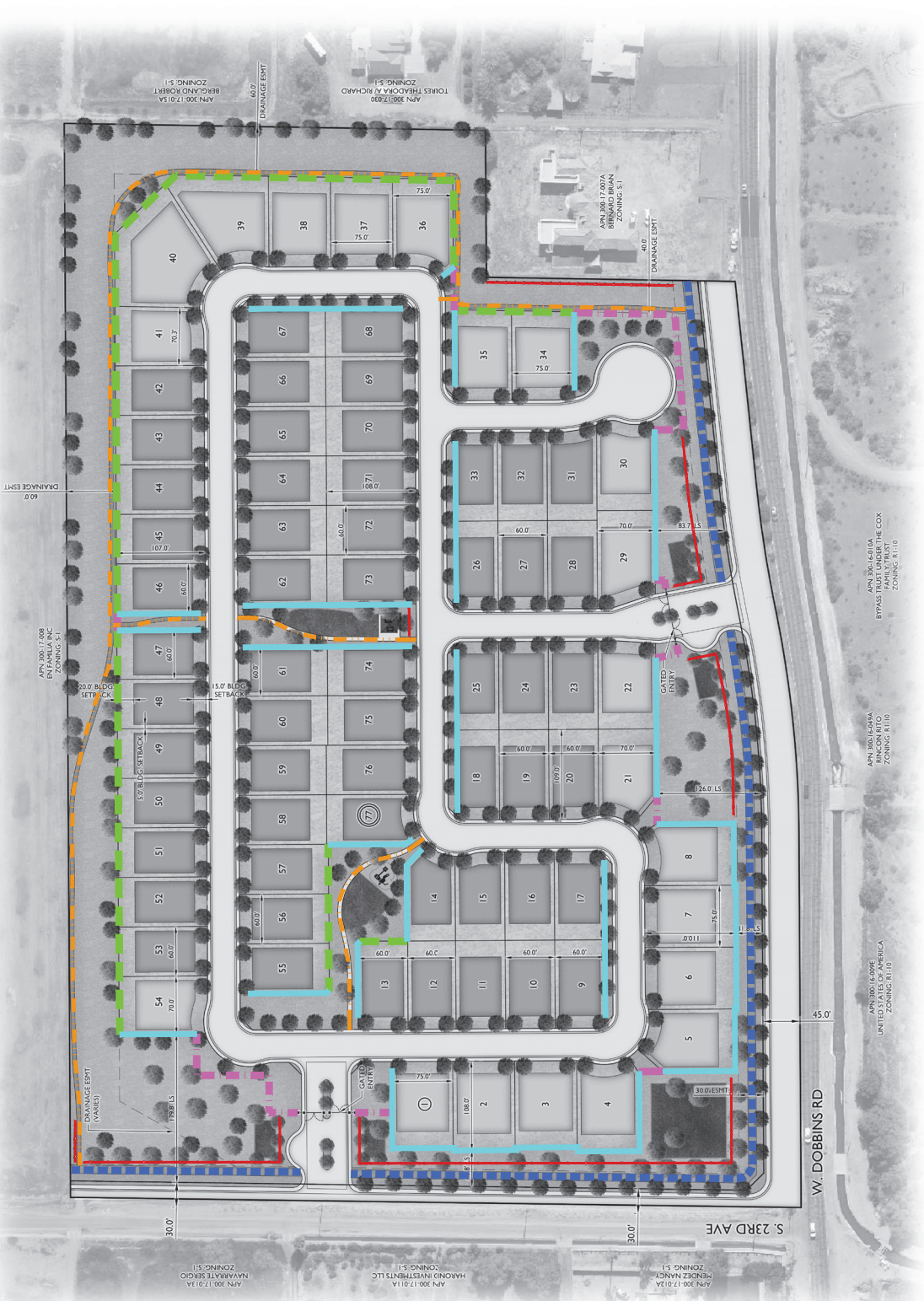


CITY OF PHOENIX

MAR 02 2022
Planning & Development
Department

WALL AND TRAIL LEGEND

SYMBOL	ITEM
	THREE PARTIAL VIEW WALL - 6'0"
	FULL VIEW FENCE - 6'0"
	RAIL FENCE
	COMMUNITY TRAIL
	MULTI-USE PATH



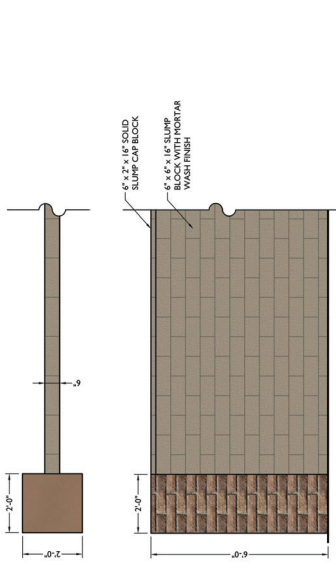
L-0-01
02.24.2022

CITY OF PHOENIX

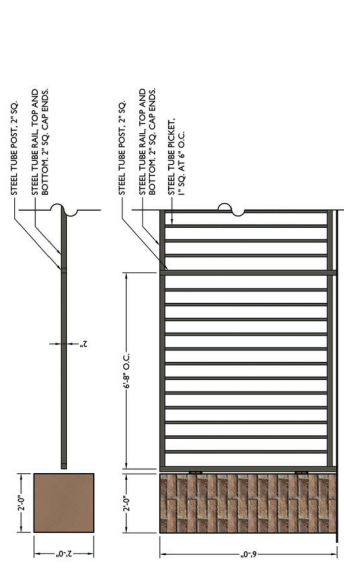
MAR 02 2022
Planning & Development
Department

Phoenix, Arizona
Conceptual Wall and Trail Plan





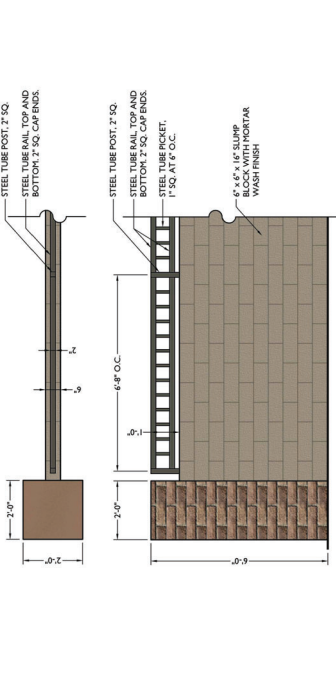
1 THEME WALL - 6'-0"
SCALE: 1/12" = 1'-0"



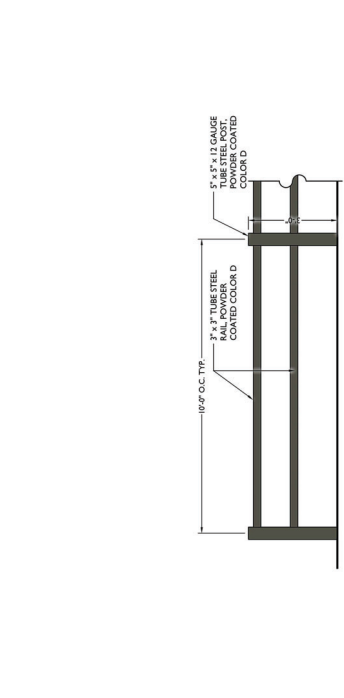
3 FULL VIEW FENCE - 6'-0"
SCALE: 1/12" = 1'-0"



5 TOT LOT - FAIRWAY RIDGE
by LANDSCAPE STRUCTURES



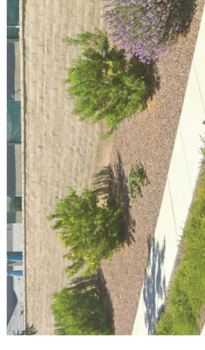
2 THEME PARTIAL VIEW WALL - 6'-0"
SCALE: 1/12" = 1'-0"



4 RAIL FENCE
SCALE: 1/12" = 1'-0"



6 20'x20' RAMADA
by CLASSIC RECREATION



COLOR A - SLUMP BLOCK
TAN EARTH TONE - MORTAR WASH FINISH



COLOR B - COLUMN VENEER
Adobe Brick - Sienna by Coronado Stone



COLOR C - STANDARD CHIU
SW - 7607 - Stone Lion



COLOR D - STEEL
SW - 7048 - Urbane Bronze



SPANISH ELEVATION CHARACTER



SPANISH ELEVATION CHARACTER



FARMHOUSE ELEVATION CHARACTER



FARMHOUSE ELEVATION CHARACTER



HACIENDA ELEVATION CHARACTER



HACIENDA ELEVATION CHARACTER

CITY OF PHOENIX

NOV 05 2021

Planning & Development
Department

EXTERIOR ELEVATION CONCEPTS

February 1, 2022

Wildflower Development at 23rd Ave and Dobbins Rd.

A summary of comments to the information sent to adjacent homes by Beus, Gilbert, McGroder PLLC-Paul E. Gilbert/Cassandra Ayres

This memo is a series of comments to statements made in the application.

General Plan Amendment – GPA

Paragraph 1) This statement adding only 25 units to current zoning is one per acre and equals a 30% increase in density. Currently this is farmland; it hardly seems growing corn or ensilage to feed the local population is “underutilization” of the property.

Paragraph 3) This statement seems to conflict with 1). This says the current plan allows for 26 residential units and the net increase is 60 units for a total of 86 units. That is now three times the existing or a 300% increase.

Paragraph 4) This paragraph discusses Phoenix Metro area. In fact this area is south of South Phoenix and outside of Phoenix Metro. There is no bus service here. Therefore, it is likely a vehicle will be necessary to live in the subdivision and need to be used to get to the Phoenix Metro area.

Paragraph 5) The proposed land use is not complementary to the existing land use. Higher density to match this is north of South Mountain Ave and north of Baseline; approximately 1.5 miles north.

Paragraph 6) This discusses traffic generation in the area. We believe a westbound left turn would dump into the SRP Grand Canal south and paralleling Dobbins. At a minimum from Dobbins, this should have both a left turn and a right turn into the property. Appropriate lengths should be included to have storage so there are no vehicles in the single through lane. During the evening commute today, the westbound through lane backs up to nearly 19th Ave. This property is likely to generate 70 vehicles during the commutes.

In addition, the narrative discusses contributions to the community health through a garden, open space, play grounds, etc. When considering roads, this is a lot of contribution in only 24.44 acres.

Paragraph 9) This amendment does not seem to be consistent in scale to the existing land uses; it is a marked increase in density to the surrounding area.

Rezoning Check List

This is in an SRP delivery area and the main delivery ditch is across the street, yet no check mark.

There is no check mark for a slope analysis. The 24.44 acres are relatively flat farmland; but, across the street is South Mountain. A few years ago, substantial flooding occurred on this property and others on the north side of Dobbins. No drainage improvements have been made. North of the project a retention basin was constructed, but it provides no protection for this proposed development.

Application Information Form

Lot size is typically 6300 sf. Is this 1:10,000 or is it really 1:6300? The surrounding area seems to be more of 1:40,000.

Wildflower Project Narrative

The first paragraph states the property is approximately 20.8 acres and under-utilized. Everywhere else in the application states the property is 24.44 acres. If it is 20.8 acres, the density requested is actually higher than presented.

The paragraph regarding Relationship to GP core values talks about “intensity has increased at the intersection of Baseline and Dobbins Rd”. Is this discussing the about of traffic or something else? It also states this is “consistent with the emerging development patterns of the surrounding area”. The surrounding area is a hardware store, a fuel station and a couple of fast food venues. There are no grocery stores or other services you might think of as “development” potential and serving the needs of permanent residents.

The paragraph stating “is within close proximity and a reasonable walking distance” is subjective and probably not true at 1.5 miles to a ride (especially is walking with children or carrying purchases).

The paragraph describing a sustainable desert city is probably not really true that there is adequate water. This is the same statement used for all subdivisions planning to use “city water”. The calculations don’t seem to be updated or based on outstanding development plans.

The paragraph for Goal 2 has the property adjacent to 19th Ave. It is actually 23 Ave. (a single lane roadway).

The paragraphs discussing the relationship to the Rio Montana Design Guidelines discuss fencing in terms of wrought iron, wood, block or stucco walls. At this location, I don’t believe wrought iron (view fencing) or wood should be considered around the perimeter. Wood rots quickly and wrought iron exposes the back yards to the outside traveler. This is typically “not pretty” or well landscaped and takes away the homeowner’s expectation of privacy.

Further down in the relationship discussion; there is a discussion of single family layout. At the perimeter of the subdivision the outside lots should match the surrounding area. This is typically only one home per acre or only one home every 200 feet.

The final paragraph is this grouping talks about an anticipated water easement. What is a water easement?

Summary of our comments

We believe the documents presented are not well done; they are inconsistent in many places and should be considered inaccurate. This comment notwithstanding; **We are registering our lack of support for this zoning designation.** We believe 2 homes per acre are more in line with the surroundings and would make a more pleasing transition to the heavier densities to the north. Additionally, 2 homes per acre align with the agreed upon planning as specified in the Rio Montana Area Plan. It would be disingenuous for the City of Phoenix and this developer to go against an agreed upon plan for the community.

We also believe this zoning is the City of Phoenix requirement to have at least 3 homes per acre and to have green belts, thus requiring a Homeowner's Association (HOA). If this is true consider the follow as minimum guidelines for the development.

- Both Dobbins Road and 23rd Avenue should be developed to have one lane (minimum) in each direction and include left turn and right turn lanes into the subdivision. These lanes need to have storage length so as to not have any vehicles blocking the only through lane.
- Landscaping around the perimeter of the property should be appropriate for the location and include a sidewalk and a stabilized multiuse pathway.
- Perimeter fencing should be block or stucco and dark enough to not show muddy dirt splatter. There should be some kind of break in material, space or landscaping to not be a "straight line".
- Perimeter homes should match the local housing of only one per acre or about one every 200 feet.
- Parking for homeowner's vehicles including their business vehicles need to have room for parking within the subdivision. Specifically, semitruck rigs, large delivery vans and other vehicles that might not fit on the property. In no case should those vehicles be allowed to park on the street outside of the subdivision's limits.

Thank you for soliciting our comments; we are available for discussion if you like.

Respectfully submitted,

*Nick and Chevera Torrez
2311 W. Dobbins Road
Phoenix, Arizona
480.518.6810*

From: [DJC](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8
Date: Monday, February 7, 2022 8:12:35 PM

Re: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8

I wish to speak and I donate my time to Julie Willcox. In the event that Ms. Willcox is not present, I donate my time to Nick Torres.

I oppose GPA-SM-4-21-8 and Z-71-21-8, agenda items 6 and 7. The Rio Montana Plan calls for decreasing density towards South Mountain Park. The "Wildflower" property is further south than "Kimura" and should not be considered for equal density to that property (3 houses per acre). The vast majority of the community opposed the "Kimura" approval at 3-houses per acre but acquiesced because Mr. Poulsen made other concessions in exchange for more density. Imminently, it was the least bad deal.

K Hovnanian will likely argue that other developments along Dobbins Road are currently being built at higher densities. Those developments are an aberration and probably an indicator of residents not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

K Hovnanian's presentation comparing "Wildflower" to "Kimura" is inappropriate. "Kimura" is a development of 49.5 acres, nearly double the area of "Wildflower". "Wildflower" is 24.71. It is much more appropriate for them to compare "Wildflower" to their recently approved (at the city planning commission) "Andora" project, which at 20.76 acres, and only slightly smaller in area than "Wildflower".

K Hovnanian recently recognized the significant neighborhood resistance to their proposed density at a development this committee voted down just last month called "Andora". At the 11th hour prior to the planning commission meeting on 2/3, they negotiated a density of 2.5 houses per acre along with additional stipulations for single story, wider lots with more space between homes, heat mitigation at least equal to what "Kimura" promises, multi-use trails, and generous setbacks to their adjacent landowners. While the zoning was approved at R1-10 and would provide the developer with 4 additional houses over R1-18, this was seen by some, not all, as something we could comfortably accept in the area. The neighbors surrounding "Wildflower" deserve the same time to work with the developer to create a better deal than the one currently presented.

The southwest corner of the "Andora" property and the northeast corner of the "Wildflower" property are approximately 1,085 feet away from each other. K Hovnanian said they were prepared to build at R1-18 on "Andora" if they had to. A finished development the same distance from Wildflower directly to the north, Silva Estates, is built to R1-18. The R1-10 land on the south side of Dobbins is either still open land or obviously wasn't developed to R1-10 because there are large homes already established on the properties. All other property surrounding this land on the east and west are developed S-1, i.e., they have homes established and/or belong to active farming (Grandma's Farm). The northern adjacent property is undeveloped S-1 and will likely remain that way for the foreseeable future because the land contains radio towers for KIDR-AM.

K Hovnanian's current proposal at 3 houses per acre can't possibly be their "floor." If they can't, for whatever reason build at R1-18, which would be the most preferable and logical

density for the area outside of remaining an S-1 development, there is surely room to negotiate a density somewhere in between R1-18 and the 3 houses per acre they currently want that the community can accept. I ask that you continue the vote on the GPA to maintain a level negotiating field between the developer and the neighbors until there is a more agreed upon site plan in place. While you may ultimately decide that approving the GPA is warranted, approving a jump from S-1 to R1-10, esp. when there are no developed R1-10 properties nearby should be taken with all due deliberation.

Sincerely,

Dean Chiarelli, MA, Registered Dietitian, Registered Environmental Health Specialist



TDRANCH

January 4, 2022

Mr Vice Mayor Garcia
Cc: Mayor Kate Gallego
CC: Planning commission

RE: Z-31-21 GPA-SM-2-21.
Z-58-21-8 GPA-SM-3-21-8 and Z-71-21-8
GPA-SM-4-21-8

Dear Sir and all,

We wanted to contact you further with our thoughts on the developments that have been proposed that surround our property on three sides. Thank you for your time and "listening" meetings. It appears you have made sincere efforts to understand our community and its true needs. Reflecting on your comments in regards to need for infrastructure funding and support by developers and the balance with our community and "your constituents" opposition. Clearly you can see these projects are wrong in concept, wrong in vision and complicate the stress that already exists on environment and water. Arizona in general is filled with this type of uninspired walled in "stick built" trailer parks. This area in particular had a plan in place for the type of development and zoning that reflects a blend of development and community. It is your job and planning persons to be true advocates for your constituents. Not the carpetbaggers with a slick lawyer that come into agricultural communities create the blight they blindly build and move on forever removing viable fertile land available to agriculture. The innovative Zach Brooks and the Worm Farm represent a future with exciting use and possibilities in agriculture. We urge you and all decision makers to take a stand for the future and our community by sending these developers a "NO SALE" notice. If zoning is allowed to be changed on all 3 projects, our lives and negative impact will set the table for complete destruction of agriculture within the city limits. These type of developers should be encouraged by the mayor and city to move to inner city blighted lots and build and make it a win win for both. These projects do not represent the highest and best use nor do they address the high demand for quality of life balanced with innovative housing solutions and should be denied out of hand.

Sincerely yours,

Ted and Dianne Olivo

CONTACT

8804 S 19TH AVE PHOENIX AZ 85041, 617-645-8591 TDRANCH@ICLOUD.COM

From: [Dianne Olivo](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to Opposition to cases GPA-SM-4-21-8 and Z-71-21-8
Date: Monday, February 7, 2022 5:50:59 PM

I am writing to oppose yet another Hovanian over development proposal. This area is literally underseige by speculation and greedy acquisition from developers. This land in particular is currently zoned S 1 and it should remain that way. There has been no attempt to understand the community the agriculture and once that's gone it's gone .

If S1 remains on this one they will still be able to make a tidy profit which is all they care about not trying to do anything for the community just like they did with their last project at the last hour did they reduce request.

With all the new projects that have been approved within a half mile the burden of infrastructure water and traffic is overwhelming and they have no clear plan to mitigate that please reject this proposal out of hand.

Also speaking for Grandma s farm

Dianne and Ted Olivo
8804 S 19th Ave

From: donatus.agbakwu
To: [Enrique A Bojorquez-Gaxiola](mailto:Enrique.A.Bojorquez-Gaxiola)
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8
Date: Monday, February 7, 2022 7:05:19 PM

I am writing in opposition to cases GPA-SM-4-21-8 and Z-71-21-8, agenda items 6 and 7. The last presentation shown to the community was recently, 1/31, and the small reduction in density to 3 houses per acre, with the rationale apparently because that's what Mr. Poulsen (Kimura) got just north of this property, showed just how little they understand the broad sentiment in the area that any development be truly low density. We made clear to the developer and Mr. Gilbert that the vast majority of the community (minus one house in the Providence-built Commons that abuts the Kimura development) remained adamantly against what ended up getting approved. We acquiesced because Mr. Poulsen made other concessions in exchange for more density and we felt it was the least bad deal we were going to get.

The Rio Montana Plan calls for decreasing density towards South Mountain Park. This property is further south than Kimura and should not be considered for equal density to that property. You may hear K Hovnanian's lawyer argue that other developments along Dobbins Road are being built at higher densities right now. Those developments are an aberration and are more likely indicators of neighbors not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

K Hovnanian's presentation comparing Wildflower to Kimura is inappropriate. Kimura is a development of 49.5 acres, nearly double the area of Wildflower. Wildflower is 24.71. It is much more appropriate for them to compare Wildflower to their recently approved (at the city planning commission) Andora project, which at 20.76 acres, and only slightly smaller in area than Wildflower.

K Hovnanian recently recognized the significant neighborhood resistance to their proposed density at a development this committee voted down just last month called Andora. At the 11th hour prior to the planning commission meeting on 2/3, they negotiated a density of 2.5 houses per acre along with additional stipulations for single story, wider lots with more space between homes, heat mitigation at least equal to what Kimura promises, multi-use trails, and generous setbacks to their adjacent landowners. While the zoning was approved at R1-10 and would provide the developer with 4 additional houses over R1-18, this was seen by some, not all, as something we could comfortably accept in the area. The neighbors surrounding Wildflower deserve the same time to work with the developer to create a better deal than the one currently presented.

The southwest corner of the Andora property and the northeast corner of the Wildflower property are approximately 1,085 feet away from each other. K Hovnanian said they were prepared to build at R1-18 on Andora if they had to. A finished development the same distance from Wildflower directly to the north, Silva Estates, is built to R1-18. The R1-10 land on the south side of Dobbins is either still open land or obviously wasn't developed to R1-10 because there are large homes already established on the properties. All other property surrounding this land on the east and west are developed S-1, i.e., they have homes established and/or belong to active farming (Grandma's Farm). The northern adjacent property is undeveloped S-1 and will likely remain that way for the foreseeable future because the land

contains radio towers for KIDR-AM.

K Hovnanian's current proposal at 3 houses per acre can't possibly be their "floor." If they can't, for whatever reason build at R1-18, which would be the most preferable and logical density for the area outside of remaining an S-1 development, there is surely room to negotiate a density somewhere in between R1-18 and the 3 houses per acre they currently want that the community can accept. We ask that you continue the vote on the GPA to maintain a level negotiating field between the developer and the neighbors until there is a more agreed upon site plan in place. While you may ultimately decide that approving the GPA is warranted, approving a jump from S-1 to R1-10, esp. when there are no developed R1-10 properties nearby should be taken with all due deliberation.

Sincerely,

Donatus Agbakwu

I donate my time to either Julie Willcox or Nick Torres.

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-4-21-8 (Companion Case Z-71-21-8)
Date: Monday, February 7, 2022 6:56:42 PM

I am writing to oppose the cases mentioned above' The Rio Montana Plan calls for decreasing density towards South Mountain Park. This property is further south than Kimura and should not be considered for equal density to that property. You may hear K Hovnanian's lawyer argue that other developments along Dobbins Road are being built at higher densities right now. Those developments are an aberration and are more likely indicators of neighbors not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

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This developer has already made significant reductions to another property on 19th Avenue and South Mountain Avenue and the stipulations are recorded. I ask that the council either reject or continue this case so the neighborhood can negotiate a better development for this property that is less than one mile of the most prestigious city owned preserve in this country

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

From: [Gina Baker](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8
Date: Tuesday, February 8, 2022 12:52:38 PM

Hello,

I support the following opposing the referenced cases and implore SMVPC to maintain the Rio Montana plan.

I am writing in opposition to cases GPA-SM-4-21-8 and Z-71-21-8, agenda items 6 and 7. The last presentation shown to the community was recently, 1/31, and the small reduction in density to 3 houses per acre, with the rationale apparently because that's what Mr. Poulsen (Kimura) got just north of this property, showed just how little they understand the broad sentiment in the area that any development be truly low density. We made clear to the developer and Mr. Gilbert that the vast majority of the community (minus one house in the Providence-built Commons that abuts the Kimura development) remained adamantly against what ended up getting approved. We acquiesced because Mr. Poulsen made other concessions in exchange for more density and we felt it was the least bad deal we were going to get.

The Rio Montana Plan calls for decreasing density towards South Mountain Park. This property is further south than Kimura and should not be considered for equal density to that property. You may hear K Hovnanian's lawyer argue that other developments along Dobbins Road are being built at higher densities right now. Those developments are an aberration and are more likely indicators of neighbors not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

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surrounding this land on the east and west are developed S-1, i.e., they have homes established and/or belong to active farming (Grandma's Farm). The northern adjacent property is undeveloped S-1 and will likely remain that way for the foreseeable future because the land contains radio towers for KIDR-AM.

K Hovnanian's current proposal at 3 houses per acre can't possibly be their "floor." If they can't, for whatever reason build at R1-18, which would be the most preferable and logical density for the area outside of remaining an S-1 development, there is surely room to negotiate a density somewhere in between R1-18 and the 3 houses per acre they currently want that the community can accept. We ask that you continue the vote on the GPA to maintain a level negotiating field between the developer and the neighbors until there is a more agreed upon site plan in place. While you may ultimately decide that approving the GPA is warranted, approving a jump from S-1 to R1-10, esp. when there are no developed R1-10 properties nearby should be taken with all due deliberation.

Sincerely,

Gina Johnson
1816 W Magdalena Ln
Phoenix, AZ 85041
602-332-5297

From: [H. Jewel Clark](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8 and request to donate speaking time
Date: Tuesday, February 8, 2022 8:37:26 AM

I am writing in opposition to cases GPA-SM-4-21-8 and Z-71-21-8, agenda items 6 and 7. The last presentation shown to the community was recently, 1/31, and the small reduction in density to 3 houses per acre, with the rationale apparently because that's what Mr. Poulsen (Kimura) got just north of this property, showed just how little they understand the broad sentiment in the area that any development be truly low density. We made clear to the developer and Mr. Gilbert that the vast majority of the community (minus one house in the Providence-built Commons that abuts the Kimura development) remained adamantly against what ended up getting approved. We acquiesced because Mr. Poulsen made other concessions in exchange for more density and we felt it was the least bad deal we were going to get.

The Rio Montana Plan calls for decreasing density towards South Mountain Park. This property is further south than Kimura and should not be considered for equal density to that property. You may hear K Hovnanian's lawyer argue that other developments along Dobbins Road are being built at higher densities right now. Those developments are an aberration and are more likely indicators of neighbors not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

K Hovnanian's presentation comparing Wildflower to Kimura is inappropriate. Kimura is a development of 49.5 acres, nearly double the area of Wildflower. Wildflower is 24.71. It is much more appropriate for them to compare Wildflower to their recently approved (at the city planning commission) Andora project, which at 20.76 acres, and only slightly smaller in area than Wildflower.

K Hovnanian recently recognized the significant neighborhood resistance to their proposed density at a development this committee voted down just last month called Andora. At the 11th hour prior to the planning commission meeting on 2/3, they negotiated a density of 2.5 houses per acre along with additional stipulations for single story, wider lots with more space between homes, heat mitigation at least equal to what Kimura promises, multi-use trails, and generous setbacks to their adjacent landowners. While the zoning was approved at R1-10 and would provide the developer with 4 additional houses over R1-18, this was seen by some, not all, as something we could comfortably accept in the area. The neighbors surrounding Wildflower deserve the same time to work with the developer to create a better deal than the one currently presented.

The Andora property and the Wildflower property are no more than 1,085 feet away from each other. K Hovnanian said they were prepared to build at R1-18 on Andora if they had to. A finished development the same distance from Wildflower directly to the north, Silva Estates, is built to R1-18. The R1-10 land on the south side of Dobbins is either still open land or obviously wasn't developed to R1-10 because there are large homes already established on the properties. All other property surrounding this land on the east and west are developed S-1, i.e., they have homes established and/or belong to active farming (Grandma's Farm). The northern adjacent property is undeveloped S-1 and will likely remain that way for the foreseeable future because the land contains radio towers for KIDR-AM.

K Hovnanian's current proposal at 3 houses per acre can't possibly be their "floor." If they

can't, for whatever reason build at R1-18, which would be the most preferable and logical density for the area outside of remaining an S-1 development, there is surely room to negotiate a density somewhere in between R1-18 and the 3 houses per acre they currently want that the community can accept. We ask that you continue the vote on the GPA to maintain a level negotiating field between the developer and the neighbors until there is a more agreed upon site plan in place. While you may ultimately decide that approving the GPA is warranted, approving a jump from S-1 to R1-10, esp. when there are no developed R1-10 properties nearby should be taken with all due deliberation.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

I would like to speak and donate my time to Nick Torres.

--

H. Jewel Clark
hjewelclark@fastmail.com

Enrique A Bojorquez-Gaxiola

To: JoAnne Jensen
Subject: RE: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Monday, February 7, 2022 6:24 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8

Ladies and Gentlemen - this is the third development proposal for this part of South Mountain, and I oppose NOT THE CONCEPT OF DEVELOPMENT but rather the DENSITY.

Unfortunately, the K Hovnanian group is using the density granted Kimura Gardens as their benchmark. As has been said multiple times, the Kimura Gardens density was a compromise which no neighbors find acceptable, myself included. However, it was the best we could negotiate, and given the additional concessions the Providence group was willing to make, we felt it was as good a situation as could be. However, in no way should a density of 3 units / acre be considered or become the standard for this area, as it is in no way a reflection of neighborhood sentiment or preference.

The second proposal was from the K Hovnanian group for Andora - which is on the southwest corner of 19th and South Mountain Avenues. The density there is 2.5 homes / acre, and again, given the additional concessions with respect to setbacks and heat mitigation efforts, as well as the location for the main entrance, along with other important characteristics, this seemed an acceptable compromise from the preferred R1-18.

Now comes the K Hovnanian group for Wildflower, with a density of 3 homes / acre. There are several points to consider - one is that the Rio Montana plan calls for decreasing density the farther south of Baseline and Wildflower is south of both Kimura Gardens and Andora; another is that at approximately 25 acres, Wildflower is much closer in size and shape to Andora than it is to the 50 acre Kimura Gardens site. It seems to me that Andora is the logical model for Wildflower. Interestingly, the K Hovnanian group indicated that they would built Andora to R1-18, if absolutely necessary. Also of interest is that the property south of Wildflower, while R1-10, is developed with larger homes to a significantly lower density and other development nearby is built to R1-18.

I think that there must be some room for negotiation to a density of 2.5 homes / acre, particularly in light of the Andora outcome.

Thank you very much for your consideration.

JoAnne Jensen
8303 South 17th Drive
Phoenix AZ 85041
480-213-6499

From: [Julie Willcox](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: South Mountain Village Planning Committee
Date: Saturday, February 5, 2022 10:22:15 AM

Hi Enrique,

I would like to speak at the South Mountain Village Planning Committee meeting on 2/8 regarding Item 6, Case #Z-71-21-8.

If I am not able to speak I would like the following comments added instead.

Reading from the zoning for S-1 it is intended to :The S-1, Ranch or Farm Residence District, is a district designed to provide for very low density [phoenix.municipal.codes] farm or residential uses [phoenix.municipal.codes] to protect and preserve low density [phoenix.municipal.codes] areas in their present or desired character. It is intended that the S-1 district will afford areas where semi-rural residential and agricultural uses can be maintained without impairment from industrial, commercial or higher density [phoenix.municipal.codes] residential development"

Changing to R1-10 goes against everything the current zoning is supposed to protect against. Once this changes it will be too late to ever go back and preserve what we currently have. My husband and I bought land here in this current S-1 zone just over a year ago. We looked around the greater Phoenix area but ultimately love this area with the larger lots and small farm feel. We have 2 young children that are 2 years and 2 months old. We want them to grow up with an appreciation for nature and intend to have animals. The higher density would cause additional concerns to the safety of our children & animals as the increased traffic on 2 lane roads. We are working to have horses and be able to ride out as is still somewhat common in the area. However as added density increases, the awareness & safety of such activities is increasingly put at peril. We would like to see this area preserved for future generations.

We are not against development of homes/lots instead of a field. However, the current lot that is being petitioned to rezone is all surrounded by 1 acre or larger lots. Rezoning to this density (R1-10) and small lot size would bring down the overall land value of our homes. Keeping S-1 would maintain the larger lots at a minimum of 1 acres, keeping with the character of the area.

Thank you,
Julie Willcox

From: [Mike Josic](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to cases GPA-SM-4-21-8 and Z-71-21-8
Date: Tuesday, February 8, 2022 11:57:05 AM

Hi Enrique,

I would like to donate my speaking time to Julie Willcox.

I am writing in opposition to cases GPA-SM-4-21-8 and Z-71-21-8, agenda items 6 and 7. The last presentation shown to the community was recently, 1/31, and the small reduction in density to 3 houses per acre, with the rationale apparently because that's what Mr. Poulsen (Kimura) got just north of this property, showed just how little they understand the broad sentiment in the area that any development be truly low density. We made clear to the developer and Mr. Gilbert that the vast majority of the community (minus one house in the Providence-built Commons that abuts the Kimura development) remained adamantly against what ended up getting approved. We acquiesced because Mr. Poulsen made other concessions in exchange for more density and we felt it was the least bad deal we were going to get.

The Rio Montana Plan calls for decreasing density towards South Mountain Park. This property is further south than Kimura and should not be considered for equal density to that property. You may hear K Hovnanian's lawyer argue that other developments along Dobbins Road are being built at higher densities right now. Those developments are an aberration and are more likely indicators of neighbors not being able to adequately organize in time and/or adjacent land being too sparsely populated to appear to show significant opposition.

K Hovnanian's presentation comparing Wildflower to Kimura is inappropriate. Kimura is a development of 49.5 acres, nearly double the area of Wildflower. Wildflower is 24.71. It is much more appropriate for them to compare Wildflower to their recently approved (at the city planning commission) Andora project, which at 20.76 acres, and only slightly smaller in area than Wildflower.

K Hovnanian recently recognized the significant neighborhood resistance to their proposed density at a development this committee voted down just last month called Andora. At the 11th hour prior to the planning commission meeting on 2/3, they negotiated a density of 2.5 houses per acre along with additional stipulations for single story, wider lots with more space between homes, heat mitigation at least equal to what Kimura promises, multi-use trails, and generous setbacks to their adjacent landowners. While the zoning was approved at R1-10 and would provide the developer with 4 additional houses over R1-18, this was seen by some, not all, as something we could comfortably accept in the area. The neighbors surrounding Wildflower deserve the same time to work with the developer to create a better deal than the one currently presented.

The southwest corner of the Andora property and the northeast corner of the Wildflower property are approximately 1,085 feet away from each other. K Hovnanian said they were prepared to build at R1-18 on Andora if they had to. A finished development the same distance from Wildflower directly to the north, Silva Estates, is built to R1-18. The R1-10 land on the south side of Dobbins is either still open land or obviously wasn't developed to R1-10

because there are large homes already established on the properties. All other property surrounding this land on the east and west are developed S-1, i.e., they have homes established and/or belong to active farming (Grandma's Farm). The northern adjacent property is undeveloped S-1 and will likely remain that way for the foreseeable future because the land contains radio towers for KIDR-AM.

K Hovnanian's current proposal at 3 houses per acre can't possibly be their "floor." If they can't, for whatever reason build at R1-18, which would be the most preferable and logical density for the area outside of remaining an S-1 development, there is surely room to negotiate a density somewhere in between R1-18 and the 3 houses per acre they currently want that the community can accept. We ask that you continue the vote on the GPA to maintain a level negotiating field between the developer and the neighbors until there is a more agreed upon site plan in place. While you may ultimately decide that approving the GPA is warranted, approving a jump from S-1 to R1-10, esp. when there are no developed R1-10 properties nearby should be taken with all due deliberation.

Sincerely,
Mike Josic
480-967-6644

From: [Erin Hegedus](#)
To: [PDD Planning Commission](#); [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#); [Adriana Garcia Maximiliano](#)
Subject: GPA-SM-4-21-8 & Z-71-21-8
Date: Wednesday, March 2, 2022 8:08:32 PM

I acknowledge that the referenced amendments are being asked to continue. However, I want to go on record that the Attorney's and the developers have limited outreach to the community. Furthermore, the two physical meetings where the majority of the neighbors were able to engage, resulted in the developer stating that they will not consider any reduction to the current design.

Additionally, the addition of 2 story homes were added which is a negative modification rather than a positive.

I would ask you to look closely at the proposed design versus what was previously submitted.

Simply rearranging lots to appear that they are making concessions but in reality, reducing open space and standing steadfast without reducing density or consideration of the Rio Montana Plan or the impact of this improper development in this rural community.

Thank you for your time and you will be hearing from the community at large in forthcoming meetings.

Respectfully,

Erin Hegedus, CMRP, CEMT
8630 South 19th Avenue
Phoenix, AZ 85016

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

From: [Julie Willcox](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: SMVPC Meeting
Date: Thursday, March 3, 2022 8:08:27 AM

Hi Enrique,

I would like to register to speak again at the meeting on March 8th regarding item 7 GPA-SM-4-21-8. I would also like to present a pdf at that time. Would I need to have the pdf into you in advance and if so, when would you need it by?

I would also like to add comments that the community continues to be in opposition to the density but is willing to work with the developer. The developer however has stated twice in neighborhood meetings that they have no intention to negotiate on density. They instead tried to make some other offers that actually went in the wrong direction. They lowered the open space by 1% and introduced two story houses. While they added some larger lots on the perimeter that ended up increasing the amount of houses with smaller lots which will bring down the home values in the area.

Thank you,
Julie Willcox

From: [chevera trillo](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Ntonyt](#)
Subject: SMVPC March 8th, 2022
Date: Friday, March 4, 2022 7:56:06 AM

Good Morning Enrique -
Please register my spouse and I to speak at the upcoming SMVPC meeting scheduled for March 8th, 2022 @ 6pm.:
Chevera Torrez
Nicholas Torrez

In addition, I would like to share a concern from the last SMVPC meeting. Calls to the public are time limited and registered speakers are muted until called upon and then immediately muted post speaking - which is appropriate and reasonable. In terms of presenters that are on the agenda presenting material to the Board - my understanding is that they too, once they have presented their information should be muted or not speak until/unless a board member directs them to with a question. They are not part of the board and should not be allowed to engage in freeform debate and decision making with the board. Mr. Gilbert engaged in a manner that was not consistent with public meeting protocols.

Additionally, as a result of Mr. Gilbert being able to freely engage in the dialogue & decision making, he was given an unfair advantage over the community impacted by the agenda item. As well as a less than accurate reflection of his firm's interactions with the community as it related to the topic at hand.

Please let me know if there is a more formal process to share this concern.

Regards,

Chevera Torrez
602.315.9774
cheveratrillo@gmail.com

From: [ryan.sch](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-4-21-8 and Z-71-21-8; Wildflower, NEC 23rd Ave & Dobbins
Date: Thursday, February 10, 2022 4:04:44 AM

Dear Mr. Bojorquez-Gaxiola:

I'm a long-time resident of the South Mountain Village and am writing to comment on the growth in the area. I've recently become aware of K. Hovnanian Home's application for a new home community at 23rd Avenue and Dobbins and wanted to say that I'm encouraged by what I'm seeing. For too long, we have felt ignored or our part of the City has been viewed as being less desirable for development, but it appears our time has finally come. I am familiar with communities K. Hovnanian has built in North Scottsdale and believe that a high-quality builder such as them is just what are area needs. I encourage the City's decision makers to carefully consider this proposal as well as others, but to consider them as an important first or second step toward what South Mountain Village can truly become. Please support a variety of housing product types so we can continue to grow and bring families and new investment into our community.

Sincerely,

Ryan Schaefer

1506 e gary way phoenix